TWO

A Disputation on the Future of Democracy

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BILL MOYERS:

The surroundings are not medieval but the intent is, although a very modern spirit broods over these proceedings —the spirit of John Adams, who, as many of you know, had considerable doubts about the longevity of the experience of which he was a founding partner. Not long after the Revolution of 1776, John Adams in a letter had omin-

ous things to say about the future of democracy. No democracy ever lasts very long, he said; democracies soon commit suicide.

On a more prosaic level, we may recall the story of the young girl who one day came in to her mother and said, "You know that vase that has been so long on our mantel?" "Yes," her mother said, "that vase has been in this family for generations." "Well," said the girl, "this generation just dropped it."

There is a widespread opinion that this generation is dropping the vase of democracy. And that is one of the questions in dispute today and tomorrow.

These proceedings are medieval in intention, because a disputation, as Mortimer Adler has informed all of us, was a frequent intellectual exercise at some of the great medieval universities—Paris and Oxford, in particular. These disputations were more than debates. In the kind of debate to which we have become accustomed in this country, there are verbal jousters trying to score points against one another. That is not what we are going to be doing in this discussion. Rather, we are going to be listening to a dispute about the answers to some questions which have been propounded about the future of democracy in the world as we have it, and as it seems likely to develop—a dispute in which persons who hold differing views of the future of democracy will speak, taking the time necessary to illuminate and expand upon the rationale as well as the purpose of their arguments.

Mortimer Adler will begin and will finish this afternoon what he has to say in his prepared remarks. Maurice Cranston will then take the remaining part of the afternoon session to respond to Mr. Adler's argument. And tonight Anthony Quinton will lead off with a presentation of his own response to everything that has up to then been said. Then there will be a discussion among the three participants toward the end of the session this evening.

MORTIMER ADLER:

Thank you, sir. Mr. Moyers, Mr. Quinton, Mr. Cranston, ladies and gentlemen.

The questions to be disputed are three. First: *Should* democracy as a form of government everywhere prevail? Second: *Can* democracy survive where it now exists in some degree of approximation, can the ideal be more fully realized where it now is imperfectly approximated, and can it be instituted where it does not now exist? Third: *Will* democracy survive, become more perfectly achieved where it now exists, and be adopted and perfected where it does not now exist?

In reply to these questions, I will undertake to defend the following theses: First, that democracy should prevail everywhere because it is the only perfectly just form of government and, as such, the political ideal that should be universally realized as fully or perfectly as possible. Second, that democracy can survive where it now exists and be perfected there, and that it can be adopted and perfected everywhere else. Third, that what is possible will probably come to pass—not in this century, but in a future not too remote, on the one assumption that civilized life itself will be preserved on this planet through the solution of problems that now threaten it.

Let me begin with a definition of terms. By "democracy," in a narrow sense, I shall mean a form of government, and so I will always indicate this narrow sense by using the phrase "political democracy." Political democracy is government of, by, and for the people. Let us consider the meaning of these three prepositional phrases:

Of the people. Democracy is constitutional government, government with the consent of those capable of giving their consent and capable of participating in self-government. A political democracy is always a republic, but it is never merely a republic.

For the people. Democracy is government that secures all

the natural, human, or moral rights to which human beings are entitled.

By the people. Democracy is a republic in which universal suffrage has been established, a republic in which all human beings (with the exception of infants, feebleminded, and insane) are equally citizens, equally constituents of government, and equally participants in self-government; but not all exercising equal political power, because only some are citizens holding and exercising the political power that is vested by the constitution in certain public offices.

In short, political democracy as an ideal is constitutional government with universal suffrage and with a constitution that secures all inherent and unalienable rights, called in various writings "natural" by Adler, "human" by Cranston, and "moral" by Ronald Dworkin.

By democracy in a broader sense, I shall mean a society all of whose social institutions and economic arrangements support and facilitate the form of government that I have called "political democracy." I will use the phrase "democratic society" to refer to democracy in this broader sense of the term. The ideal of political democracy will be approximated or imperfectly realized in any society that is not democratic. On the other hand, political democracy itself is the indispensable first step toward a democratic society, and tends toward it to the extent that it extends its constitutional charter of human rights beyond the preservation of political rights to the establishment and furtherance of economic rights. The relation between political democracy and a democratic society—the first an indispensable means to the establishment of the second; the second an indispensable means to the fulfillment and preservation of the first—is of critical significance in our consideration of the future of democracy.

Before I attempt to argue in defense of my three theses, permit me to reflect on some relevant historical considerations.

Political democracy as defined is not yet a century old. It

did not exist anywhere in the world prior to the twentieth century. And in those countries in which political democracy came into existence in the twentieth century, it is still very imperfectly realized—the ideal is only approximated to some degree.

In the ancient world there were three basic political conflicts: first, that between the Greeks and barbarians, in which the principle of constitutional government was opposed to oriental despotism; and, second, that among the Greek cities themselves, in which there was opposition between two forms of oligarchical constitution. These were called by the Greeks "oligarchy" and "democracy," but both were oligarchies because both involved slavery and other unjust exclusions from citizenship.

In a later, the Roman, phase of the ancient world, the first of these two oppositions repeats itself—the conflict between despotism and oligarchy, in terms of the monarchy which preceded the republic and, later, in terms of the empire which succeeded it.

In the medieval world, the major tension was between purely royal government (or absolute kingship) and government both royal and political, but apart from a few free self-governing cities there were no republics in the medieval world, and the few that existed were oligarchical in constitution.

In the modern world there have been two movements. First, the gradual dissolution of royal authority, which turned more and more despotic in the fifteenth and sixteenth centuries, thus causing republican revolutions that began by setting up limited monarchies and then predominantly constitutional governments. Second, beginning no earlier than the nineteenth century, the gradual amendment of republican constitutions by extensions of the suffrage and by correction of various forms of oligarchical injustice, both with respect to citizenship and officeholding.

What is our situation in the present day? For the most part, the people of the world live under despotisms of one

sort or another, domestic or colonial. A comparatively small part of the human race enjoys the blessings of constitutional government—the liberty of life under law which is due every being who by nature is rational, free, and political. Where constitutional governments exist, many of them still remain operative vestiges of oligarchy, whether overt or concealed. Few, if any, are by explicit enactment perfectly democratic in constitution; and where these are democratic on paper or in constitutional principle, they are seldom even remotely democratic in actual practice.

In the hundred years since John Stuart Mill wrote *Representative Government*, a small number of political democracies have come into existence for the first time in history, most of them since the turn of the century and most of them in Europe or North America. This is not to say that the ideal polity has been actually and fully realized on earth in our time. Far from it! What came into existence in our time were legal enactments that established the form of democratic government in a small number of political communities. In most cases—most notably, perhaps, in the United States—the discrepancy between democracy on paper and democracy in practice was vast at the beginning and has nowhere yet become negligible.

The first exposition and defense of political democracy as an ideal—as the only perfectly just form of government—occurred in the middle of the nineteenth century and is to be found in Mill's *Representative Government*.[1]* It is the most recent truly great book in political theory—a work that stands in the line of Plato, Aristotle, Aquinas, Marsilius, Hobbes, Spinoza, Montesquieu, Locke, Rousseau, Kant, and Hegel. It was published in 1861, a little more than a hundred years ago. Addressing itself, as a treatise in political philosophy should, to the question about the ideally best form of government, it answers that question by a fully reasoned and

*Endnotes for this chapter are on page 186.

critically cautious defense of the proposition that democracy is, of all forms of government, the only one that is perfectly just—the ideal polity.

In the sphere of political action, as distinct from that of political thought, Mill did have some predecessors, such as Colonel Thomas Rainborow and Sir John Wildman among the Levellers in Cromwell's army; Nathan Sanford and John Ross in the New York Constitutional Convention of 1821; Robert Owen in the formation of the community at New Lanark and similar communities elsewhere. But in the sphere of practical politics, Mill is the first to advocate the enfranchisement of women and hence the first to conceive universal suffrage as including the other half of the population.[2]

At the time that Mill wrote *Representative Government*, democracy in his sense of the term—constitutional government with universal suffrage operating through elected representatives—did not exist anywhere in the world. Republics there were and constitutional monarchies, but all of them were oligarchies of one type or another: the ruling class—the enfranchised citizenry in the republics, or the citizenry and the nobility in the constitutional monarchies—comprised only a small fraction of the population. The rest were disfranchised subjects or slaves.

We should certainly not allow ourselves to be distracted or confused by the fact that the Greeks invented the name "democracy" and used it, either invidiously for mob rule as Plato did, or descriptively as Aristotle did for a form of government which, as contrasted with oligarchy, set a much lower property qualification for citizenship and public office. The democracies of the ancient world differed from the oligarchies only in the degree to which participation in government was restricted by property qualifications for citizenship and public office—which could result, as it did in the case of Athens, in the difference between a democracy of 30,000 and an oligarchy of 500. However significant that difference must have seemed to the 30,000, it could hardly have had much

meaning for the 90,000 disfranchised human beings, who, in Aristotle's terms, were useful parts of the political community, but not members of it.

We have no reason to complain about how the Greeks used the word "democracy." But it is disingenuous, to say the least, for contemporary writers to use it as a synonym for "popular government," and then make that term applicable to any form of government in which some portion of the population—the few, the many, or even all except infants, idiots, and criminals—participate somehow in the political life of the community.

By that use of the term, anything other than an absolute monarchy is a democracy in some degree—more or less, according to the proportion of the population that forms "the people," the ruling class. According to such usage, democracy in Mill's sense of the term is merely the limiting case in the spectrum of popular governments, the case in which "the people" is coextensive with the population, excepting only those who, as Mill says, are disqualified by their own default. We are then compelled to say that the Greek oligarchies were simply "less democratic" than the Greek democracies; and that modern democracies became more and more democratic as the working classes and finally women were granted suffrage. It would take the semantic sophistication of a six-year-old to recognize that this is a use of words calculated to obscure problems and issues rather than to clarify them.

It can be said, of course, as it has been, that democracy in Mill's sense represents an ideal which, through the course of history, diverse forms of constitutional government have been approaching in varying degrees; and that to whatever extent they are popular—to whatever extent "the people" is an appreciable fraction of the population—they are entitled to be called "democratic" by virtue of their tending to approximate the ideal. But to say this is worse than confusing.

While it may be poetically true to describe the course of history as tending toward democracy as the political ideal, it

is simply and factually false to attribute that tendency to our ancestors as if it were the manifestation of a conscious intention on their part. Democracy, in Mill's sense, was not the ideal to which the past aspired and toward which it strove by political revolutions or reforms. With the possible and qualified exception of Immanuel Kant, no political philosopher before Mill ever argued for the inherent or natural and equal right of every human being to be a citizen actively participating in the government of his or her community. None regarded it as an ideal; none, in fact, even contemplated the possibility of a genuinely universal suffrage.

The prior uses of the term "democracy," both descriptive and denigrative, should not prevent us from perceiving what is genuinely novel in the political conception for which Mill appropriated that term. It involves an adequate appreciation of the full extent to which universal suffrage should be carried on the grounds of a right to participate in government, a right inherent in every human being. Hence it regards constitutional government with truly universal suffrage as the only completely just form of government—the ideal polity.

In what follows, I shall be exclusively concerned with this new conception which, under any other name, would be exactly the same. Since no other name, nearly as appropriate, is available, I shall use democracy in Mill's sense of the term, hoping that the reader will remember why, when the term is used in that sense, nothing prior in theory or practice can be called "democracy" or "democratic." Anyone, of course, is privileged to use words as he pleases, but that privilege does not justify obfuscation or confusion in their use.

For the most part, taking the planet as a whole, political democracy, even in very imperfect realization, is the exception rather than the rule. Even where it does exist, it is not yet accompanied by a society that is democratic. Though there are intimations of a democratic society in the process of coming to be, a democratic society does not yet exist anywhere. If some approximations of it exist here and there, these are

even more exceptional than the imperfect realizations of political democracy now in existence.

Let me repeat what I have already said: democracy does not yet fully exist in practice. It is still an imperfectly realized ideal; yet it is thoroughly practicable, in no way utopian. Of all the forms of government traditionally recognized, it is the only one which has no past. All the others have pasts that teach us not to wish a future for them and to wish that democracy would replace them wherever they still exist, precisely because it corrects in principle and will remedy in practice their fundamental injustices and faults. Democracy belongs entirely to the future, but the future will belong entirely to democracy only if we can completely overcome the various obstacles to its existence, preservation, and growth.

Argument for Thesis I: that political democracy should prevail everywhere because it is the only perfectly just form of government

I begin with a question of fact. Is man by nature a political animal and are all men by nature intended to participate in self-government; or are some men by nature intended to rule and some intended to be ruled by others, without their consent or participation?

To this question, my answer is an affirmation of the proposition that man is by nature political, and a qualified affirmation of the consequent proposition that (with the exception of infants and those with pathological mental disabilities) all men are capable of participating in self-government, and should, therefore, by right be enfranchised citizens of a republic, through which status they have the political liberty to which they are by nature entitled.

This answer involves a repudiation of Aristotle's view (shared less openly by many others) that some men are intended by nature to be self-governing citizens with political liberty, whereas others by nature are intended to be ruled, if

not as chattel slaves, then at least as subjects (as children are ruled by their parents for their own good), without a voice in their own government.

To accommodate modern ears, I have translated Aristotle's remarks about natural slavery into the proposition that some men are intended by nature (that is, by their endowments at birth) to be governed for their own good, and for their own good should be deprived of any voice in their own government.

If this proposition is true, then political democracy can hardly claim to be the ideal polity. It has no special justice in excess of that possessed by a constitutional oligarchy, administered for the benefit of those subject to its rule. In fact, it might even be said to involve a certain injustice, insofar as it gives political power to those who should not have it—all those who are not by nature fit for suffrage. Only if all men are by nature political animals—only if all are naturally endowed to live as free or self-governing men—do all have the right to be enfranchised citizens and the duty to participate in government. Only then is democracy, of all forms of government, supremely just.

This is not the place to argue the factual truth of the central proposition or of its contradictory. But we ought to spend a moment considering what the best form of government would be if only some men are by nature political animals. Would the "some" be a small or a large proportion of the population? Would they be the few or the many? Undoubtedly, the few. These, then, would comprise a political elite, a cadre of officials, a professional bureaucracy that should govern the rest of the people for their own good. So far we have a benevolent despotism; but if we now add that the government should be duly constituted (should be constitutional or limited rather than absolute—a government of laws); that, except for the political distinction between the official ruling class and the rest of the people, an equality of social and economic conditions should prevail (all men should share equally in the

general welfare that the government aims to promote); and that the government should safeguard, equally, the private rights and liberties of each individual or family; then what we come out with is the kind of government recommended by certain recent commentators on the political scene, such as Bertrand de Jouvenel, with a fondness for Gaullism, or Walter Lippmann, with a nostalgia for Platonism.

Such a form of government can appropriate to itself the name "democracy" by appealing to Alexis de Tocqueville's sociological (rather than political) conception of democracy as a society in which a general equality of conditions prevails. Equality of conditions can, as Tocqueville recognized, tend toward completely centralized totalitarian government, more oppressive than any ancient despotism.

However, if a community retains the limitations and checks of constitutional government, and if the general welfare that is promoted by the government includes the protection of the private rights and liberties of the people, then, perhaps, it does deserve to be called, as de Jouvenel calls it, a "social democracy." Nevertheless it is not a political democracy; for while the community enjoys government *of* and *for* the people, government *by* the people has been replaced by the rule of a professional bureaucracy (which, it is hoped, comprises the few who are by nature competent to govern).

A "social democracy," thus conceived, might very well be the best—the most just—form of government if it were true that only some men are by nature political animals. But if the contradictory proposition is true—if all are political animals—then a merely *social* democracy involves the same essential injustice that is to be found in any benevolent despotism.

As Mill helps us to see, what is pernicious about the idea of the good and wise despot—in all the forms that it has taken from Plato to Charles de Gaulle—is not the myth that any one man or any few actually have the superior qualities that merit putting the government entirely in their hands. Granted such men can be found, the point is rather that letting

them rule, with wisdom and benevolence, reduces the rest of the population to a perpetual childhood, their political natures stunted rather than developed. By the standards of wisdom, efficiency, or competence in government, political democracy may not compare with the excellence in government that can be achieved by a specially qualified bureaucracy. But if all men deserve political liberty because they have a right to a voice in their own government, then government by the people must be preserved against all the tendencies now at work in the opposite direction, and for one reason and one alone: its superior justice.

With this one factual proposition affirmed—that man is by nature political—and with the affirmation of the principle that political justice consists in securing natural rights, the argument that democracy is the only perfectly just form of government proceeds as follows.

Tyranny, or government solely in the interest of those holding and exercising political power, is absolutely unjust, being a violation of the rights of the ruled and a transgression of the common good of the people as a whole. Strictly speaking, tyranny is not a distinct form of government but a perversion, in different ways, of the three genuinely distinct forms of government—despotism, oligarchy, and democracy. Despotism and oligarchy are more susceptible to tyrannical perversion than democracy, though both may avoid tyranny, as is the case when the absolute power of a despot is benevolently exercised. The benevolence of a despotism, however, in no way minimizes the intrinsic injustice of absolute rule.

I shall not deal here with other perversions of government beyond making the simple observation that oligarchies can suffer degeneration into despotisms, and democracies can decline into oligarchies or despotisms. The line of political progress is in the opposite direction, usually by means of revolution: despotism overthrown in favor of republican or constitutional government; oligarchical constitution gradually amended in the direction of democratic universalism.

Despotism, which is government without the consent of

the governed, may be either tyrannical or benevolent. If benevolent, with some concern for the common good and for the rights of the ruled, it has a degree of justice to this extent.

Constitutional government, or government with the consent and participation of either some or all of those who are capable of giving their consent and participating in government, is more just than the most benevolent despotism by virtue of acknowledging a right that benevolent despotism denies: the right of human beings, all or some, to participate in self-government.

Constitutional government with an unjustly restricted franchise (restricted by unjust discriminations in terms of race, sex, property, and so on) is less just than constitutional government with a justly extended franchise—universal, with only the previously mentioned exceptions. Constitutional government with an unjustly restricted franchise is oligarchical. Constitutional government with a justly extended franchise is democratic.

The three distinct forms of government—despotism, oligarchy, and democracy—are not coordinately divided. Because both are constitutional or political government, both oligarchy and democracy are divided against despotism, which is nonconstitutional, absolute government. Within the generic sphere of constitutional government, oligarchy represents every species of unjust constitution; democracy, the one species of just constitution.

As the foregoing analysis reveals, there are three principles or elements of political justice:

1. Government is just if it acts to serve the common good or general welfare of the community and not the private or special interests of those who happen to wield political power. By this principle, tyrannical government, exploiting the ruled in the interests of the rulers, is unjust; and by the same principle, a benevolent despotism can be to some extent just.

2. Government is just if it is duly constituted; that is, if it derives its power from the consent of the governed. The

powers of government are then de jure powers, and not simply de facto: we have a government of laws instead of a government of men. By this principle, constitutional governments of all types have an element of justice lacked by all absolute governments. By this criterion, an absolute monarchy, however benevolent the despotism, is unjust.

3. Government is just if it secures the rights inherent in the governed, that is, the natural, and hence the equal, rights which belong to men as men. Among these rights is the right to liberty, and of the several freedoms to which every man has a natural right, one is political liberty, the freedom possessed by those who have some voice in the making of the laws under which they live. When political liberty is thus understood, only men who are citizens with suffrage enjoy political liberty. The unenfranchised are subjects who may be ruled paternalistically or benevolently for their own good, but who are also unjustly treated insofar as they are deprived of a natural human right. By this principle, constitutional oligarchies are unjust, and only constitutional democracy is just.

The last of these three principles is the critical one, the one that is essential to democracy. With the exception of tyranny, other forms of government may have certain aspects of justice, but only democracy, in addition to being constitutional government and government for the common good, has the justice which derives from granting every man the right to participate in his own government. This right needs a few more words of explanation.

Like every natural right, this one is rooted in the nature of man. Its authenticity rests on the truth of the proposition that man is by nature a political animal. To affirm this proposition is to say, first, that *all* men, not just some men, should be *constituents* of the government under which they live and so should be governed only with their own consent; and, second, that they should be citizens with *suffrage* and be thus empowered to *participate* in their own government. (I have

stressed all the crucial words in this interpretation of the proposition's meaning.)

From this it follows that democracy is the only perfectly just form of government. Anyone who understands the basic terms of this analysis can work out the demonstration for himself by applying, at every step, two principles: that all human beings are by nature political animals; and that justice consists in treating equals equally and in securing for all equally their natural or human rights. Wherever any normal, mature man is treated as a slave, as a subject of despotic rule, or as a political pariah excluded from citizenship, there, absolutely speaking, injustice is being done.

Two infirmities are inherent in all forms of government, but they are remediable to some extent in political democracy, whereas they are not remediable at all in the other forms of government. Therefore, even with these infirmities in mind, political democracy is to be preferred to all other forms of government.

The two infirmities inherent in all forms of government are clearly stated in Mill's *Representative Government.* One is *incompetence* on the part of those who exercise political power (whether it is exercised by an absolute ruler, a despot, a ruling class in an oligarchy, or the predominant majority in a democracy). The other is the *tyranny* of those who exercise political power (whether that is the tyranny of a non-benevolent despot, of the ruling class in an oligarchy, or of the majority in a democracy).

No other form of government is to be preferred to democracy because of these infirmities, for all other forms of government are subject to the same infirmities, and they are not remediable in other forms of government, whereas remedies can be found for them in political democracy.

The remedy for the incompetence of the rulers in a political democracy is the education of the people for their duties as citizens and as public officials. I shall return to this point later in dealing with the more perfect realization of the ideal of political democracy.

While advocating the extension of the suffrage to the laboring classes (because it was clearly unjust "to withhold from anyone, unless for the prevention of greater evils, the ordinary privilege of having his voice reckoned in the disposal of affairs in which he has the same interest as other people"), Mill feared that the enfranchised masses would exercise their newfound power in their own factional interests and would tyrannically subjugate the upper-class minorities to their will. He also feared that the judgment of the uneducated would prevail, by sheer weight of numbers, over the judgment of their betters, to the detriment of the community as a whole.

The marked inequality of conditions which, in Mill's day, separated the working masses from the upper classes and brought them into a sharp conflict of factional interests led Mill, the proponent of democracy, to have the same fears about it that led others to oppose it. Let it be said in passing that the remedies—proportional representation and plural voting—which Mill proposed as ways of safeguarding democracy from its own deficiencies would have nullified democracy in practice, if they had been carried out. To be in favor of universal suffrage (which makes the ruling class coextensive with the population), while at the same time wishing somehow to undercut the rule of the majority, is as self-contradictory as being for and against democracy at the same time.

This is not to say that the problems which concerned Mill were not genuine in his time. Those problems—especially the problems of factions (the age-old conflict between the haves and the have-nots) and the problem of an uneducated electorate—can be solved, but not in the way that John Stuart Mill, James Madison, or John C. Calhoun proposed. They can be solved only through the development of a general equality of conditions. This, by gradually substituting a classless society of haves for a class-divided one, will tend to reduce and ultimately to eliminate the conflict of economic factions. By gradually giving all equal access to schooling and enough free time for leisure and learning in adult life, it will also

enable every educable human being (all except the incurably feebleminded or insane) to become educated to the point where he or she can be as good a citizen—as sensible in the exercise of his or her suffrage—as anyone else.

All men are not equally intelligent at birth; nor will all ever become equally wise or virtuous through the development of their minds and characters. These ineradicable inequalities in human beings do not in themselves undermine the democratic proposition that all normal men are educable enough to become good citizens. To think otherwise is to revert to the aristocratic proposition that some men are so superior to others in natural endowment that they alone are educable to the extent required for participation in government. I am not saying that the problem of producing a sufficiently educated electorate (when it is coextensive with the population of the community) has yet been solved. It certainly has not been, and we are still a long way from solving it. I am only saying that the changes which have taken place since Mill's day—especially the technological advances which have brought affluence and ample opportunity for learning and leisure in their wake—give us more hope that it can be solved than Mill could possibly have summoned to support his wavering democratic convictions.

The remedy for the tyranny of the majority does not consist in the measures Mill proposed, such as proportional representation or plural voting. It consists rather in the constitutional enactment of all natural or human rights, and in the judicial review of legislation. The second of these remedies permits unjustly oppressed minorities to appeal to the courts for a redress of their grievances by upholding their constitutional rights against unconstitutional legislation enacted by a tyrannical, or self-interested, majority. Even when this remedy is not fully and effectively operative, a tyrannical democracy is preferable to a tyrannical oligarchy or a tyrannical despotism by virtue of the fact that in the latter two instances of tyrannical rule the tyrannically ruled is a major-

ity, not a minority. Hence more human beings are unjustly treated; more injustice is done.

The opponents of Thesis I are challenged to come up with an alternative form of government that they can defend as more just than political democracy—more just, not more efficient or expedient under certain circumstances. This challenge applies to an opponent who holds the view that democracy should not prevail, even if it can or will. Or, if not that, then at least such opponents are challenged to propose a second-best form of government which they are willing to recommend as substitutable for political democracy *if* they think democracy cannot and will not survive or prevail, even though they acknowledge it to be, in principle, more just than any other form of government. This challenge applies to an opponent who holds the view that democracy should prevail, but that it cannot or will not.

Confronted with adverse views about the viability of democracy, held by those who regard themselves as realists, I am impelled to ask certain questions.

Let me begin by assuming the truth of the realist's denial in its most extreme form; in other words, let us assume the *impossibility* of government by the people in any sense which tends to realize, in some degree, the ideal of democracy. What then?

First, must we not conclude that the ideal is a purely visionary, utopian one, not based on men or conditions as they are or even might be? For if it were a practicable ideal, based on things as they are or might be, how could it be impossible of realization—in the strict sense of impossible?

Those who thus eliminate democracy as a practicable ideal must therefore be asked whether they have any genuinely practicable (that is, actually realizable) political ideal to substitute for it. If they say no, they must be further asked whether the reason is that they reject normative political thinking entirely and so refuse to take the question seriously.

However, if they concede the possibility of sensible and

reasonable talk about good and bad forms of government, and hence are seriously concerned with thinking about the best of all possible (that is, realizable) forms, then they should either have some alternative to democracy as the ideal polity or be in search of one. In either case, they must be asked to state the standard, principle, or norm in terms of which they would propose a particular form of government as best, or better than some other. Justice? Wisdom? Efficiency? Strength?

If they appeal to any standard other than justice, or do not include justice among the principles to which they appeal, I must remind them that democracy is said to be the best form of government only in terms of justice, not in terms of wisdom, efficiency, strength, or any other criterion, and so they have failed to find a substitute for democracy.

My question, I must remind them, is not about democracy in any sense of that term but about democracy as defined: constitutional government with genuinely universal suffrage, operating through elections and elected representatives, with majority rule, and under conditions of social and economic as well as political equality. Do they regard democracy thus defined as the ideal polity, and if they do, do they hold it up as the ideal by reference to principles of justice?

If they answer this compound question with a double affirmative, then there is only one further question to ask. Let me assume they take the view that the difficulties confronting democracy—if not now, then certainly in the future—are likely to be so great that, even if they are not, absolutely speaking, insurmountable, we may nevertheless be unable to overcome them in any really satisfactory manner. Hence, they may say, we should prepare ourselves for this eventuality by thinking of a second-best form of government, one which, while less just, would be more workable because it would get around the difficulties now besetting democracy. My question to them is: What form of government would that be?

I do not know whether there is more than one possible

answer to this question; but I do know, and have already mentioned, one alternative to democracy that is espoused by those who wish to discard government by the people while retaining government of and for the people. I am even willing to concede that if political democracy should prove to be impossible, then so-called social democracy may very well be the best form of government that can exist. But I am not yet willing to yield—and I see nothing in the contemporary discussion of the difficulties of democracy that requires me to yield—on the proposition that all men are by nature political.

I must, therefore, repeat what I said earlier; namely, that, men being what they are, "social democracy" is a poor second-best, for it imposes upon the many who are disfranchised the essential injustice that characterizes any benevolent despotism. Hence, until insurmountable difficulties force us to surrender all hope for the future of democracy, we should be loath to settle for anything less than the best form of government that befits the nature of man.

Argument for Thesis II: That political democracy can survive and be perfected where it now exists in some approximation of the ideal, and that it can be adopted where it does not now exist and, after being adopted, can be perfected there.

What are the obstacles that must be overcome for the survival and perfection of democracy where it now exists in some degree of approximation, and for the adoption of democracy where it does not now exist and for its subsequent perfection there? They are threefold.

The first is the obstacle presented by the difficulty of instituting a system of public education which would be adequate to the needs of a political democracy, and which would remedy or remove one of the infirmities inherent in democracy—the incompetence of the people, and especially of the ruling majority.

This obstacle to the realization of democracy in practice

is necessarily an accidental one. It does not, it cannot, lie in the essence of a rational, free, and political nature. But that nature needs training—the formation of good habits—for it to realize the perfections of which it is capable. Democracy demands a higher degree of human training than any other form of government, precisely because it depends upon the reasonableness of free men exercising their freedom politically. The obstacle here is not human nature but our various educational failures. I shall discuss only one of these failures, the failure of our educational institutions in the sphere of specifically intellectual training.

That failure is measured by the educational requirement of democracy. The essence of the democratic constitution is universal citizenship. Hence all men must be educated for citizenship. But this is not simply a quantitative matter.

The problem is not solved by erecting and financing a school system ample enough to take in all the children. We have almost done that in this country during the last fifty years, but even if we had done that completely, even if all children not committed to asylums for feeblemindedness went through our American schools and colleges, American education would still be serving democracy miserably. The reason is simply that American education is predominantly vocational rather than liberal. It is based on the thoroughly undemocratic prejudice that more than half the children are not intelligent enough for truly liberal education. (Need I add that more than half the educators do not know what a truly liberal education is?)

Vocational education is training for a specific job in the economic machine. It aims at earning a good living, not living a good life. It is servile both in its aim and in its methods. It defeats democracy in the same way that economic servitude does. To exercise the freedom of democactic citizenship, men must not only be economically free, they must also be educated for freedom, which can be achieved in no other way than by giving every future citizen the maximum of liberal

education. Put concretely, that means schooling for every boy and girl from kindergarten through college, with a curriculum from which every vestige of vocationalism has been expunged.

In a just economy, the costs of this education would be met in such a manner that no child would be deprived because of poverty. In a just economy, vocational training, thrown out of the schools, would be undertaken by industry through a system of apprenticeships. Training for a specific job should be done on the job, not in the schools.

But, it will be said, liberal schooling for all is impossible for other reasons. I know this from the sad experience of having talked about American education to teachers and laymen in large groups all over the country. The real reason, they say, that we have to train the majority of children vocationally is that only the fortunate few who have superior mental endowments are capable of receiving liberal education. The so-called educators have no facts to support this statement, but the fact that they make it shows that they understand neither democracy nor education.

If a child has enough intelligence to be admitted in maturity to citizenship, which means enough intelligence not to require hospitalization, and enough intelligence to become a parent, govern a family, and earn a living, then that child has more than enough intelligence for all the liberal education we can find time to give him in ten or twelve years of schooling.

Let me state this in the form of a dilemma: either a child has enough intelligence for liberal education through the Bachelor of Arts degree, or he does not have enough intelligence for democratic citizenship.

Deny the validity of this dilemma, and you make a mockery of democratic citizenship. A citizen is not a political puppet pushed around by propaganda. He is a free man, exercising a critical and independent judgment on basic questions affecting the common good. Not all men have the talents required for high public office, but all normal men do have

sufficient mentality for the primary and basic office in the democratic state, which is citizenship. They have the power, but it must be trained, and that training, the development of a free and critical mind, is one of the essential aims of liberal education. It can be accomplished by the discipline of the mind in its essential functions of reading and writing, speaking and listening—all the arts of thinking, not merely speculatively or privately, but practically and socially.

Our oligarchical ancestors understood this. Whether in Greece and Rome, or in this country during its formative period, they knew that citizenship required liberal schooling; they knew why education had to be liberal in order to prepare for citizenship; they knew that intellectual discipline was prerequisite for freedom of mind and freedom in action. So far they were right, but they made one fatal error. They identified the propertied classes with the intellectually elite. They restricted citizenship to the wellborn and disguised their oligarchical injustice under the aristocratic pretension that only the few, the same few, had enough wit to be educable and so deserve citizenship.

They were hypocrites, but so are we if we continue to think, as most Americans do, that the equality of citizenship belongs to all, but not equality of educational opportunity. Admitting all children to school is not enough. We must give them all the same kind of education; not liberal education for the few and vocational training for the many. To say this does not mean that we should try to give each child the same *absolute* amount of education, for each can receive only according to his capacity. It does mean that each child has a sufficient capacity for liberal schooling, even as he has enough intelligence for citizenship, and that each should receive the same *proportion*, namely, as much as he can take, which is much more than we have ever tried to give.

So far we have failed, partly because our educators are antidemocratic, harboring all the prejudices of oligarchy and the delusions of aristocracy, and partly because we have not

yet even tried to solve the technical problem of constructing and administering a liberal curriculum for all the children. This last fact, by the way, explains the popularity of vocationalism with the educational profession. Not knowing how to universalize liberal education—not wanting to think about it because it is so difficult a problem—they conceal their ignorance and sloth behind the untruth that the failure is God's rather than man's. The Creator may have intended man for freedom, but, paradoxically, He did not endow the majority with enough mind to be educated up to it.

We may constitutionally grant all normal men the status of citizenship. We may even achieve the economic reforms necessary to emancipate them from servitude and to secure them from poverty. Progressive industrialization and technical progress may provide all men with sufficient leisure. But unless we educate all men liberally for citizenship, they will not be able to discharge the duties of that high office, and democracy will exist only on paper, not in practice.

Liberal education cannot be completed in school. We grasp the essence of such education only when we understand it to be preparation for more education, more liberal education throughout an entire life. Unless liberal schooling is followed by adult liberal education, it will be to no purpose. Habits fail from disuse; the intellectual virtues cannot be kept alive without continuous exercise. Universal adult education, liberally conceived, should, therefore, not be an afterthought. It is an essential part of democracy's educational requirement. Without it, the mind of the citizen will go to sleep, and a sleeping citizen might just as well be a dead one.

One word more about education. Liberal education cultivates all the intellectual virtues except prudence. Like the moral virtues, prudence cannot be taught in school, or by teachers out of books anywhere. Prudence is a habit formed only by the exercise of practical judgment, and practical judgments can be truly made in a practical manner only by those who have the responsibility for action. Deprive men of citi-

zenship and they will not develop the virtue of political prudence, which is the habit of judging rightly about means to the common good. The sort of education, then, which is requisite for political prudence comes from political action itself, from active participation in the political life. This means that there is no way of fitting men for citizenship without first making them citizens.

A second obstacle to the survival and perfection of democracy is the obstacle presented by social and economic inequalities that impede the effective operation of the political equality that democracy confers upon all who are citizens. Even though oligarchy is removed from the constitution, it still exists in practice to whatever extent the wealthy are able to exercise undue influence on the government, but principally in terms of the economic servitude of the working classes in an unsocialized capitalistic economy. Political democracy will not work in practice unless it is accompanied by economic democracy in the organization of industry and by economic justice in the regulation of all matters that affect subsistence, employment, and economic security.

Let me make the essential point here in another way. Defending the exclusion of the nonpropertied, laboring classes—the proletariat—from citizenship, John Adams enunciated this principle: "No man who is economically dependent on the will of another man for his subsistence can exercise the freedom of judgment requisite for citizenship." The principle is completely true. No man who is subservient to the arbitrary will of another man for his economic livelihood can act as that other man's equal politically. This is just as true of wage slaves under unsocialized capitalism as it was so obviously true of chattel slaves or serfs under feudalism.

But the principle being true, Adams drew the wrong practical conclusion from it by advocating an oligarchical constitution, excluding the economically dependent (the unpropertied) from citizenship. He sought to adapt the polity to an unjust economy, making the polity thereby unjust. If we are democrats politically, we must proceed in exactly the

opposite direction. We must reform an unjust economy to make it fit a just polity, and that reform plainly means the further reform of capitalism as we know it.

What does that mean positively? Communism? I hardly think so, for when men are subservient for their subsistence to the will of the state, they are no more economically free than they are under private capitalism. Political democracy is as incompatible with communism as with bourgeois or unsocialized capitalism. The answer, I think, lies in a departure toward the mean away from both extremes, toward the achievement of socialistic objectives by capitalist means, that is, by the widest possible diffusion of the ownership of capital.

One further point must be considered here. There are those who think that the inferior social and economic conditions of certain countries justify for the time being inferior forms of government (such as benevolent despotism or a benevolent oligarchy). I argue that the establishment of political democracy is, in the temporal order, antecedent and prerequisite to the establishment of the social and economic conditions of a democratic society, even though the establishment of a democratic society is requisite for the perfection of political democracy where it exists in some degree of approximation to the ideal.

The mistake that is made here turns on a misuse of the distinction between two ways of considering the diverse forms of government, namely, *absolutely* and *relatively*. Relative justification is by reference to contingent and limited historic conditions. In this manner, a form of government which is not the best absolutely, nor free from essential injustice, may be justified as the best that is practicable for a given people at a given time. Absolute justification is by reference to the nature of man as a rational, free, and political animal; to the nature of the political community as an indispensable means to the good life; and to the nature of government as organizing and regulating the community so that it may serve effectively as a means to this end.

The absolute consideration does not neglect the range of

individual differences within the human species, any more than it ignores the differences between the normal and the abnormal, the mature and the immature. It does, however, abstract from those defects or inadequacies which are due not to nature, but to nurture—to failures of education, to deficiencies of experience, to economic impediments, to restricted opportunity, to cultural limitations of all sorts.

My reply to those who appeal to the relative mode of justification is as follows. One way of getting a people to breast the currents of their own political life is to throw them into the water all at once, not to immerse them gingerly by degrees. Industrialization and economic revolutions will accelerate everywhere the emancipation from peonage and serfdom. We can also expect the processes of education to be vastly augmented everywhere. Political prudence is acquired only through practice. If a people are to be educated up to the responsibilities of politically mature men, they must be given the opportunities for political experience through self-government. Let me repeat once more: there is no way of fitting men for citizenship without first making them citizens.

The distinction between an absolute and a relative consideration of the forms of government has been traditionally used to justify inferior forms of government for inferior peoples, or peoples living under inferior economic or cultural conditions. We must now use it in the opposite way: to demand that inferior conditions be remedied so that the best form of government absolutely is also the best relatively for every human group.

The third obstacle to the survival and perfection of democracy is the obstacle presented by the anarchic world of sovereign nations in perpetual war with one another, cold or hot, and by the violence or terrorism abroad in the world that is generated by injustices that cannot be redressed by national governments as they are now constituted.

If the obstacle is the anarchy of separate sovereign states, the remedy is the formulation of a single worldwide political

community through federal union, thus establishing for the first time effective world government and positive law, replacing alliances, leagues of nations, and the reign of international law which has always been, and must always be, devoid of the sanctions requisite for government.

War, upon which other forms of government thrive almost in direct proportion to their intrinsic injustice—war, the heady wine of tyranny—weakens and enervates democracy. Despite the international anarchy, democracy may come into being locally through just domestic institutions, but it can never really flourish and grow to full maturity in practice if it is continually beset by war or the threat of war in interstate affairs.

Political history teaches us that the best republican institutions of the ancient world were overturned by dictatorships arising to meet the needs of efficiency in war. The events of our own age confirm the insight that due process of law, which is the essence of constitutionalism, and the public debate of public issues, which is indispensable to democracy, must be abandoned or abridged under the exigencies of war.

Furthermore, international anarchy, which is identical with the permanent existence of a state of war between sovereign states (whether carried on quietly by the diplomats or noisily by the generals), necessitates not only the maintenance of permanent military establishments but also the separation between a government's domestic and foreign policies. Both of these factors operate against democracy. By its very nature, foreign policy expresses calculations of expediency, not determinations of justice. The necessarily Machiavellian character of foreign policy cannot help infecting domestic legislation. What is worse, foreign policy cannot be popularly determined, as domestic policy can be, because it must be secretly fomented and stealthily executed by all the deceptions of diplomacy. Foreign policy is necessarily the prerogative of the executive branch. Any check on foreign policy by the legislature or by popular referendum hamstrings a govern-

ment in foreign affairs. But the supremacy of the legislature should be unexceptional and inviolable in popular or democratic government. The processes of government cannot be perfectly democratic if they are forced to include foreign affairs as a major concern of the common good which cannot be openly submitted to the people or settled by due process of law.

Hence we see that the international anarchy, misnamed "the society of nations," works against democracy in any state where it may arise, because it perpetuates war, keeping the nations forever embroiled in fighting, or, what is as bad, in foreign affairs. This was true before August 6, 1945; it is much more urgently true now in the light of all that the explosion at Hiroshima portends. The atomic warfare of the future puts a life-or-death premium on secrecy in preparation and surprise attack. In every war, the initial advantage is to dictatorships rather than democracies, because they can proceed without popular discussion or consent; but in the next war the initial advantage will also be the final one.

The ideal of democracy and the ideal of world peace are separate in thought, but not in practical realization. The one is the ideal of perfection in human government, responding to the political nature of man; the other is the ideal of perfection in human association, responding to the social nature of man. The world political community has always been implicitly the ultimately perfect society, for nothing else can abolish war and perfect human life. The unity of peace which is the common good of all mankind cannot begin until the specious society of nations is transformed into a worldwide society of men. Until all men are citizens of the world, none will enjoy fully the citizenship granted by local and isolated democracies. Without unlimited fraternity, liberty and equality cannot reach their proper limits.

We should, perhaps, consider other threats to the survival and perfection of democracy where it now exists and to the spread of democracy to countries where it does not now exist:

scarcity of food, energy, and other resources; population increase; environmental pollution; nuclear warfare. With respect to all of these, my argument turns on the measures that I think are feasible ways of overcoming the three major difficulties already set forth.

Argument for Thesis III: that political democracy, supported and facilitated by a democratic society, will prevail everywhere and will survive and prosper

The essence of my argument is that justice, together with the fullest degree of liberty that justice allows and the most complete equality of conditions that justice requires, will prevail in the long run.

My reason is identical with John Locke's: that men will not long suffer injustice without seeking redress.

My further reason is that liberty and equality (both limited by justice) are goods that men will not relinquish if there is any way of achieving them.

My final argument is that there is no alternative to the democratic government of a democratic society that men will long accept and endure.

BILL MOYERS:

Well, we have certainly had a clearly defined and precisely defined subject put before us. And now that that has been done, we will begin with a response or a challenge to Mr. Adler from Maurice Cranston.

MAURICE CRANSTON:

If I have understood him correctly, Mr. Adler has put three main theses: the first that democracy should prevail everywhere; second, that democracy can survive where it now exists, can be perfected there, and can be adopted and per-

fected everywhere else; and third, that what is possible will probably come to pass in a future not too remote.

Now I agree with Mr. Adler's thesis in the first paragraph that democracy ought everywhere to prevail, though I don't wholly share his view that it is the only perfectly just form of government. I do consider it perhaps the least unjust form of government, and that's my reason for supporting what is perhaps the major part of his argument. I agree with Mr. Adler, too, that democracy can survive where it now exists, but not with his thesis that democracy can be perfected there; and still less do I share his belief that democracy can be adopted and perfected everywhere else. And I cannot agree with Mr. Adler's third thesis that democracy will be adopted and perfected in a future not too remote, where it does not now exist.

Now perhaps I ought to follow him into stipulating the definition of terms because I want to use words slightly differently from the ways in which he himself used them in his presentation. I intend to use the expression "constitutional democracy" in a way which corresponds fairly closely to his use of the expression "political democracy." I do not want to take up his expression because it would, I think, hinder rather than help the development of my own argument. I am, nevertheless, happy to follow Mr. Adler in using the expression "democratic society," though perhaps in a different way from the way in which he uses it, and I'd further agree with him that democratic government (if he would allow that small alteration or modification of the terms I quote from him) can only be imperfectly realized in any society that is not a democratic society. But I don't believe that democratic government is itself the indispensable first step toward democratic society. The relationship between the two is more complex, I think. Sometimes it's a democratic society which precedes the democratic government, and to explain this I must follow Mr. Adler into the realms of history.

But first perhaps I ought to sketch out what seems to me

to be the central problem of democracy. No one, I think, is likely to disagree that political democracy is government of, by, and for the people. And I think there's not likely to be much controversy about the other standard definitions: that monarchy is government by one, and oligarchy government by a few. The difficulty, it seems to me, about the concept of democracy is that whereas it's easy enough to understand how one man can govern a large number of men, and how a group of men can govern a large number of men, it's hard to imagine how a large number of men can govern themselves. For while one man has one will, and a smaller group of men may be united by a common will, how can a large number of men stand to themselves as rulers when a large number of men have, taken together, a vast number of differing and probably conflicting, competing wills? How can people turn themselves into "a people" with a single will of its own? How do people transform themselves or become transformed into "a people"?

Now of course this is not the problem only of democracy, it is also a problem posed by the republican ideal, something to be dated from ancient Rome, even as democracy is something to be dated from ancient Greece. In the republican ideal, sovereignty is transferred from the king to the people. This is what I think the Romans believed themselves to be doing when they dismissed their kings and set up a republic. The Roman kingdom was a collection of people brought together in common allegiance to a single king. Their identity as Romans was thus created by the office of kingship and the existence of a kingdom. After the kings had been dismissed, Roman society continued to exist as virtually a kingless kingdom. Indeed, that is substantially what their republic meant to them. Kingship or sovereignty was removed from the king and dispersed among the people, vested in the people, who in turn set up political institutions to formulate laws and conduct the administration of their political society.

But such a republican ideal is far from being democratic.

What we should call government, as distinct from sovereignty, was undertaken by officeholders, enjoying, presumably, the tacit consent of the people. Unlike the Roman kingdom, where everybody was a subject, the Roman republic instituted distinctions between citizens and noncitizens, distinctions between various classes; but in theory, at any rate, the citizens were the people, and the republic was the people's own state. The republican ideal is thus one which is inclined to magnify the state, but it doesn't offer to the ordinary man, even perhaps to the ordinary citizen, much actual participation, beyond the occasional opportunity to vote in plebiscites devised by the dominant group of officeholders. According to the republican ideal the nation is sovereign over itself, but since it has to accomplish this rather paradoxical feat through the institutionalization of leaders, in the real world (and I have to confess to trying to be somewhat of a realist, when I can be) the republican ideal has more often than not actualized itself in the form of an elaborately ritualized despotism.

Now the democratic ideal is different from this. It does not merely transfer sovereignty from the king to the people; it calls upon the people to govern themselves. Since it demands more, it's hardly surprising that the democratic ideal has been even less effectively actualized in the real world than has the republican ideal. Mr. Adler says that "political democracy" as he defines it is not yet a century old. And if I may substitute the term "constitutional democracy," I would agree with him, that it is something dating, more or less, from the nineteenth century. But I don't want to call this "political democracy," because there are other types of political democracy which seem to me to have earned the right to this name, and their history is much older.

Mr. Adler does not, it seems to me, admire very much the democracy of ancient Greece. He protests that the difference between an oligarchy and a so-called democracy in Athens was a matter of numbers. A difference between a ruling mi-

nority of 500 and one of 30,000. A difference, he says, that would hardly have mattered much to the 90,000 disfranchised. Now it is a fact that Athenian democracy has always had a bad press. Not only Plato, with his hideous picture of the democratic man, but practically all the philosophers and historians from whom we derive our knowledge of ancient Athens were hostile toward democracy. To understand it better, we need, perhaps, to engage in the exercise proposed by A. J. M. Jones in his book on *Athenian Democracy*—that of reconstructing our conception of Athens by treating the testimony of hostile witnesses with considerable reserve and piecing together evidence that we can ascertain from other sources. Of course Mr. Adler is right to remind us that Athenian society was made up of citizens and outsiders, and one can readily see why he will not admit that there was ever rule by "the people" in a city where only one-third of the inhabitants were counted, for political purposes, as people.

But I think we ought not, perhaps, to take an excessively twentieth-century view of all this. Even in the nineteenth century, champions of democracy in western Europe were content to state their demand for universal suffrage as a demand for a vote for every registered male resident on the tax rolls. The idea of extending the suffrage even to women never came into the heads of most of them. The disfranchised persons in Athens about whom Mr. Adler worries so much were not systematically excluded; they were simply not thought of as being qualified to participate.

During the democratic phase of Athenian history, the citizens who did rule themselves did so in a manner which is highly instructive and, I think, rather wonderful. They met en masse to make laws, to decide about peace and war, to name generals and ambassadors, and even to try legal cases, which last, perhaps, was rather unwise of them. But they didn't set up institutions as the Romans did and entrust officeholders with decision making. They debated and decided among themselves. Crude common sense prevailed, no doubt,

more often than sophisticated statecraft, but that is what we should expect of an assembly where the citizens were, for the most part, uneducated and so necessarily outnumbered the educated.

This evidence of democratic wisdom is conspicuous again in the other form of democracy of which Europe has had some long experience—that of the Swiss cantons. Mr. Adler does not as much as mention it. And here he is in the company of most worldly historians who consider anything Swiss to be too boring to mention. But perhaps up here in this mountain altitude and amid this scenery we may allow ourselves to look at the Swiss experience. Tacitus thought Swiss democracy was a typical barbaric form of government, which could be practiced by tribes in their forests but was not fitted to a civilized, urban society who knew the meaning of the word "law." And this brings us, I think, to a point stressed by both Jean-Jacques Rousseau and Thomas Jefferson: that direct democracy, if we may use this expression to distinguish the Swiss and Athenian kind from the constitutional modern kind, went together with a simple agricultural society; and it is very difficult for a democracy of that kind to exist in a modernized, industrialized society. Rousseau, I think, argued that the reason why Athenian democracy collapsed was that the society, the culture of Athens, had become too sophisticated; and certainly Jefferson wanted to maintain the agricultural nature of American society in order to protect what he understood as democracy. Now, unlike Mr. Adler, I don't think we run the risk of being distracted and confused by thinking about conceptions of democracy older than our own contemporary understandings of constitutional democracy. In fact, I believe that the considerations of the problems posed by these older systems enable us to reach a fuller understanding of the strengths and the weaknesses of constitutional democracy, which was quite rightly the main focus of Mr. Adler's paper.

I imagine that Swiss democracy derived from that older

tradition of tribal government, in which instead of being ruled by a single chief, certain Alpine communities decided to rule themselves by meeting en masse and voting on important questions. We needn't perhaps quarrel with Charles Montesquieu's suggestion that geography influences political arrangements and hence that the contours of the Alpine valleys enabled the inhabitants to resist conquest by alien kings and emperors and so to acquire the habits of independence and liberty. These Swiss were fairly few in number, they were fairly equal in their rank and possessions, and perhaps fairly equal in their intelligence or lack of intelligence. Their backwardness prevented the emergence of a sophisticated medieval ruling class. And the interesting thing is that once they had established their political democracy, the inhabitants of the Swiss cantons became the most passionately conservative people in Europe.

What we think of in the West as democracy—constitutional democracy—is, I think, usually a liberal idea. In Switzerland, where direct democracy has had so long a history, democracy is a conservative idea. And Swiss history has perhaps been a constant struggle between the backward cantons in the Alps against the centralizing, modernizing, progressive champions of parliamentary institutions who emerge in the cities of the plains. It would perhaps be not too much of a distortion to suggest that the past 150 years of Swiss history has been a history of conflict, perhaps not even yet settled, between two types of democracy: direct democracy in the remote cantons, and constitutional democracy in the big cities.

Now, whereas Mr. Adler has set out to defend only one type of democracy, constitutional democracy, I think it is perhaps necessary to say something in defense of more than one type. Direct democracy, where it still exists, is old, and constitutional democracy, as Mr. Adler very rightly reminded us, is new. Now how did it come into existence, this constitutional democracy? Well, in my own country, the United Kingdom, it came about by stages. The Glorious Revolution

of 1688–89 set up a constitutional government; Parliament began progressively to dominate the king; and the extension of the suffrage by a series of enactments, which finally extended the suffrage to all persons over eighteen, has now produced in England a democratical sort of system. I would be very reluctant to say that England—or the United Kingdom—is a democracy, if only because the House of Lords is still an important part of Parliament, but I will leave that aside for the moment and simply say that British constitutional democracy is basically democratized constitutional government.

The United States is, of course, different. If we look at the discussions which took place in the early years of this nation, there is a clear consciousness of two particular characteristics of the American situation. The first, so well expressed by Alexander Hamilton, is that the Americans' whole understanding of political values and the rights and liberties, and what these concepts meant, derived from the experience of having been part of English political culture. The second, the awareness, so eloquently expressed by Jefferson, was that American society had come to be significantly different from English or European society. Americans had forgotten feudalism and acquired in the New World a democratical way of life; what I would call democratic society arrived before democracy. When Alexis de Tocqueville came to America in the middle of the nineteenth century, he found something which existed nowhere in Europe, except in Switzerland, a democratic sort of people trying to democratize and, in many cases, successfully democratizing institutions which had been set up by rationalistic liberal constitutionalists in the eighteenth century. For in the event, neither Hamilton, the conservative disciple of David Hume, nor Jefferson, the Rousseauesque romantic champion of democracy, had his way. It was the ideology of Locke and Montesquieu (both good enough liberals, but neither of them certainly a democrat) which formed the American Constitution, and it was

the continuing democratic character of American society which demanded that the government should become more and more democratic, that the political system should more and more reflect the democratic nature of American society.

Now perhaps we could say that the Americans' constitution was, from its early days, intensely republican. That is to say, it was much concerned to invest the sovereignty in the people, whereas the English were always content to let sovereignty repose in king and Parliament. But the American constitution was not in itself, I think, in the early days, particularly democratic. To this extent, government in America needed to be democratized almost as much as government in England needed to be democratized. The most striking difference between the two, perhaps, is that American society, being already democratic, brought about that reform with a clear purpose in mind—and of course much sooner—whereas the democratization of Great Britain has come about in a series of steps, none of which I think was directed toward one single coherent end, but as a series of measures which accumulated in such a way as to produce, progressively, democratization of the British constitutional system. There was no clear understanding or desire for democracy, I think, in England, as there was in America—not, at any rate, before the 1914–18 war.

Mr. Adler says that democracy does not yet fully exist in practice anywhere. And here again, I entirely agree with him. But because I agree with him I want to do one thing which he discourages us from doing, and that is to use the word *democratic* in such a way as to allow us to say that some Greek states were more democratic or less democratic than others, some more oligarchic or less oligarchic than others.

The situation seems to me to be that precisely because democracy does not yet fully exist in practice, we have some hesitation in applying the word to any existing system, and therefore, the adjective "democratic," which allows for degrees and even styles of "democraticness" (if you will forgive

an ugly word), is very useful. The worst of all ways of dealing with this situation seems to be that employed by C. B. Macpherson in his book entitled *The Real World of Democracy*, where he notes that since most nations of the world claim to be democratic nowadays, we might agree to say there are three different sorts of democracy: communist, the Third World, and capitalist. Therefore, we're all democrats; we must only admit to being democrats of different styles.

This I think is a very bad way of dealing with the problem of democracy, although of course I suppose it might be said that Professor Macpherson has converted the entire world to democracy by a stroke of the pen, rather than by embarking on the Third World War. Unfortunately, by making the word "democracy" describe everything, it describes nothing.

The crucial question that seems to emerge from these considerations is, are there any tests for the authenticity of a claim to be democratic? Some people would want to say, and some people do say nowadays, for one sees it very often asserted in the more advanced American publications, that only direct democracy is the genuine thing; and, although I don't share this view, I can understand why people say it, because direct democracy does really seem to offer every single person a place and a voice in the proceedings of government. And I think that belief owes a great deal to Rousseau, who picked it out as being a distinctive characteristic of democratical sorts of societies. Indeed, Rousseau carried the argument further and maintained that representative government was some kind of a fraud; parliamentary government was a fraud because genuine representation not only did not take place but wasn't possible; no man could represent another, and therefore to have democracy you must abolish representation and let every man speak for himself.

Now of course it is a very difficult question to decide, how can any one man represent another in politics. I can represent you if I'm a lawyer in a court case, and I can represent my country if I'm an ambassador elsewhere, but how

can I represent the inhabitants of a constituency, say, of 30,000 persons? It is a very difficult problem to solve. But it seems to me, although this is a serious problem for constitutional democracy, direct democracy has to face almost the same problem of representation. We don't know exactly how the popular assemblies of ancient Athens conducted their business, but Swiss democracy still continues to this day in such cantons as Glarus and Appenzell, where we may witness what the *Landesgemeinden* do, when the people meet in them from time to time, to legislate in person. I am sorry that my political science friends who are doing political research on political experience in so many other places tell us very little about this Swiss institution, which is such a fascinating feature of existing modern political life. It strikes me, at any rate, when I have watched these people meeting en masse—the entire adult male population of Glarus or Appenzell—I have noticed that some people do all the talking and others do all the listening, although everyone has the same right to speak as well as his right to vote. I have a very strong suspicion that it was the same in Athens. In other words, the naturally assertive or naturally eloquent persons got up and talked, and they commanded the tacit consent of people who agreed with them, and so they became in effect the spokesmen, in other words, the representatives of certain points of view. Even if that representation is not institutionalized in the simple, direct democracy, it must, I think, be there—not a logical necessity but a natural necessity, based on the limitations of time and the character of human assemblies and all the rest of it. Therefore, it seems to me that you cannot claim, as some of our romantic friends do claim today, that direct democracy offers every person a kind of immediate participation in political government which indirect or constitutional democracy forbids him. It offers, perhaps, a close and more intimate relationship. But representation, plainly, is there in direct democracy as it is in avowedly representative democracy of the constitutional kind; and therefore I think that each type

of democracy has somehow to solve the problem of representation. I myself don't know how to solve it; it seems to me one of the perennial puzzles of politics: how can one man represent another?

And of course, if we think how representation is supposed to take place in the modern world, if we look at the actual voting systems which are employed in constitutional democracies, we find, again, that they all tend to make it very difficult for the whole variety of opinion in a country to achieve adequate organization, adequate expression, and so forth, and that therefore the extension of the suffrage from the smaller group of property owners to everybody over the past hundred years has tended at the same time to offer people a vote and also to deprive them of anything to vote for; to create a situation in which political parties themselves lose their own coherence; so the vote you're given is often not much use to you, except as a sort of protest vote. While everybody's in a position to vote against the existing administration, the individual is very hard pressed to find a party which really corresponds to his own aspirations and which has any chance of acceding to power. This is a dilemma, in particular, of countries like my own, the United Kingdom, where many people feel they would like to vote for a policy, but they don't recognize, in the existing parties, anything which represents the sort of thing they want to say. So people feel cheated by a system which has given them the vote. They are no longer in the situation which was enjoyed, in the nineteenth century, by the natural liberals and natural conservatives, who could vote for a liberal or conservative party that represented, on the whole, their point of view.

The extension of democracy has, in a sense, made it much more difficult for constitutional government as such to operate effectively. In fact it seems to me the constitutional government itself is a very delicate mechanism, and it becomes more delicate when it becomes democratized. And it's for these reasons, then, very briefly, that I cannot share the op-

timism of Mr. Adler about democracy. In fact I feel extremely pessimistic, today, about the prospects for constitutional democracy, in both the immediate and the more distant future.

I shall not develop any arguments in favor of democracy, because I think the case has already been extremely well put by Mr. Adler in his remarks. Indeed, it's really rather extraordinary to find a philosopher who speaks in favor of democracy, because most philosophers since Plato have been hostile toward democracy, and even Mill himself, whom Mr. Adler quoted as the champion of democracy, is the champion of a kind of democracy that some of you would not recognize. For Mill wanted to give an extra vote to the educated class and most of the power to a cultivated bureaucracy, and things of this kind, which I myself might be quite happy to see take place, but which some of you here might regard—very reasonably—as being somehow not quite democracy.

Now of course most philosophers, most intellectuals, prefer enlightened despotism—not only Plato, but even second-grade intellectuals like Voltaire, Bentham, Mrs. Webb, Bacon himself, all thought there should be government by an educated elite who understood things. Naturally, if you think that knowledge is what you need to govern, and that knowledge is something acquired by scientific method, you cannot have rule by the people; the people know nothing about science. Therefore, as Sir Henry Maine pointed out in the nineteenth century, to be a champion of scientific government means you cannot be a champion of democracy. And indeed I could quote numerous other authors who think in this way. So that if we put Mr. Adler on a list of philosophers who were in favor of democracy, you would find him in very slender company indeed.

Let me turn to the question of liberty. I think it is perfectly true that you can't have democracy without liberty, but I think you can have liberty without democracy—and indeed I think our ancestors had it. In England and in Holland they had it, and in certain parts of France. They certainly had

liberty there without democracy, and in some of the Italian republics they also had liberty without democracy. It is a good thing that it is possible to have liberty without democracy, because if it were not possible, the world would have had considerably less liberty than it has had, and we should have learned much less than we have learned about what it means to be free.

It is true that constitutional government without democracy—which was the idea of course of John Locke, and of the Whigs in England, of Louis-Philippe of France, and of Hamilton here in America—is an idea rather out of favor nowadays, but it was on the achievements of this system of constitutional government without democracy—freedom without democracy—that constitutional democracy itself was built. The great virtue of this constitutionalism was its respect for the rights of man. It was, no doubt, a very aristocratic kind of liberalism; it was certainly aristocratic in the important sense that it was opposed to monarchy, opposed to the pretensions of the king to rule; and it was aristocratic in another sense, that it tended to look down its nose on ordinary people. But on the other hand I suppose those aristocrats had a protective feeling as they looked down their noses; they felt that they were defending not only their own class interest against the king but the people as a whole against the king, and I think to a great extent this claim was justified.

Now the only objection that I myself can find against liberal constitutionalism of this aristocratic kind is that it simply is not democratic enough for a society which is itself becoming more and more democratic. Everybody today is literate, and what is less important, everybody has become a taxpayer, and it is very unjust surely that a taxpayer, and a literate taxpayer at that, should be excluded from the voting role. Moreover, as a result of certain changes in the family structure, married women have been allowed to own property, which used not to be the case, so that many of them have become taxpayers, too. And since they've been allowed

to own property and pay taxes, it's surely absurd they should not be given a vote. I don't think I myself would have been a very passionate suffragette or suffragist in 1800, but I think I would have been by 1910. Obviously circumstances alter things. In modern industrial society, any form of government except democracy is almost impossible to justify.

Mr. Adler put a case for considering democracy the most just form of government so fully and systematically that I don't think I need to repeat it. Perhaps I should take up my remaining minutes by speaking on the more depressing topic of the future—of democracy in the stricter, as it were temporal, sense. First of all, constitutional democracy is only one of several ideas which compete in the modern world for public favor. If it is, as Mr. Adler insists, something new, it's not the only new thing in the air. It has rivals which seem to be increasingly popular. For example, we have the new and potent ideologies of nationalism, populistic despotism, and totalitarian socialism. And all these systems, of course, may pay their lip service to democracy. Eastern Germany calls itself The German Democratic Republic; the populistic despotisms of Colonel Qaddafi and other Arab states tend, on the north shore of Africa, to advertise themselves as democratic peoples' republics. The claims of such populistic regimes are clearly derived from the old republican ideal. This ideal, of which I spoke as being characteristic of ancient Rome, has, in the modern world, become almost as important as the democratic ideal, but it is an ideal which is threatening, and has in many cases totally squashed, the democratic ideal.

Let me put to you in a crude form the argument for republicanism in this particular sense. First of all, in a republic, the state belongs to the people. Second, the more active and more powerful such a republican state becomes, the more it gives effect to the will of the people. Third, the more the people's will is fulfilled, the more their freedom becomes real; therefore, the more active and powerful the state becomes, the more freedom the people have. This is the kind of ar-

gument that is extremely widespread in modernity. But such typical republican reasoning comes into conflict with democracy, because it collides with the liberal tradition of constitutional thinking. For according to the liberal tradition, the constitution is there to ensure that the state does what it has to do, and no more. A state is needed to protect the rights of the citizens, who have called the state into being, but its activity must be carefully circumscribed to ensure that it does not itself trespass on those citizens' rights. The state, from this liberal constitutional perspective, is seen as both a necessity and a danger. I need not say this to an American audience, because it is natural for you to think in that way, is it not? But it is otherwise with the continental governments. We cannot say of them that the state does not impinge upon the liberty of the individual unless it is necessary to do so, for the better protection of the people's own rights. Liberty is the silence of law, as Thomas Hobbes put it, but law has also to enlarge liberty, as John Locke put it. So you see, a marvelous combination of law and liberty is called for in the liberal constitutional tradition.

Now, we in the English-speaking world have lived with this understanding of constitutional government for generations. And it has only recently been called into question by etatist ideologists of the left, who seek to enlarge the state so as to revolutionize the material conditions of social existence. But in continental Europe, notably since the emergence of neo-Roman ideals at the time of the French Revolution, the yearning for a powerful people's state, for all-pervasive republican institutions, has taken deep roots, and it is there, I think, that we see one of the great dangers to the future of democracy.

Bertrand de Jouvenel, in his book, *Sovereignty*, did make one very important point, I think, that when the idea of sovereignty was transferred in France from the king to the people, it was made absolute. All the limitations on sovereignty which medieval tradition had imposed on the sovereignty of the king were swept away, and when the people

became sovereign they were encouraged to think that their sovereignty was, henceforth, absolute. And again, it was argued that the people's state is the instrument of the people's freedom because it belongs to them.

I think it is probably true that this kind of continental, rationalistic argument has never had much appeal for us Anglo-Saxon empiricists, because by the eighteenth century the English-speaking world had learned from its own experience that liberty was only to be secured on a basis of limited sovereignty, and that it was not only a matter of tying the hands of the king but of tying the hands of Parliament or any other institution which took the place of the kings. Now, I think the founders of the United States were not in love with the idea of a republic. They were in love with one idea, which was the idea, simply, of liberty. And liberty they conceived, much as the English themselves had done before them, as being substantially a matter of being left alone in doing what they wanted to do, so long as it was lawful. That's what liberty meant—not being interfered with, above all by the state.

It is a very nineteenth-century habit, inspired by the French revolutionaries and by Napoleon, and made more elegant by Georg Hegel and the like, to believe that freedom is to be found in the state and to believe that freedom could be enlarged by the magnification of the state; the result was that what came to be called "liberalism" in Germany was an extraordinary alliance of progressives, who thought that the people's state should become more powerful, and imperialists who wanted to absorb the minor kingdoms in one great empire.

This brings us to a parting of the ways between the idea of constitutional democracy—democratized constitutional state, where the powers of the state are very scrupulously limited—and the idea of the popular republic, where the powers of the state are enlarged almost indefinitely to give effect to what is said to be *the* people's will.

It would be idle to deny that the idea of the magnified

republic has not become enormously influential in modern times. Its popularity has coincided, not unnaturally, with that of nationalism. Nationalism is at once a very progressive and a profoundly reactionary ideology. This explains why liberals and imperialists combined in Germany to promote it. The first ideologists of Asian and African nationalism, Mr. Gandhi and the like, were high-minded intellectuals, but the rulers of the Third World states have turned out to be people who have forgotten Mr. Gandhi and shaped themselves on the model of Napoleon, when they are not something worse.

The ironic situation is that the disappearance of so-called imperialism has meant the proliferation of little emperors, in what remains of former empires. This, of course, has proved a breeding ground for ideologies which are logically opposed to democracy. And it is for this reason I think the prospects for democracy grow daily less substantial, rather than more substantial, in those parts of the world.

The impact of imperialism on the history of the world has been unfortunate from the perspective of democracy. Because it is certainly arguable that in the simple societies of, say, Africa, before the Europeans intruded, there were little tribal societies like those of the Swiss Alps, where certain groups acquired what we might well call democratic social habits and had formed their own rules and chose their own ministers, so to speak, to work for them. And this was all abolished when the emperors came, because the emperors necessarily modeled themselves on ancient Rome, and they introduced the rule of law, rather than self-government, which we think of as the central part of democracy. Unfortunately, when imperialism fell into disrepute, and the European rulers withdrew and left the states that they had created, these states had lost the social conditions of a primitive democracy without having acquired the social conditions for a sophisticated democracy. The impact of European imperialism put an end to one primitively democratic society without introducing the more modern, sophisticated kind of democratic society such as we see in England and America.

There is, of course, another vigorous alternative to democracy that flourishes in the modern world, and that is communism. Many people think that communism itself is getting more democratic. We read in the newspapers about Eurocommunism. We see the French, Italian, Spanish, and Portuguese Communist parties using a very democratic sort of language, and volunteering to become champions of democracy against the threat of fascism and so forth. But how real is all this, and how far is this not to be seen as part of the world communist strategy which requires for the moment that communism in Europe should keep quiet?

Europe is not a place in which world communism can now afford to have any trouble. Because, obviously, world communism now has got to conquer nationalism, capture nationalism I should say, in Asia and Africa; that is its immediate and necessary objective. The Third World has got to be converted to communism before the problem of Europe, of old and tired Europe, can be dealt with. Therefore, very naturally, the party line allows Eurocommunists to play any role, so long as it is the sort of role that placates people and discourages any kind of anxiety about communism. Where possible, Eurocommunists have been allowed to go farther to the right, not only to become champions of democracy, but to become champions, as the Italian Communist parties have become, of law and order; and Eurocommunists make speeches, as Enrico Berlinguer does nowadays in Italy, that might have been spoken by Ronald Reagan on American television, in defense of the police and of property. All this is not, I think, a sign of democracy winning the support of European Communist parties. Rather it is the case that the political situation in Europe is becoming more and more unstable; and I don't think democracy has ever flourished, or grown out of an unstable situation of this kind. Democracy has usually come about where some kind of liberal constitutionalism has got deep roots, when there is a free system of government that can democratize itself.

Democracy, I think, is not a revolutionary type of political

institution. It cannot develop in a critical situation; it cannot be produced by war—a point, I think, that Mr. Adler made. You cannot spread democracy by war. It was the absurd belief of Woodrow Wilson that you could somehow make a war for democracy and set up democracy in the fragments of the old Austrian Empire. But then of course Wilson was not a real politician, he was a professor of political science.

Finally, I would like to refer to a very important point, perhaps *the* most important point, of Mr. Adler's presentation. He put great stress on Aristotle's principle that man is a political animal. He suggested that you can't keep nature down, that a natural, political man will come out, and that this political man must be democratic, because if every man is a political man, he can only achieve his politicalness in a democratical sort of society. I disagree with Mr. Adler on this point because I believe that modern man is very largely denaturized, is a product of culture much more than nature. And culture has become oppressive nowadays, even intrusive. It is not education that shapes us, because what deserves the name of education is something that we receive less and less of, as Mr. Adler points out. What we receive is a culturalization imposed upon us by modern media, and modern institutions, and so forth, so that modern man is no longer the political man as he was intended by God, by nature, or by Aristotle to be. Nor does modern man know what politics is. Modern ideologies—nationalism, communism, and so forth —provide a kind of imitation political experience for people. They receive satisfaction only from an ideology which is a perverted religion, combined with a perverted politics. Ideology gives an emotional satisfaction which prevents man from realizing his own nature as a political man. To assert that man is a political animal is to me not sufficient grounds for believing that democracy will come to flourish in the near or perhaps even the distant future. But I think, perhaps, that democracy will, with difficulties, survive and improve itself in places where it is well rooted, and where people understand

what democracy is, provided that people's understanding of it is enlarged.

That is why I am very deeply impressed by what Mr. Adler said about education. I think that unless we do have a real liberal education, people will begin to forget what democracy really is, because all the modern ideologies are trying to sell us a false concept of democracy. To be a democrat, man, the *zoon politikon*, has to be either simple or very sophisticated—or very educated, should I say—and modernity has prevented us from being very simple without enabling us to be properly educated. This I think is the terrible danger of the present situation. And because I see no prospect of an escape from the dilemma, I'm afraid I cannot share the hopes put forth by Mr. Adler in his brilliant and impressive presentation.

BILL MOYERS:

All right. Mr. Adler has now begun, and has defended very forcefully the proposition that democracy should prevail everywhere in the world, that it can prevail everywhere it now exists and be improved there, and that in time it will probably come to exist elsewhere as well. Mr. Cranston has responded to this proposition, agreeing that democracy should prevail everywhere, but being skeptical that it can be realized anywhere except the parts of the world in which it now exists, and being uncertain that it can survive even there. I thought of the story of a man who said to a friend of his on Wall Street: "How do you feel about the market?" And he said, "Well, I am optimistic"; and he said, "Why then do you look so worried?" And he said, "Because I am not sure my optimism is justified." As Mr. Cranston spoke this afternoon, I was not sure about his optimism nor about Mr. Adler's. This evening we begin this session with the second response to Mr. Adler's presentation, from Anthony Quinton.

ANTHONY QUINTON:

Taking part in a disputation was something I was not too worried about because I knew it would be a disputation in a modern style. That comforted me; it meant it wasn't going to be in Latin. Furthermore, from the moderator's remarks I have the impression that it is not to be a debate, and so there is not going to be any dirty work, abuse, or snide observations about the appearance, antecedents, background, and so forth of the other participants. And I shall try to adhere to the high moral level of discussion of my two predecessors. But of course a disputation must involve a dispute, and so originally, in a rather sporting spirit, I think, I took on the job of devil's advocate. I agreed to be the man who would reject the view that democracy is an ideal form of government. As I say, I did this in a sporting spirit, like an actor working up the part of a child molester. But in the course of reflecting on Mr. Adler's presentation of the case for democracy and developing my own thoughts on the subject, in a primarily disputatious spirit, I totally convinced myself. So what I shall say this evening comes from the heart.

Now as we have had a break in between the presentation of Mr. Adler's three theses and Mr. Cranston's reflections on them, it might be a help if I started by reminding you of what they were. The first of them was that democracy ought to prevail everywhere. The second was that it can do so or, to be a little more detailed, that it can survive where it currently exists and be perfected there, and that it can be introduced into places where it currently does not exist. And finally, rather tentatively, Mr. Adler admitted that he thinks it *will* do all these things.

His arguments for these propositions were roughly, and in very sketchy terms, the following. For the view that democracy ought to obtain everywhere, he advanced the consideration that democracy, of all forms or systems of government, is alone perfectly just. And that itself rests on

the further consideration that the justice which democracy peculiarly possesses is attributable to the fact that it alone secures to men their natural right to participate in the making of laws and in the management of government. This right in turn is based for Mr. Adler on the fact, as he conceives it to be, that all human beings are by nature political.

For the other two sides of the system of theses he presented, Mr. Adler argued that there are certain obstacles or impediments to democracy, both to its survival and perfection where it exists and to its introduction where it does not, and he contended that these can be removed. The first obstacle is the ignorance of the ruling majority, which is to be removed by liberal education. The second obstacle is inequality of condition, the nonexistence of social democracy, which he regards as a desirable if not essential prerequisite for effective political democracy, and he contends that equality of condition can be assured by increasing men's economic independence. And finally there is the dire influence of international anarchy, and Mr. Adler's main proposal to cope with that is some form of world government.

Now, more of Mr. Adler's time was spent on thesis number one, that democracy ought to prevail whether or not it can or will, and on the whole, allowing for a few marginal adjustments here and there, Mr. Cranston broadly agrees with that thesis. So already we have the materials for a division of labor. I shall largely concentrate on the first thesis, the one about the desirability of democracy, and leave the further defense of his position about the actual future prospects of democracy to Mr. Cranston. (That will be when we get further involved in the intimate small-arms fire of the disputation, rather than the present stage of remote artillery bombardment from prepared positions.) I shall concentrate on it because I see Mr. Adler as approaching this topic very much in the manner of a philosopher. It is no surprise that, as such, he should devote more of his time to thesis number one than to thesis number two or thesis three. These latter

are, after all, in the realm of crude, raw, concrete fact. They don't lend themselves to general reasoning very much. You cannot draw inferences from the sort of messy historical circumstances in which human beings find themselves. It is interesting that even when Mr. Adler does discuss the question, "Can democracy survive and be spread further?" he does it in a rather abstract way by talking about three very general obstacles or impediments: ignorance, inequality of condition, and international anarchy. But when Mr. Cranston talks about the same subject, he does so more in the style of a student of form, a man hanging around the world-historical stables, looking at the various runners to see what sort of shape their hoofs are in.

Let us principally concentrate on the question: is democracy the ideal form of government? Mr. Adler in his presentation took a firm line when he said, "This is what I intend to mean by the word 'democracy,' " and by and large he stuck to it in what followed. Nevertheless, I find a certain difficulty in his definition, and I propose to be troublesome right at the outset with regard to it. It is not a thing I wish to deprive him of in any way. In the liberal spirit that I hope will animate our discussion here, let a thousand definitions of democracy bloom. But there is a certain complexity which we have to recognize in Mr. Adler's definition of democracy. I would counter his definition by the observation that what I primarily regard as democracy is only a part of what he takes to be democracy. That is, a number of other systems are included under or deserve to be called democracy, according to my definition, which would not count as democracy under his. Now, I do not think I am peculiar in this. I think most people would say, yes, that is how I understand democracy. I don't understand it in quite such an exclusive, quite such a complex, quite such a conjunctive way as Mr. Adler does. He says that democracy is a political system where you have constitutional government in which people's natural rights are protected, together with universal suffrage. But

what I mean by democracy, and I suspect what most people mean by it, is that it is government by universal suffrage or some reasonably close approximation to it.

We have to bring in the notion of orders of magnitude here. I thought the figures for ancient Athens, even Mr. Adler's figures, did not show Athens in too bad a light from a democratic point of view. A five-figure number of persons had votes out of a six-figure population. There is an enormous difference between that and five hundred—a three-figure voting group, an oligarchy proper—with the same six-figure population. This qualification is, I think, part of the most widely accepted notion of democracy, which is that it is a form of government in which government depends upon universal suffrage or some reasonable approximation thereto. Suffrage in a democracy need not be absolutely universal, as Mr. Adler wants to insist.

Of course, this is only a prima facie account of what democracy is, one that says nothing about the constitutional character of the government, or about that government's protecting natural rights. And if we reflect on a system of government in which universal suffrage is the prime moving part, as it were, it must occur to us that such a feature is not enough. For universal suffrage to be worth anybody's bothering about it seriously, there must at least be the protection of some associated rights. It is after all worth noticing that all up-to-date totalitarian systems have universal suffrage. Ninety-eight percent of the registered populations will go to vote in a people's democracy, as the Russian colonies are quaintly called, and of those 98 percent voting, 97.42 percent will vote in favor of the central committee or the presidium or whatever it may be; 1 percent will vote against it; and then there will be some spoiled papers, and so forth. Similarly, Hitler relied from time to time on public voting by vast numbers of persons. That, too, was a travesty.

What makes universal suffrage worth bothering about is that there should be something to choose between; that there

should be a genuine, really competitive, alternative to the incumbent regime about whose continuation in office the vote is being taken. Voting without alternatives is like having a toilet which is always engaged. There are seven toilets, somebody says, in this plane, but if they all have "Engaged" on them all the time, then there are in effect no toilets on the plane, as far as the suffering passengers are concerned. Something similar is true with regard to universal suffrage. There are a number of different things that can make it a mere pretense. There can be falsification of returns. There can be no secret ballot. All sorts of things can ensure a result of the form which is standard in uses of universal suffrage in totalitarian states. But any serious belief in the institution of universal suffrage involves at least the protection of two directly connected political rights, one of which is freedom of political association, the other, freedom of political expression. Such rights ensure that organizations other than the group that supports the current regime are able to get themselves organized and can put themselves in a position to communicate their policy, their alternative offer, to the broad mass of the electorate.

But even with these additions to universal suffrage, we are still a long way short of a constitutional system of government in general when we have got this far. That is, we have got the central notion of democracy as I understand it, but we have only part of what Mr. Adler means by the term. And the point I wish to make is that the rest of what he means, what he puts in besides universal suffrage and these associated rights, is something that is really a value that could exist without the democratic attachment and so has no essential connection with democracy proper at all.

One may ask, it is true, why Mr. Adler should not be allowed to define the word as he chooses, particularly as there is nothing wild or idiosyncratic about his definition. It is the definition, indeed, as Mr. Cranston has suggested, that would naturally occur to anyone reflecting on the English-speaking

experience of democracy. In the English-speaking countries, Mr. Cranston pointed out, democracy grew generally within a framework either of an established constitutional system or, in the United States, of a system which, because of the past experience by the founders of the republic of English liberal constitutionalism, could draw on that experience. The democratic systems of government that prevail in the English-speaking world *are* democracies in the sense of Mr. Adler's rather exclusive definition.

But there is also, as Mr. Cranston also pointed out, a quite different tradition, which seems to him and to me to have a very fair title to be called democracy, the tradition that primarily stems from the French Revolution. In the somewhat disturbed history of France since 1789, France has consistently reverted at intervals, although often for not very long, to what one might call "democracy à la française." This is not direct democracy, which is a Swiss invention, both in theory and practice, although Jean-Jacques Rousseau, a Frenchman, was its great theorist. The French specialty is, rather, populistic democracy in which the idea is that the people, or the people's will, has been expressed through the institutions of universal suffrage. This is the absolutely sovereign factor in the political life of the community. If it is there in a strong form nothing can be done to override it, and nothing can properly obstruct its being put into effect.

Although distinctively French, this style of government is rather intermittent in France. There was a distinct popular will element in the revolutionary governments up to the Thermidorian reaction at the end of the Reign of Terror. Then there was government by extortion, in the manner of the racketeers, under Thermidor itself. And then there was Napoleon, the Restoration, Louis-Philippe's kind of quasi-English eighteenth-century government. In 1848 there was a short period of genuine democracy. Then what happened? In the election of 1851 a vast majority of the French electorate voted in effect for the abolition of democracy, because they

voted for Prince Louis-Napoleon, who very shortly became the Emperor Napoleon III. That kind of populistic democracy has a tendency to demolish itself. The history of France repeatedly shows the liability of populistic democracy to lapse into Bonapartist rule by a charismatic leader.

Now it is quite understandable that Mr. Adler should have chosen the definition he did of democracy, with its English-speaking origin. But I think it simply picks out one kind of democracy, the democracy that prevails in the English-speaking world. It does not include something that has just as strong a claim to be called democracy, namely, the European, rationalistic, primarily French, tradition of populistic democracy which was originated in the French Revolution.

I think it is worth emphasizing this purely historical fact, because there have been two great democratic waves in English history. The first of these waves was during the English Civil War period, say 1640 to 1660. At that time a lot of very extreme democratic doctrine was produced by loose adherents of the winning side who were situated on the left-hand end of its political spectrum. With the Restoration of 1660 they all disappeared from view (perhaps they fled to the American colonies). From that time onward there is dead silence in England on the subject of democracy, a silence that persists until the outbreak of the French Revolution. But very soon after a large number of highly sympathetic fellow-traveling individuals came to the fore in England, such as Richard Price, the person primarily attacked in Edmund Burke's *Reflections on the French Revolution.* And all through the ensuing period, up until the Battle of Waterloo, the official government was engaged in repressing sympathizers with the French Revolution. The primary message they got from the French Revolution was that of populistic democracy, seen as sweeping away all the old constitutional obstructions to the will of the people. This was the second wave of democratic sentiment in England, of which something lasted as late as the Chartist movement of the mid-nineteenth century.

I do not bring up these matters simply for the sake of producing more historical material for us to consider. My point is that Mr. Adler's definition of democracy is complex because it involves two things: universal suffrage and constitutional government. I am arguing that there is no essential connection between universal suffrage and constitutional government, except to the rather small extent I have admitted, that universal suffrage, to be real at all, must allow for freedom of association and expression. I am in strong agreement with Mr. Adler about the desirability of constitutional government. Constitutional government in the English-speaking world in the last hundred years or so has become increasingly democratic. But it preceded democracy by my definition, let alone Mr. Adler's very much more stringent requirement of strict universal suffrage plus constitutional government. Therefore it is historically evident that it can function perfectly well without universal suffrage.

What I want to assert here (this is where I get really disputatious) is that despite his ostensible commitment to the view that democracy is constitutional government plus universal suffrage. Mr. Adler really thinks of democracy in a different way. At certain essential points in the argument which I shall enumerate, Mr. Adler thinks much as I and, I suspect, as most people do of democracy as simply a system of universal suffrage. I have three pieces of evidence for this claim. At one point, you may remember, he was speaking with great respect of John Stuart Mill. Mill believed that universal suffrage was dangerous because it made possible tyranny by a unified majority against all sorts of minorities to which it was hostile. That is one reason why simple, universal-suffrage democracy does not work well in countries where there is a substantial minority, clearly or permanently divided from a unified majority. Canada would be an example. In divided countries of this sort we see the tyranny of the majority to some extent at work, or anyway we see a minority contending that the tyranny of the majority is at work, and the very ferocity of the response of the minorities

in question is some indication that the contention is not altogether false.

Now, as Mr. Adler recalls, Mill feared that the introduction of universal suffrage would produce majority tyranny, so he proposed various devices for putting a brake on it, keeping it under control. Mr. Adler says that these proposals, these devices, would have nullified democracy in practice; he says a little later on that to be in favor of universal suffrage while at the same time seeking somehow to undercut the rule of the majority is self-contradictory, since it is to be for and against democracy at the same time. And what I am saying is that when he says this, he in effect acknowledges that being committed to universal suffrage is the absolute essence of being in favor of democracy. Mr. Adler's own definition of democracy as constitutional government with the protection of natural rights in effect puts restraints on government, whether it be democratic or not.

I applaud this. It is a thing that should be done. What it implies is eliminating certain things from the sphere of possible and legitimate government activity, such as—let us say—the imposition of a single type of religious belief on the entire population. Suppose you get a majority with some passionate religious commitment confronting a minority with other commitments or none and, in its enthusiasm, desiring to impose that religious system on the minority. In that case the theory of pure democracy says that such a system should be imposed as the will of the people. Anyone who believes in constitutional government, on the other hand, must want to set limits to the legitimate sphere of government activity. And clearly Mr. Adler approves of limits of this kind.

Let me just mention a second example of Mr. Adler's implicit commitment to what I see as the common concept of democracy. When he gets down to argue his main thesis, that democracy is uniquely just as a form of government, the argument is almost entirely based on the thesis that universal participation by voting in the making of laws and in govern-

mental activity generally is required by justice. The thing he lays all the emphasis on here is the activity of participation. The conclusion that universal suffrage is the institutional realization of the special justice of democracy arises entirely from this particular feature of it. And that is, as I say, really the distinctive feature of democracy, whereas Mr. Adler in his official definition makes it only a partial feature.

Finally, just a very brief mention of a third case which comes when he is talking about the obstacles to democracy in the discussion of the second thesis that democracy can survive and spread. When Mr. Adler talks about that, the prime obstacle he cites is the ignorance of the ruling majority. What he is really concerned with are defects in the operation of universal suffrage. He is not really concerned with what in his defining mood he says is also necessary to democracy, namely, constitutional government.

Now my main disputatious development of this is simply the following. The constitution sets out the idea of a limited government. I think that is absolutely splendid. I don't think it has to be democratic at all. I can give an obvious example, one to which Mr. Cranston alluded—the government of eighteenth-century England—as a case of nondemocratic constitutionalism. At that time there was a minute proportion of voters. Yet it was a period of great political liberty. That is merely to say it is perfectly possible to have a constitutional or limited government without democracy.

I go on to repeat something I have already sketched. If a constitutional form of government is democratic, it has to be limitedly democratic, or, in Mr. Adler's phrase, the rule of the majority has to be undercut, its scope has to be limited. I am not saying that the suffrage has to be limited in the numbers to whom it is given, but that the field in which it is exercised, the topics on which it is decisive—this has to be limited. The legislative and executive power of the people or its elected representatives must be confined in a constitutional system. From its very nature a constitution has to be inde-

pendent of current popular will. That is what a constitution essentially is.

I speak with some fervor about these matters. One of the most worrying things about England at the moment is that we barely have a constitution. That leads some people to think we need a bill of rights. People often complain about imitating things from the United States; here is something I wish we would imitate. We have a sort of vestigial constitution, but it has been a matter of convention, understanding, practice—not a matter of explicit documents. Even something as sacred as habeas corpus is only a piece of ordinary legislation. It would be much more bold, of course, for any parliamentary majority to repeal the habeas corpus act than to repeal a supplementary provision of the whitefish storage registration act of 1958. The latter is going to leave people very much at ease, on the whole, except for the people who register the storage of whitefish. But measures which would leave most people very much other than at ease are only prohibited in England by convention, not by law. Here, because of the wisdom of your Founding Fathers, you have constitutional limits on government all nicely written down in eighteenth-century prose. Our limits come merely from tradition and in a rather nebulous form. (May I just add that your Founding Fathers weren't voted for by the majority of the population. And that they certainly were not voted for by anyone who lives now.)

The crucial point about a constitutional system of government in which there are limits set is that the rules that set the limits cannot be changed simply by the will of the majority. That is what really defines a constitutional system of government. These limiting rules cannot be changed by the existing executive or rulers, whoever they may be. Like Mr. Adler, I strongly favor constitutionalism. And my reason for doing so is of a very antique character, going back, I have no doubt, well beyond the Fathers of the Church, who must be the furthermost point of appeal in any decent disputation.

My reason is that I think that government is a necessary evil, in direct opposition to the view of the etatist tradition of which Mr. Cranston spoke, for which the state is a proper object of worship. I see the state as existing primarily to protect men and communities from the bad conduct of other men and communities. Since the government itself is a man, or more usually a community—a small one—it is capable of bad conduct itself, and a constitution is a precaution against that. Mr. Adler is well known to be fonder of Aristotle than of anyone else. He will hear the notes of that great thinker in what I am saying here. Aristotle had the idea of law as a transpersonal wisdom, a wisdom that does not suffer from the ups and downs of an individual personality but is the accumulated product of a great many different individuals slowly proceeding to work an idea out. That is the virtue of these precautions against a kind of human failing which can occur in governments, though governments exist to control it.

A constitution can limit a government in various ways. The one I have been emphasizing most, so far, is by circumscribing the powers of government so as to limit the fundamental rights of the government itself, and this protects the fundamental rights of the citizens. It can also divide the powers of government as is explicitly done in the American Constitution. As an Englishman I always feel that some parts of your judiciary aren't quite as much divided off as they might be, but you can come back at me with the hopelessly inadequate separation between legislative and executive in the British system. This has now gone so far that the legislature is a sort of large, cumbersome, woolly tail wagged by the executive dog, and it occasionally manages to pull the dog over. The last time this happened was in 1940, as far as I can remember.

A third sort of constitutional limitation, again much more noticeable in this country than in my own smaller, more congested one, is the division of governmental power between the center and the regions. I think this highly desirable. People

often refer to the sense of powerlessness that the individual feels in large societies. Even if there is effective choice and universal suffrage, the party choices may not be what he wants, especially if a lot of the collective matters in which he has an interest are decided remotely in Paris, as everything is decided in France, or in Whitehall, where nearly everything is decided in England. You have a similar emotion about the remoteness and impersonality of Washington in this country. But because of your federal Constitution, because of the fact that the federal government has only its enumerated powers and the reserved powers are still allotted to the states, your position in this country is different. There is still a genuine reality to the taxing power of the states. States do have a taxing power and dispose of their own tax revenues. And an American state is a much more intimate and local thing than the community at large.

I applaud all of this, and I also applaud what might be called a social parallel to Mr. Adler's notion of social democracy. That is, roughly speaking, pluralism, the fostering of nonpolitical kinds of power, in churches, businesses, trade unions—in things generally other than organized political parties. Of course there is always danger; here, too, just consider the three centers of nonpolitical power I mentioned. They can be far more tyrannous than political parties themselves. They can dominate political parties and exercise power through them. I prefer them to be genuinely independent of the political parties. That leaves a large mass of decision within a community beyond the direct reach of professional politicians and their servants in the bureaucracy.

In thus agreeing with Mr. Adler in favor of constitutionalism, I might at the same time be thought to disdain democracy. Am I self-contradictorily *for* government and *against* it? Well, yes, I am for government and against it, but, I think, quite consistently. I am for as little of it as I can get away with. I take much the same view of it as I do of surgery. In an ideal world, what necessitates surgery would not exist;

but the world is not as ideal as that. In the world as it is, surgery is necessary. People often seem inclined to have more surgery than is strictly necessary. On the other hand, they may get a great deal of direct benefit out of surgery whether the operation comes out perfectly or not. To say that (and one might say exactly the same of government) is not to say surgery is not vitally important. Like half of us in this room, I expect I would not be here now if modern surgery did not exist. But even so, I think there are limits to its use. I am even a little hostile to various forms of ornamental or cosmetic surgery, just as I am to various sorts of ornamental or cosmetic political action; by that I mean what is not necessitated by the removal of an evident evil but is carried on for the purpose of producing some supposed good. I think you look prettier with your old nose.

So far Mr. Adler and I largely agree. What we disagree about is this: democracy, as I see it, is among the dangerous types of absolute or unlimited government. Indeed, I suspect absolute democracy may be more dangerous than absolute government of any other kind because it will be self-righteous, while the others will be less morally self-confident. A dictator will say it's only me against them, but if it is all or most of us we shall be at ease in crushing the residual few we collectively feel disposed to crush. The mere number of us agreeing about this may lead us to feel we are wholly justified in doing so.

Let me turn then to my final observation on Mr. Adler's argument for democracy. It is an argument for universal suffrage without any explicit limitations of scope. Mr. Adler says that only a system of universal suffrage is perfectly just, because it is a natural right to participate in government. I quite agree that if there is a natural right to participate in government, any system in which that natural right isn't respected is not completely or perfectly just, because that one natural right is not respected in it. But I claim that if the powers of government are not constitutionally limited, then, even where this comes about because of universal suffrage,

even though the right, if there is a right, of universal political participation is granted, nevertheless other natural rights may well be overridden. In other words, the cost of this right to participate in terms of other rights or other good things, socially good things generally, may be very expensive.

On the whole, the history of powerful and well-established majorities shows them to be hostile to freedom. To start with, the first great effective democratic majority of the modern period of history, which I have already mentioned, produced the French Reign of Terror. At various times in the history of this country there has been an absurd overreaction, with a great deal of popular support, to the external menaces of communism. You can be anticommunist without attacking somebody with a mild view about the redistribution of income. But when you cannot get at the Russians, the tendency is to visit your wrath on some harmless being who has been reading George Bernard Shaw. If the eye is sufficiently incarnadined with prejudice, even the faintest pink looks red. To take a slightly different example, in Great Britian in the postwar period there has been considerable migration of blacks—from excolonial nations in Africa, from the West Indies, and from the former Asian possessions of the British Crown. There is a great deal of mass hostility to this immigration. It is only the highly undemocratic, high-minded, paternalistic, upper-class, snobbish, oligarchical insistence of government that has allowed them to keep coming in and has kept Enoch Powell and other violently hostile individuals from making life even worse for the immigrants than it is already. What would have happened if this had been a matter of plebiscitary decision? Given a direct democratic participation by the whole populace, if Enoch Powell were to propose that every black person not born in the United Kingdom should be given a sum of money or a ticket and a period of three months in which to leave the country, I am strongly inclined to suspect that the proposal would receive majority support. I also think it highly beneficial that such a proposal

was never put. That is a ground for saying that unrestricted, uncontrolled majorities are very dangerous things. It illustrates my thesis that justice in respect of the *form* of government, which is what Mr. Adler emphasizes, may lead to a much larger loss of justice or other virtuous qualities in the *acts* of government.

Consider it from a slightly different angle. Two men are offered a job. One has worked as the second in command for a very long time. The other is a new, bright upstart. Justice, you might say, requires that the first of them be appointed. But what if he had made life absolutely intolerable for everybody in the organization, whereas the second man, a very reasonable, pacific, and diplomatic individual, would treat everybody justly? There are simply two different justices in conflict here. One is the justice of making the appointment, the other the justice of the act or consequences of the appointment.

For the moment, I have assumed that universal suffrage is, as Mr. Adler says, just. I say that even if it is, that is not a complete argument for it. But is it just? Is the assumption correct? Mr. Adler's reason for saying so is that all men are by nature political. There may be an element of appeal to authority here, for there is a sentence much like this at the beginning of Aristotle's *Politics*, a work that I know Mr. Adler greatly admires. But Greek being what it is, it doesn't mean quite what Mr. Adler means by his very similar form of words. When Aristotle said that man is a political animal, he meant that men don't realize their potentialities unless they are members of a society larger than a minimal domestic unit. Get off the farm, is what was implied by Aristotle's remark about the political nature of man. But Mr. Adler has something quite different in mind, and I am not entirely clear what it is. Is it that all men want to vote? It seems clear that they do not. Is it that they would all be better for doing so? John Stuart Mill thought something like that. It is his reason for putting up with the dangers he saw in universal suffrage. He

thought it would make people better, more public-spirited, more responsible.

Mr. Adler simply affirms the thesis that men are by nature political, but he does not argue for it. He offers what is in fact a rhetorical appeal. He says the alternative is to treat men as children or slaves or foreigners. I do not think that is quite correct. In restricting the vote, you give a right to some men who may be more qualified to exercise it which you do not give to others. It is a very loose analogy to say that that is immediately to divide human beings into two groups: parents and children, or slave owners and slaves. Let me consider myself as a political being. I have voted from time to time. I have never been a member of a political party. I am interested in politics in the way many of us may be interested in football. That interest does not depend on participation. I was going to say that politics for me is a spectator sport, and then I realized that I am more like a sports columnist since I do earn some of my living by talking in an abstract and generalized fashion about politics. But that is consistent with not being involved directly in politics. In fact I vote out of a sense of shame; the opportunity exists and I feel I should go and do it. I talk with people about politics, and I may be mildly persuasive in one direction (the one I intend) or the other, as the case may be. But I do not feel any very pronounced need for it. I am much more interested in being able to express my views about it and also to complain if the occasion warrants it, than in actually organizing political activity. Nevertheless I can see a reason why despite that cool attitude, I should have some interest in such activity. It is the interest the traveler on a reliable ferry has in a life belt. I want the right to be available in case dire circumstances arise in which I need to use it.

To generalize this rather autobiographical excursion a little, I think there is a better case for the justice of universal suffrage than the one that Mr. Adler mentioned. It is that everyone has a vital interest in the actions of government. I

do not think that this, while it is a better case, is a terribly strong one. We all have a vital interest in the actions of doctors, but we do not claim a right to be present and vote at meetings of the medical association. And there is a counterargument which I have mentioned: the measure of power that goes with the vote should be given only to those qualified to exercise it. And there is a further counterargument to that. The qualifications for voting are very hard to agree on and, even if they are agreed on, they are not very easy to identify. In that situation the simplest thing is to give the vote to all.

As a practical matter, I take the following view. Where universal suffrage already exists, I am strongly in favor of letting it alone. It would be highly offensive to propose that any particular class of persons should be called upon to give up a right they have long exercised. And apart from being offensive to them, the frustration of habitual or settled expectations is objectionable. Of course it is sometimes necessary that habitual and settled expectations should be frustrated. But where there is no particular clear and evident necessity for interfering, leave things alone.

There is a well-known argument for democracy which I often favored in the past. But Mr. Adler has caused me to reflect about this in seeking to do my duty as a disputant. And I have come to see that it is not really an argument for democracy. It is an argument for the peaceful removal of bad governments. If you live under a nondemocratic system, and there is a bad government, then to get rid of it there has to be a certain amount of fighting in the street. In a democracy, all that is required is making pencil marks on pieces of paper, or pulling of levers, or pressing of buttons, or whatever the local technique is. But even that does not require *universal* suffrage. All it requires is some class of persons considerably larger than those directly involved in ruling to whom the ruler should be made accountable.

I go back to good old eighteenth-century England again. As long as officeholders are periodically accountable to some

set of critics, there will be a device for getting rid of them if they get badly out of hand. Mr. Adler very properly calls upon his opponents to supply an alternative. Mine is essentially constitutionalism. There should be representatives for the sake of accountability, but just to endorse that is not to endorse anything like universal suffrage. Constitutionalism is part of what Mr. Adler explicitly says he favors. I maintain that it is quite independent of the thing he associates it with, that which I think is the essence of democracy, namely universal suffrage. It is compatible with universal suffrage, but it is not required by universal suffrage, and it does not require it. What it is opposed to, and quite incompatible with, is constitutionally unlimited government by the people—wholly unfettered majoritarianism in the French Revolution style. As I said a little while ago, I favor universal suffrage where it is already established, but only where the universal according of the right to vote is combined with firm constitutional checks on the scope of its exercise.

BILL MOYERS:

Thank you, Mr. Quinton. We will now give Mr. Adler an opportunity to reply to the criticism that you and Mr. Cranston have offered of his original presentation. Then I will let the three of you continue the discussion by yourselves. Mr. Adler?

ADLER:

I am surprised, Mr. Quinton, that you did not catch the reason why I proposed a complex definition of democracy—as constitutional government with universal suffrage. The reason is that a good definition should be constructed by combining a genus with a difference. When I use the term "constitutional democracy," constitutional government is the genus; the only differentiating trait is the set of qualifications for citizenship and public office. In constitutional government

the two kinds of offices are those of the citizen and those of the public officials. The primary office is citizenship. Constitutional government is a government in which the citizens rule and are ruled in turn. This means that citizens out of office are the permanent principal rulers. Citizens who are for a time and only for a time in office are the transient instrumental rulers. Citizenship is the common status of both citizens in office and citizens not in office.

When any of the disqualifications for citizenship or public office are unjust, whether they are based on sex, race, property, or color, you have an unjust constitution. I use the word "oligarchy" for any unjust constitution and the word "democracy" for a just constitution in which the qualifications for citizenship and public office satisfy the criteria of justice.

Let me comment on the Constitution of the United States. I think Mr. Quinton is wrong about that. The persons who took part in the constitutional convention *were* picked by the people to represent them, so far as the franchise extended in that day and age. The Constitution was drafted by representatives of the people. It was then submitted to the people for ratification. It was adopted by their consent. I am consenting right now to the Constitution of the United States by living in this country, by participating in its government, by voting, by taking part in its political life. That is what John Locke meant by "tacit" consent.

I am sure Mr. Quinton is glad to have me agree with him that the unlimited power of a majority produces the worst form of government possible. But I wish to defend what I said about John Stuart Mill. Mr. Quinton charges me with having done what I said Mill should not have done—nullifying majority rule. Mill's proposals for proportional representation and for plural voting would have given weight to a minority over the majority. That would have nullified majority rule. I am not nullifying majority rule when I say that the majority should not be allowed to enact unjust legislation. That merely limits the majority from transgressing the rights enshrined in the Constitution. It is not a nullification of ma-

jority rule but a proper limitation of it. When the Supreme Court declares legislation unconstitutional because it violates rights, it does not nullify, it merely limits, majority rule.

Let me turn now to the question about man as a political animal. Man is a social and political animal in the sense that he cannot live well, he cannot realize his potentialities, except in a political community. That is true, but it is not the whole truth. When Aristotle describes constitutional government, he says two things about it: (1) it is a government of free men and equals; and (2) it is a government in which the citizens rule and are ruled in turn. To say that man is a political animal is to say that he should be governed as a free man and as an equal, not as a slave or a subject. He should have political liberty, which is to say he should live under laws in the making of which he has a voice.

I would like Mr. Quinton to consider the enfranchisement of women. I am not satisfied with Mr. Quinton's concession that he would not seek to abolish universal suffrage *now that it exists*. I want him to consider the position he would have taken at the beginning of this century.

Were the suffragettes right or wrong? Was their demand for citizenship purely emotional? Were they not asking for a human right? Did they not wish to have equal participation in political life? Was this not a rightful claim on their part?

Mr. Quinton and I agree about the desirability of constitutional government. That much is clear. But I would like to have him go farther. I would like to persuade him that universal suffrage is also desirable. You cannot have universal suffrage without constitutional government, but you can have constitutional government without universal suffrage. That, in my judgment, is less desirable than constitutional democracy.

Mr. Quinton, Mr. Cranston, and I all abominate absolute or unlimited power in the hands of the people. That is the kind of unconstitutional democracy which Plato regarded as the worst form of government. We all agree that it is the worst form of government. There is no merit in popular

power *by itself*; the merit lies only in universal suffrage under the limitations of constitutional government.

Now let me address myself to Mr. Cranston's main points for a moment. Here the verbal differences are slight. He prefers the phrase "constitutional democracy" to "political democracy." I am quite happy to accept that change in language. But I would like to make one correction in the history of the subject that is of some importance. "Direct democracy" and "representative democracy" do not differ essentially if both are constitutional governments. Constitutional governments can be divided in two ways: according to limited or extended suffrage; and according to whether the citizens act directly or through elected representatives.

I would like to agree with Mr. Cranston that the theory of representation is very difficult to state in a satisfactory manner. The most difficult chapter in Mill's essay on representative government is his chapter on representation. Should representatives exercise independent judgment? Or should they comply with the wishes of their constituents? That is a very difficult question. Upon a sound solution of this problem the soundness of democratic rule depends.

Leaving that aside for a moment, I would like to deal with Mr. Cranston's further point. He agrees with my interpretation of the proposition that man is a political animal, but he then goes on to say something which frightens me, namely, that human nature has now been so denaturized, or so badly nurtured, so perversely nurtured, contrary to its natural tendencies, that, far from being fit to rule and be ruled as free men, man in the modern national state is not fit to be the citizen of a constitutional democracy.

That is a very challenging statement. It may mean that the future of democracy is very dim, indeed. My response to Mr. Cranston's challenge is the kind of response that Rousseau made to Aristotle in criticizing Aristotle's doctrine of natural slavery. He said that Aristotle was right about slavery, but that he mistook the effect for the cause. If a man is born into slavery, and brought up as a slave, he will appear to

have a slavish nature when he is mature. We will be deceived about his nature. His nurturing cannot obliterate his nature but can overlay and conceal it.

We are by nature political and should be ruled as free men and equal, but if we are nurtured as slaves, we will not be able to act according to our nature. To prevent this from happening, we must see that men are nurtured in a way that befits their nature. Upon this, the future of democracy depends.

Moyers: Thank you, Mortimer. We will take that as your reply to the replies you have had. Let's see if Mr. Cranston and Mr. Quinton think it satisfactory. Mr. Quinton, you go first.

Quinton: I am not going to give a long address here, but I just want to take up Mr. Adler on one or two points. It often seems to me that the study of the Greek world leads one to find more and more things that the Greeks didn't have. For example, I can remember the day I was taught that they didn't have the notion of duty. And I don't think they had the notion of constitution in the sense in which I and, I suspect, Mr. Adler both take the term. Neither of us takes it as Aristotle does when he says that *every* state has a constitution. What he means is simply that every state has some formula whereby the choice of who is to rule is specified. And of course it is true, there isn't any government unless there is some kind of formula for this. But that is quite different from what we are talking about. At least it is quite different from what *I* mean by constitutional government, which is at least minimally a system of government where a whole lot of limitations are set on the activities the government may engage in.

Adler: Aristotle does use the word "constitution" loosely sometimes to mean any form of government. But the clear passages in his writings are those in which he draws a distinction between constitutional government, or political rule, and royal rule—rule by a man without a constitution.

Quinton: But when a man rules without what you and I would call a constitution, and without what Aristotle calls a constitution when he is being clear, as you say, such a man still *rules*; no one else does. Even there, I mean, you have a sort of minimal formula, a rule by rule, if you like. In every state there is some general principle that applies at all times which determines who of this collection of people does the ruling and who doesn't. And that is enough for Aristotle to say that such a state has a constitution, though he means more by the term at other times. My point is, we don't find him using the term consistently in our sense. Though, by the way, there is, even among us, an accepted use of the term "constitution" as meaning nothing more than the arrangement of offices.

Adler: In the case of the United States, offices with limited powers assigned to them.

Quinton: You are beginning to get to something else when you talk about that—about legitimate activity. You are talking about something like the Bill of Rights. That is what makes the American Constitution constitutional in our sense.

Adler: I don't think it does. It wasn't part of the Constitution originally—

Quinton: I think it does in the sense in which I want to defend it and in the light of what you say justice is—having a government duly constituted, giving general protection to natural rights, pursuing the common good or general welfare, and assuring universal suffrage.

Adler: I would agree that constitutionalism in the Western tradition sometimes has had different aspects. Charles McIlwain, in his book *Constitutionalism, Ancient and Modern*, sharply distinguishes the constitutionalism of the Greeks, of the Middle Ages, and of modern times. But there is a common strain in these three kinds of constitutionalism. You have constitutionalism all the way through. I agree, though, that

it is not until the eighteenth century that you get explicit declarations of rights. In that sense, Greek constitutionalism is weak.

Moyers: Mr. Cranston, do you have anything to add?

Cranston: I am not well qualified for the exegesis of Aristotle, but he did indicate that he thought some mixed form of government or constitution, which would have elements of aristocracy, monarchy, and democracy, was probably the most preferable. And I really think that that should not be forgotten. We should not become too enthusiastic about democracy and lose sight of the merits of monarchy and aristocracy. I think one of the reasons everyone feels uneasy nowadays about developments in England, for example, is that the House of Lords is progressively moving from being a hereditary institution toward one of appointed peers, and there is thus being lost an element of representativeness such as you have in a hereditary house where the members are in effect chosen by God or, if you please, by chance: it is a providential aristocracy. Nowadays the members are chosen by the chief of state and are therefore party hacks—of varying degrees of intellectual distinction, to be sure. It is instructive to compare the debates of the House of Lords in, say, 1926 with those of 1976. The first were perhaps lacking in intellectual brilliance, but they contained strong elements of character and I think are very important to the continued existence of constitutional government. And on the whole I think it very important that democracy in England should not lose this aristocratic element, as I think it desirable that democracy in America not lose its monarchical element, such as an independent executive provides. There seems to have been some doubt about the wisdom of this during the Nixon era, but I gather it is now overcome.

Moyers: May I ask a question? What makes universal suffrage just?

Adler: The securing of a natural right. The right to be ruled as free men and equal. To be ruled as a free man is to be ruled by a government which is based on voluntary consent. I say every man has a right to that kind of liberty. That right of liberty is inseparable from the right of political suffrage.

Moyers: Is any right more important than this right of participation?

Quinton: I should say that habeas corpus and protection against arbitrary rule or the invasion of property are more important.

Adler: Mr. Quinton has implied that the right of suffrage will militate against the protection afforded by these other rights. I think that is wrong. In a truly constitutional government the right to suffrage won't do that because the majority with the suffrage will not be able to violate those rights constitutionally.

Quinton: I am reflecting on recent English experience. We have a situation at the moment where the ostensible government exercises its authority as directed by organized labor. The demand of organized labor is that the freedom of the press should be abolished. Legislation has been pushed through to bring this about. It hasn't been applied yet, but the material is there. Now there ought to be a constitutional provision to prevent that.

Adler: That is a defect of the British constitution.

Quinton: It is.

Adler: Unfortunately, you have in Great Britain unlimited majority rule in the sense that an act of Parliament can't be declared unconstitutional. One of the great inventions of the United States is the judicial review of legislation with the ability to declare both executive acts and legislative acts unconstitutional. The only way an act of Parliament can be undone is by another act of Parliament.

Moyers: Mr. Cranston said that the constitution is there to ensure that the state does that which it has to do and no more. I thought I saw you shaking your head negatively when he said that.

Adler: There are two often-repeated little maxims, one of which Mr. Quinton has used himself, with which I disagree. The first says that that government is best which governs least. It is often attributed to Thomas Jefferson, but I don't believe he ever said or meant it. The second one is just as bad—the one which says that that government is best which governs most. I say that that government is best which governs most justly—which secures justice, protects all rights, sees that no one is injured, and pursues the common good. The *amount* of government is indifferent. It is indifferent because there can be no loss of liberty under a just government. Under a just government every man has as much liberty as he has any right to. More than that would not be liberty, it would be license.

Cranston: What about a government which has a different idea of justice from yours? I am thinking of the matter of affirmative action in the United States, but it might be other forms of social justice that were being sought. Well, they certainly infringe upon liberty. Equal opportunity legislation cannot but infringe upon liberty.

Adler: You are quite right, and therefore my claim depends on the view of justice that I take. In my view, justice consists of three things. It consists in acting for the common good, in treating equals equally and unequals unequally in proportion to their inequality, and in securing natural rights. The policies you mentioned are difficult to reconcile with these principles. It can certainly be argued that when the government adopts such policies, injustice will result. I think I can defend my three-part statement of what justice is. And by that criterion, I can say that a government that governs justly infringes upon

no one's liberty. Anyone who denies this is asking for more liberty than he has a right to.

Moyers: But you are saying, are you not, that in a constitutional democracy men will govern justly?

Adler: I am not saying that at all. Like most governments, the government of the United States is unjust in many ways, and was at one time even more unjust than it is now. Just think how recently we have done justice to one-half of the whole population—if, indeed, we have done it yet. Apart from that, think of our recognition of economic rights and remember that it goes back only as far as 1944, with FDR's State of the Union Message. The right to earn a living, to have a decent amount of free time, to have a variety of economic goods—these rights were not recognized in this country as among the natural rights that government ought to protect until that time. And of course there were many ways in which the government of the United States operated unjustly between 1865 and 1900, though in accordance with its Constitution as then interpreted.

Moyers: Then why is it not good to accept Mr. Cranston's definition of the constitution as something to ensure that the state does what it has to do and no more?

Adler: Well, but what *does* it have to do and no more? I say it has to do justice and no more.

Moyers: Mr. Cranston, do you agree?

Cranston: I agree if I am allowed to specify the justice I believe in, but not if Mr. Adler is allowed to define it.

Moyers: Well, what would be your definition?

Cranston: I believe justice must firmly maintain all civil and political rights. Whereas I am afraid (I am very sorry to say) that Mr. Adler believes we ought to incorporate the so-called social and economic rights into the sphere of government

activity. And this seems to me really to open the floodgates to the death of liberty. Socialism does that, in my view.

Quinton: The weak element in Mr. Adler's account of justice from some points of view is his first clause, about justice being the pursuit of the common good. Because on the whole I take it we old Whigs here want the common good to be pursued largely by individual energies. And if the common good is going to be pursued by government, it is not going to be pursued by individual energies. I do, however, think, unlike Maurice, that government does have economic responsibilities.

Adler: I think I *am* a socialist, though you will perhaps not agree. I don't mean a communist. I mean that I think everyone should participate equally, up to a certain minimum, in the general economic welfare. No one should be deprived of the economic goods that all men need to live decent human lives. I agree with Abraham Lincoln that, apart from this, government should do for the people only what they cannot do for themselves. The people, individually or in their corporations and associations, should do what they can and should leave to government only those things that they individually or collectively cannot do.

Moyers: Can we have, at least, from each of you, a concise statement in which you sum up your position with respect to the argument that Mr. Adler has made?

Quinton: Well, I thought it was a noble proclamation of faith, but if we look around at the total history of man, we can see what men have settled for. All over the world they have settled for systems that require only their obedience. And I acknowledge my brotherhood in the species that accepts this state of affairs. Happily? Not happily; I am not entirely happy; who's entirely happy? But I have no doubt most of them are reasonably content, as I am. They don't expect anything much better, as I don't.

Cranston: I think probably in everybody there is some spark of desire for liberty which sometimes expresses itself as a desire to participate in politics. I don't think there is a natural right, a universal right, to participate in politics, even though there is a natural right to liberty. I think there is a civil right in societies which are so organized as to have civil rights—where they have parliaments, tax rolls, and that sort of thing. In such societies, people can reasonably claim a right to vote because of their participation in paying taxes and doing duties imposed by the society. And as more and more people are incorporated into civil society as taxpayers, the right to vote is progressively enlarged. But I think it absurd to say there is a universal right to participate in politics, irrespective of any duties done. Up to the late nineteenth century, women as a class very rarely even thought about a vote; they felt that their husbands or fathers represented them. Now, of course, the place of women has changed. They have *earned* the right to vote. Foreigners still don't claim the right to participate, however; they would think it inappropriate to do so. For a vote is *not* a universal right. It is an earned right.

Adler: Could I ask my colleagues here whether I am misreading history when I say, looking at the last 6,000 years of civilization, the period since the emergence of cities (a very short period, indeed, in the total life on earth), that during this period political liberty has been achieved by an extraordinarily vigorous fight? This seems to me to indicate the high esteem in which it is held by men. The Greeks, who were a very small group, stood up against the Persian hordes because they thought that, with constitutional government, they had, as citizens, rights of a kind that under the Great King of Persia they would not have. The Roman republic threw off a monarchy because men wanted political liberty badly enough to demand a different form of government, and again it was political liberty of the sort I connect with citizenship and suffrage. And the fight has continued. In fact, if you look

at human society in the twentieth century, I would say that we have made great advances beyond the Greeks, the Romans, and the Middle Ages in the realization of the right to political freedom. Don't you think that is a sign of progress?

Quinton: Yes, but I think there is another lesson to be drawn, which is the cyclic lesson. Most of human history—recorded history—is a kind of dark corridor, like a badly lit tunnel. Every now and then there is a bit of light somewhere, where the individual human being emerges from the sort of awful anonymity in which most human beings have always lived. One freedom is political freedom; I don't wish to deny that. But it doesn't necessarily have to be universal suffrage. It seldom has been that, even in these lighted places. In any case they come and go, these lighted places, and there doesn't seem to be an increase in their frequency over time. Someone like Oswald Spengler might look and see a sort of fitful groping toward freedom and from this draw the conclusion that the desire for freedom is very strong. But that doesn't mean you can't reasonably entertain the opposite notion—that such an idea is by no means certain of historical fulfillment, that on the contrary, it is only now and then, with great difficulty, actually realized.

Moyers: Mr. Cranston, would you like to ask a last question of Mr. Adler?

Cranston: No.

Moyers: All right. I guess that's a constitutional form of restraint. Thank you, gentlemen. Our thanks also to all of you who have listened to this discussion.

ENDNOTES

1. See *Great Books of the Western World*, first edition, vol. 43, pp. 325–442.
2. See *The Great Ideas Today, 1966*, pp. 454–528.