A SYSTEMATIC CRITIQUE OF FORMAL DEMOCRACY IN LIGHT OF

RADICAL DEMOCRACY:

TOWARDS RE-POLITIZATION OF THE PEOPLE

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ABSTRACT

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In light of the notions of freedom, legitimacy, equality, autonomy, plurality, publicity
and action in the philosophies of Rousseau and Arendt, it can be seen that formal
democracy, having ceased to be the expression of the sovereignty of the people, fell
into a legitimacy crisis and has become a system which makes the people apolitical.
Behind these problems, there are many reasons like the ethical deficiency of the
monetarist system, deputies' abuse of authority and tyranny of the majority. The
facts in question have pushed philosophers to re-think the fundamental concepts
underlying democracy and search for new conceptions of democracy. Nevertheless,
it seems that no political model can succeed unless the people reach a certain level of
ethical maturity. In this context, we are confronted with two models: liberal
deliberative model which is criticized for giving negative rights priority over the

process of public will-formation, and Habermas' proceduralism which is based on the theory of discourse ethics. Habermasian democracy—which, contrary to majoritarianism, assumes the consent of all people as the basis of legitimacy—has goals like intersubjective understanding through rational justification and consensus in an ideal speech situation. Although it has criticizable sides, being the most appropriate account for our understanding of democracy ethics, which considers politics as a part of being human rather than a matter of governance, proceduralism can be defended with the contributions of Benhabib and Young. *In the end, the point is making ethics of democracy prior to political models for re-politization of the people*.

Key words: Arendt, Deliberative Democracy, Habermas, Rousseau.

ÖZ

RADİKAL DEMOKRASİ IŞIĞINDA TEMSİLİ DEMOKRASİNİN SİSTEMATİK BİR ELEŞTİRİSİ:
HALKIN YENİDEN SİYASALLAŞTIRILMASINA DOĞRU

Akkın, İ. Okan

Yüksek Lisans, Felsefe Bölümü

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Rousseau ve Arendt'in felsefelerindeki özgürlük, meşruiyet, eşitlik, otonomi, çoğulluk, kamusallık ve eylem gibi kavramların ışığında görülebilir ki, temsili demokrasi halk egemenliğinin ifadesi olmaktan çıkıp meşruiyet krizine düşmüş ve insanları apolitikleştiren bir sisteme dönüşmüştür. Bu sorunların arkasında paracı sistemin etik yoksunluğu, temsilcilerin otoriteyi kötüye kullanmaları ve çoğunluğun tiranlığı gibi birçok neden vardır. Söz konusu gerçeklikler felsefecileri demokrasiye ilişkin temel kavramları tekrar düşünmeye ve yeni demokrasi kavrayışları aramaya sevk etmiştir. Ancak hiçbir siyasi model halk belirli bir ahlaki olgunluğa erişmeden başarılı olamaz gibi görünmektedir. Bu bağlamda, karşımıza negatif hakları kamusal istem üretimi sürecinin üzerinde tuttuğu için eleştirilen liberal müzakereci model ile, Habermas'ın söylem etiği kuramına dayanan prosedürcü paradigması çıkar. Oy

çokluğunun aksine herkesin rızasını meşruiyetin temeli sayan Habermasçı demokrasinin, iyi düzenlenmiş bir iletişim ortamında, rasyonel temellendirme ile öznelerarası anlaşma ve oydaşma gibi hedefleri vardır. Eleştirilebilir yanları olmakla birlikte, siyaseti bir yönetim meselesinden çok insan olmanın bir parçası sayan demokrasi etiği kavrayışımıza en uygun yaklaşım olduğu için, Habermas'ın prosedürcü demokrasisini Benhabib ve Young'ın katkılarıyla savunabiliriz. *Sonuçta mesele halkın yeniden siyasallaştırılması için demokrasi etiğini politik modellemelere göre öncelikli kılmaktır.*

Anahtar Kelimeler: Arendt, Habermas, Katılımcı Demokrasi, Rousseau.

To Berkay

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CHAPTER I
INTRODUCTION

An *event* is a perfect occasion to start writing down a series of thoughts embedded in a historical chain of incidents happening conjointly, and thus providing causal explanations all of which are alternative answers to the very question of the scientific mind: *how*. Even as we criticize our age for its over-emphasis on the *know-how* of facts we have to refer to the causality beneath phenomena, but there is a difference between explaining the causes of an event and laying out the *condition* corresponding to this event, i.e. making an inference out of it. The causal explanation focuses on this or that singular event and its doors are generally closed to the rest of the world outside the scientist's laboratory, whereas an *inference* is the indicator of an effort to bring an all-embracing explication to the conditions concerning all the humans now and then. Therefore, inferences, trying to exhibit the human condition, have an illuminating potential, meanwhile facts are reflections of the reality showing the interpreter their path.

Invention of the Self Check-out Kiosk as an involved event

If it still were the age of spacecraft explorations I would pick the *Challenger Disaster* (1986) to demonstrate how far the aplomb of scientific community could go and how worthless human life could be made. This event and a dozen more earthshaking events could be shown as a proof of the fact that "science for the sake of science" was the motto of the age of discoveries. However, with respect to the preliminary statements, even an insignificant event can have more explicatory force over the human condition today. Since the spirit of our age—which is no more an age of discovery—is *shopping and consumption*, the invention and pervasion of Self Checkout (Self-Service Kiosk) Systems[1] have more importance than many other earthshaking events.

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[1] According to Arendt, after the Industrial Revolution, Automation is the second big revolution in the history of technology. Self Checkout Automat (Self Service & Payment Kiosk) for supermarkets, whose ancestor is ATM, is an advance in the automation systems and it became widespread in Western countries in late 90s and it started to be used in Turkey in 2009.

The underlying meaning of the Checkout Automat is that, as long as you have money or a credit card *you do not need other people*. After e-shopping, in which one still has to communicate with at least the parcel man at the door, the self-service kiosk provides you a speechless shopping experience. It is a next step in the extremely isolated, individualistic and alienating city life of our time. You go out and buy an electronic ticket from the automat, and then get to the Shopping Mall by mass-transit or your private vehicle. There you see many people but talk to none of them, read the sign posts and fill your shopping cart. If you are not sure about the prices of some products, you may check them with the barcode scanner. As a customer, without gaining any information about the conditions under which those products were produced, and by whom and where they were produced, i.e. in a state of total alienation to the production process, you fill the basket. Then, you complete shopping by paying the price in the self checkout kiosk with your credit card. Finally, you go back home likewise.

Unlike the open bazaar, which is a sort of space for negotiation, mega cities' world of Giga Malls, being tied up to plenty of automats and machines, has raised the state of alienation among men to its peak. Super markets and big shopping malls were the beginning of the end for open bazaar culture, but the kiosk invention points to the new route of modern city life which is certainly not a *polis.*

Imprisonment of human life into the private space (*oikos)* is a result of neoliberal policies. This fact does not only affect the way we do shopping or the structure of the shopping malls; it also transforms the audiences into passive receptors and consumers in all parts of their lives from art to education. The so called activities related to entertainment, for instance, is only a reflection of the consumption culture surrounding us all. This is the reason why today it does not make much difference whether you prefer going to the Cinema, theatre or a dance performance to going shopping. The structure of the neoliberal city life is so "individualistic" that there is no chance for you to be part of a community, to act together with other people, communicate with them or make a change in life, i.e. intervene into the way things are. Therefore, in terms of political action, today's citizens are all in a condition like

the non-citizens of the Ancient Greek *polis* were—which will be discussed in detail in the section on Arendt.

Unfortunately, large and plane spaces which we call 'Public Square' have completely disappeared and people have already been made *demandless* for such places. The disappearance and transformation of public squares have deep reasons & consequences. As motion took place of stagnancy, roads and streets took place of large city squares which were, formerly, devoted to the use of citizens. Large empty areas close to main roads were sold to entrepreneurs so that they could build residences and Giga Malls on those lands. By all means, these places provide astronomic incomes to land owners, municipalities and mostly to multinational corporations.

The transformation of city structure may seem to be an inevitable consequence of developing technologies in automation, growth in population and new demands in urban areas. However, nothing is accidental about the way we are pushed to live in. This is all connected to the liberal policies; the production methods of multinational corporations and to the consumption culture which has been created intentionally. The things that we do at home, the way we act in the street and the places we spend our time are all regulated by the capitalist system. The design warrants reducing communication and any kind of collective activity to avoid thinking and questioning. The aim is to increase consumption with advertisements, free market strategies and limitation of choices—i.e., *consumerism*. We may call this process a *systematic depoliticisation of the people*.

The aim of multinational corporations is to make profit by transforming the whole city, or rather all cities in the world, into a nonstop production chain—the end of which is *to consume what is produced* and *to produce what is consumed*. This vicious circle has its own story; the history of production. And automation technology is a chapter in this story. Therefore, the invention of the self checkout kiosk is not an isolated event, but it is just the top of the iceberg.

Public Sphere and Action

The situation was just the opposite in the cities of antiquity, i.e. the *polis* and *res publica*. They consisted of plenty of large open areas from public baths, to bazaars, and agoras to coliseums. These places paved the way for communication between the citizens, also provided them with motionless areas to sit, think or rest. As for modern cities, closed malls are the biggest public areas, but in Richard Sennett's words such places are "dead public spaces" because they are not constructed to bring people together on a common basis ("The Fall of Public Man" 15). On the contrary, their function is to make sure that people are physically together but remain isolated from each other.

Motionlessness provokes thinking, especially when you are alone it provokes introspection. The cities of antiquity enabled this, but city design was not the only factor behind the slow pace of life at those times.

Thinking and speaking covers a minimum space in the life of the modern citizen. Certainly there are exceptions to this generalization, but it does not change the common reality which determines the condition for the majority of the people today.

In the modern world, seemingly there is always *activity*, but—politically speaking— there is no *action*. People can only act by being together and negotiating their ideas. Nonetheless, in our present experience, motion has taken the place of action. And at the center of everything, there is production and consumption.

Once upon a time, production was a means to satisfy our needs and making the world a better place by easing life. This is not true anymore because things are not produced for the sake of higher aims, like a better life. Now, production is an end in itself. And for the same reason, it has become *meaningless*.

In this sense, human beings can no longer be called *animal laborans* or *homo faber*: From now on, we must be called *consuming animals*.

1. 1   What It Is All About

Following the analysis in the preliminary section, it can be said that this work is, above all, an attempt to exhibit the problematic human condition today, and put forth possible solutions. In order to achieve this goal the thesis will proceed as follows:

In the second chapter, after a normative evaluation of the notion of democracy, the forms of it, which are related to this thesis, will be explained. Having mentioned some of the fundamental arguments for or against democracy as a form of government with their justifications, we will proceed to a comparative analysis of different forms of democracy. While examining the types of democracy, ethical and political aspects (i.e. intrinsic and instrumental values) will be considered together.

In the interest of not going beyond the scope—general context—of the thesis, mainly direct (Athenian) democracy, the classical republican tradition which follows the principles of Athenian democracy, and the paradigm of Arendtian civic-humanism which interprets the classical republican tradition in a way that divorces from functional (instrumental) aspects will be dealt with. Afterwards, liberal (representative) model which is blamed as the source of the human condition problematized in this thesis, and deliberative democracy which emerged as an alternative to it, will be examined. Finally, procedural democracy which is based on Habermas' theory of discourse ethics will be introduced.

In the third chapter, Rousseau's texts *The Second Discourse* and *Of the Social Contract* will be analyzed. The reason why these texts are chosen is that, in the first, Rousseau proves that inequality does not belong to human nature, and in the second, he puts forth the political principles upon which a *legitimate* and *just* social order should rely—so that people would not miss the peaceful life in the primitive state.

In the state of nature, man is directed by the instinct to survive, but he is a free and peaceful being too. Another moral aspect that man has in this state is the faculty of perfection and regression. Due to these faculties, although man improves himself

against the difficulties brought by nature and living together with other men, his civilization leads to a *moral decline*. State of inequality—the political state, according to which, the "right of the stronger" is the basis of legitimacy—emerges with civilization. In civil society, innocent self-love of primitive man gives its place to the more ambitious feeling of *amour propre*. While, self-interestedness and competition, together with illegitimate and unfair laws, turn the social order into a hell of inequality, freedom (independence) in the state of nature is lost forever.

In *Of the Social Contract*, Rousseau introduces the concept of autonomy (self-rule, self-legislation) as the substitution of natural freedom. Rousseau's notion of autonomy that "man should be restricted by the laws which he drafts for himself," has an influence over Kantian ethics. In this relation between the two philosophers, we see that the concepts of consent, autonomy and legitimacy cannot be separated. Accordingly, the essence of legitimacy is the consent of the body politic in all fundamental political decisions like making a social contract, determining the form of government and authorship of laws.

Rousseau's notion of "the general will" is a specific type of will, which, instead of representing the partial interests of individuals, tends to the common good of the body politic or the State. Determining the general will—public will-formation—is the supreme duty of the Sovereign (the people) in a legitimate political order. Rousseau also claims that, when drafted by the people, laws manifest the general will, and thus, they support *unity* in society. The general will cannot be determined by the government, and sovereignty cannot be represented. Therefore, Rousseau makes a clear distinction between sovereignty and government.

The ideal of active-citizenship in Rousseau's political philosophy is very important regarding the issue of depoliticisation which is problematized in this thesis. Nevertheless, the type of unity and the culture of obedience, which Rousseau finds among the citizens of antiquity and admires much, are not compatible with the notions of *plurality* and *inclusion* defended here. For the same reason, while considering the tasks of drafting-laws or public will-formation (without excluding

the consent of anyone) in the complexity of modern societies, Rousseau comes to a dead end. In the final analysis, he states that "tally of the votes yields the declaration of the general will" (*Of the Social Contract* 124). In addition, he states, although "by itself the people always wills the good," "does not always see it," and "individuals see the good they reject, the public wills the good it does not see" (*Ibid* 68). Such paradoxes give the impression that Rousseau has many inconsistent views, and thus, his ideas might claim to support both formal democracy and radical democracy. In this thesis, however, Rousseau's views are defended in part, as a philosopher who follows the classical republican tradition. After all, as he states, since "the force of things always tends to destroy equality, the force of legislation ought always to tend to maintain it" (*Ibid* 79).

In the fourth chapter, we will proceed to the philosophy of Hannah Arendt who makes a peculiar account of equality and freedom depending upon the pre-philosophical period of Ancient Greece city states.

Actually, in the preliminary analysis, we have already indicated the type of criticism one can make of the modern world—the habitat of liberal democracy—with Arendtian insights. But still, it will be convenient to touch upon the content of the Arendt chapter, once more here, to make sure that her place is evident in the general flow of the thesis.

Arendt's fundamental critique is that, contrary to the vision of political philosophers, man is not an abstract, uniform being with a certain—given nature—whose actions are predictable by means of the cause-effect analyses of the world of objects. In this respect, freedom is an essential feature of human beings.

Arendt picks up two terms from the ancient world: *vita activa* and *vita contemplativa*. The term *vita activa* implies the activities of labor, work and action. These activities correspond, respectively, to three human conditions: life, worldliness and plurality. Action, which corresponds to the *plurality* condition of man, is peculiar to the inter-subjective world (public sphere), and it is the central concept of Arendt's

theory. On the purpose of understanding what *action* is, the notions of natality, freedom, private-public distinction, equality and lastly, plurality will be explained. In light of these concepts, it will be understood that action, publicity, plurality, freedom and equality are *sine qua non* for active-citizenship. These terms are valuable not only because of their pedagogical support in understanding Arendt, but also because they enable a sophisticated critique of the economy driven liberal politics which strip us of the chance of a decent life.

Another deep analysis Arendt makes is that, with the rise of the social in modernity, there has been a reversal in the hierarchy among the activities of *vita activa*— processes like labor, production and consumption have begun to dominate both private and public spheres of our lives. This situation yielded painful results like conformism, totalitarianism, and consequently, the substitution of action with behavior. And in the end, people have been isolated from the field of politics. The notion of "depoliticisation," which will be referred frequently in this work, is about this process.

Notably, Arendt's peculiar conception of politics makes her philosophy rather attractive. According to this, since man is a free and plural being as long as he performs action and yet politics is the field of action; it should not be considered instrumentally. On the contrary, politics is an end in itself. Although her account is open to criticisms by those who favor market-based politics (e.g. social choice theory), Arendt's views constitute the heart of this work.

In the fifth chapter, a more direct and close up critique of formal (representative) democracy will be made. The critique is divided into separate sections.

Accordingly, the problems of formal democracy, in light of Tocqueville's and Mill's views, in part, are tyranny of the majority, the problem of open content, the dominion of the elite & wealthy classes, and technical barriers like the election threshold and the privileges of the MPs.

As it is one of the aims of this thesis, in the second half of the fifth chapter, a search for a better understanding—and even model—of politics and democracy will be carried on. In this context, first, we will consider Cohen's liberal deliberative model briefly, and then, pass to the Habermasian view of democracy (proceduralism).

In Habermas' theory of discourse ethics, one can trace Rousseauesque and Arendtian reflections. In this theory, it will be seen that moral and political norms are alike in that, both can be put to a test of justification in well-regulated and inclusive public discussions, while, inter-subjectivity and rationality are important aspects of these public debates.

This model also indicates the possibility of an Arendtian "action" which is re-formulated systematically in order to reduce the element of *nostalgia* for antiquity in her theory. In the bourgeois public sphere of early capitalism, Habermas sees a modern reflection of the public sphere which Arendt finds in the theatres and *agoras* of Ancient Greece's *polis*. Thus, he concentrates on the criteria of institutionalization in this public sphere.

There are many defendable aspects of his procedural account of democracy within the Arendtian frame. All in all, proceduralism does not contradict with the plurality condition of humans. Moreover, the fact that the process of political will-formation is carried out in multiple public spheres empowers this model. Besides, in the long run, it serves for the ideal of 're-politization of the people.'

Seyla Benhabib and Iris Marion Young catch the parallelisms between Arendt and Habermas, and synthesize them. According to their accounts, deliberative democracy is a form of living together for active individuals with universalistic ethical values. Hence, the views of these two philosophers are also related to this work, both in undermining the critiques' arguments and in deepening the defended ideas.

To sum up, being subjected to an illegitimate social order regulated by liberal democracy, the citizens of the modern world are encountering serious problems like

worldlessness, inaction, idiocy, consumerism and thoughtlessness. They are deprived of the prerequisites of their participation in and interference to politics. Without being able to make a public appearance, i.e. getting involved in public discussions, "active citizenship" does not seem like a possible ideal. Therefore, this thesis aims at first, *making a well-rounded critique of formal (representative) system*, second, *searching for alternative democratic models*, and finally, *making a contribution to the process of re-politization of the people*.

CHAPTER II
DEMOCRACY

If defined normatively, the term "democracy" becomes general enough to cover all of its forms. That is to say, on the normative level it makes no difference as to which form of democracy you are referring. Accordingly, democracy can be defined as "a method of group decision-making characterized by a kind of equality among the participants at an essential stage of the collective decision making" (Tom Christiano "Democracy").

Christiano introduces four aspects of this definition of democracy: (1) it indicates collectivity, (2) it covers different kinds of democratic groups, e.g. NGOs, states, firms (3) this definition carries no normative weight, (4) it may require different types of equality: political, economical etc (*Ibid*).

So, one can ask: "who are the participants of this decision-making?", "what/where is the method/medium of collective activity?" and "what kind of equality is involved in the process?" Answers to these questions may expose the type of democracy we are referring to: direct, formal, procedural, deliberative etc.

In this thesis, a major normative distinction will be made between "radical democracy" and "liberal democracy" because they represent the two opposite poles regarding the meanings attributed to politics. While radical democracy contains Rousseau's and Arendt's interpretations of the classical republican tradition together with Habermasian proceduralism, liberal democracy includes formal (representative) and liberal deliberative models.

2. 1   Arguments For or Against Democracy

Christiano divides the justification of democracy—as a form of government—into two general categories: *instrumentalism* (consequential analysis) and *non-instrumental accounts* (intrinsic values).

According to the instrumental arguments, democracy can be favored because of (a) "the relatively good laws and policies" and (b) "the improvements" it generates in the "characteristics of the participants" (Christiano *Ibid*).

Mill states that the strategic advantage of democracy comes from the fact that "the decision-makers" are forced to "take into account the interests, rights and opinions of most people in society" (qtd in Christiano). Similarly, according to Amartya Sen, "politicians in a multiparty democracy with free elections and a free press have incentives to respond to the expressions of needs of the poor," and thus, he claims "no substantial famine has ever occurred in any independent country with a democratic form of government" (qtd in *Ibid*).

Regarding the epistemological advantages, democracy is considered to be the best method of will-formation since "it is generally more reliable in helping participants discover the right decisions," and also because a lot of people are involved in the decision-making, society can "take advantage of many sources of information and critical assessment of laws and policies" (*Ibid*).

Furthermore, following Rousseau and Mill it can be argued that "in democratic societies individuals are encouraged to be autonomous," i.e., "democracy tends to make people stand up for themselves" as "it makes collective decisions" which depend upon the people (Christiano *Ibid*). Therefore, in democratic social orders, the alleged improvements in the characteristics of the citizens are "emergence of a *common morality*" and "an advance skill of *rational thinking*" (*Ibid*).

Naturally, it is not the case that all instrumental arguments are pro-democracy. And the most famous of the arguments against democracy is that of Plato.

In Book VIII of the *Republic* Plato defines democracy as a "form of government in which the magistrates are commonly elected by lot" (557). And he criticizes *democracy* for its defects (555b-562a). According to his view, in democracies

1) People have too much freedom. "Every individual is free to do as he likes" (*Ibid* 557b), and this ends up with *a complete dislike of authority* and lack of moral principles that the citizens cannot tolerate the slightest "restraint" (563d).

2) Democracy empowers common men—the crowds—by giving them the chance to be the judge of many important matters. And this frees ordinary people, lacking any sufficient knowledge about politics or economical matters, to act according to their appetites and finally—given the chance—they become bad rulers of the city.

3) If their ignorance on political matters pushes the crowds to choose a leader, then this person becomes a bad leader; since democracy, being devoid of meritocratic principles, creates popular leaders who play according to the desires of the public.

Briefly, Plato thinks that lack of authority, ignorance of common man and tyrannical popular leaders are undesirable consequences of democracy.

Considering the intrinsic values attributed to democracy, there seems to be a convention on at least two principles: *freedom* and *equality*. However, there is a debate as to which type of equality or freedom exists in which form of democracy. Therefore, intrinsic and instrumental aspects of different forms of democracies will be examined in the next section.

2. 2   Some Forms of Democracy

Originally, the term 'democracy,' comes from the Greek word '*dēmokratía*.' '*Dêmos*' means "the people" and '*kratos*' means "power" or "rule." Direct democracy has its roots in Ancient Greece where women, slaves and alien residents had no right to participate in the public affairs through voting or discussing political issues. In other words, in the *polis* only a small number of people, i.e. the citizens,

were able to make political decisions.[2] Although, in the *polis*, the ruling class was quantitatively a minority, they could practice some sort of *direct democracy*.

Throughout history, democracy has gained deeper meanings than "rule of the people." For instance, it may refer to the majoritarian principle (tally of the votes) or it can be equated with the principles of *social equality* and *respect for each individual* within the community ("Democracy"). It can be seen that such meanings reflect either ethical or political aspects of democracy. Therefore, in order to make an all-embracing analysis, forms of democracy must be considered from both aspects.

Classical (Direct) Democracy

In *Of the Social Contract* (SC), Rousseau evaluates different forms of governments according to their capacity to help the formation of a common good and suitability for a country, with regards to its size and population.

The principle Rousseau has mind is also that whatever the form of government is, the citizens should be free to choose it. The people should be able to make their own laws and change them if needed. Just as the people can come together under the social contract and form a body politic, they should have a right to end the body politic or cancel the social contract. If the people are content with the current state, they can establish a government to execute the laws and manage public affairs.

Since the people are free to choose the form of government, it could be monarchic, oligarchic or democratic. But it is not the case that all forms of government are suitable for all countries.

According to Rousseau, monarchy is suitable for empires with a high population and large lands since in such countries it is impossible for the people to come together and rule the country. He states that a good Kingdom necessitates a virtuous King. Nevertheless, history is full of violent and cruel monarchs who were devoid of ruling

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[2] http://www.reference.com/browse/democracy

skills and care for their Subjects. When the Magistrates gain absolute power of the State, they abuse it by acting according to their private interests and disregard public demands.

In aristocracy, the society consists of closed classes which are determined according to the groups' wealth, property, talents or qualifications like nobility. Most of the time, it is not possible to move between classes, and the lower classes are always exploited by the higher classes. Therefore, aristocracy is not a preferable type of government either.

The best aspect of democracy is that sovereignty is not transferred to the deputies; and thus, the citizens remain free. However, Rousseau claims that "a genuine Democracy never has existed, and never will exist" (SC 91). For different reasons he defends neither Athenian Democracy nor liberal/representative democracy. He is not against democracy; but believes that due to practical reasons, direct democracy is suitable for only small countries: "It is against the natural order that the greater number govern and the smaller number be governed" (*ibid* 91). It is known that ancient examples of direct democracy depended upon the distinction between citizens and non-citizens, i.e. the citizens—who were smaller in number—were ruling the others. For this reason, Rousseau does not believe that classical democracy would fit large countries with many cities. Moreover, he states that the greater the number of the citizens is, the more difficult it is for direct democracy to function.

On the contrary, democracy perfectly fits small city states with one *agora* and a small number of citizens. Considering direct democracy, Rousseau says:

> If there were a people of Gods, they would govern themselves democratically. So perfect a Government is not suited to men (SC 92).

According to Rousseau, if sovereignty (legislative power) is transferred to the government or the parliament, laws can easily lose their protectivity and cease to be the manifestation of the general will of the people. This is because the general will of the body politic might possibly be different from the will of the government. Therefore, in principle, Rousseau favors the classical republican tradition which

enables the citizens' *direct participation* in the political processes. This is one of the intrinsic values that he sees in classical democracy. However, judging it instrumentally, he does not believe that direct democracy would be appropriate for modern states.

From classical republicanism to civic-humanism

Classical republican tradition holds a perfectionist view of political philosophy; that is

> a political philosophy centered on the idea of promoting a specific conception of the good life as consisting in active citizenship and healthy civic virtue on the one hand, while combating any sort of corruption that would undermine these values on the other (Lovett "Republicanism").

In the republican paradigm, politics is seen as "the reflexive form of substantial ethical life," namely as the "medium in which the members of solitary communities become aware of their dependence on one another" (Habermas "Three Normative Models of Democracy" 21). Furthermore, "acting with full deliberation as citizens" they "shape and develop existing relations of reciprocal recognition into an association of free and equal consociates under law" (ibid).

In the following chapters, it will be seen that Rousseau and Arendt are followers of the classical republican tradition as they are both in favor of a democracy in which citizens can actively participate in politics.

Especially Rousseau admires the civic-virtues of ancient states, and he believes that only perfect laws could create "a feeling of unity" in the citizens of modern states— which hardly resembles the cultural or moral unity among the citizens of antiquity.

> This distinctive vision of the good life is supposed to be rooted in the experience of the Ancient Greek *polis*, especially as expressed in the writings of Aristotle. The goods of active political participation, civic virtue, and so on, are to be understood as intrinsically valuable components of human flourishing (Lovett "Republicanism").

Lovett states that Arendt is a civic-humanist too. She interprets political liberty as a positive freedom that is "consisting in an active participation in the political process

of self-determination" (*ibid*). In Arendt's view, "to enjoy political freedom" is "to share in the good life" (ibid).

Arendt is not concerned with unity, but the interrelatedness between the notions of equality, freedom, publicity and action. According to her view, the *polis* was "a kind of theatre where freedom could appear" by the mediation of action (Arendt *Between Past and Future* "What is freedom?" 154). Above all, Arendtian view of democracy (civic-humanism) is distinguished from other views because of the *intrinsic* values that she sees in politics or taking part in politics: equality, freedom, publicity and plurality.

The liberal paradigm

Modern/representative democracy emerged in Europe in the Middle Age and during the French and American Revolutions parallel to the rise of capitalism. The connection between capitalism and modern democracy is not a coincidence. This is because the possibility of an economical system like capitalism—primarily concerned with the preservation of the rights of the bourgeois—was dependent upon the political liberation of the bourgeois from the church and the monarchs.

In the liberal democratic paradigm, the government is an "apparatus of public administration," whereas society is "a market-structured network of interaction among private persons" (Habermas 21). The task of democratic process is "programming the government in the interest of the society" (*ibid*). Therefore, it can be said that in liberal democracy *politics* has a mediating function between the government and the citizens. In other words, in the liberal conception, democracy has an *instrumental* value.

In this model, the citizens are given negative civil rights to protect themselves against the state and other citizens (*Ibid* 22). As bearers of these rights, they are protected by the government "as long as they pursue their private interests within the

boundaries drawn by legal statues" (*Ibid*). Political rights of the citizens are also negative and similar to civil rights in that both determine the *limits* of freedom.

In formal democracy people are represented through their elected deputies (members of the parliament) and each person has an *equal* right to vote. The party elected by the majority of the people establishes the government. However, in multiparty democracies, most of the time, the winning party gets not even the majority of the votes but just more votes than the other parties. Therefore, the government cannot represent the will of the body politic.

Rousseau does not defend this model because; in liberal democracies the duty of drafting laws is given to the deputies. According to his view, people cannot be considered autonomous if they cannot make their own laws, and since law-making is the very indicator of the sovereignty of the people, it should not be transferred to anyone.

I believe that, the Capitalist system is ethically bankrupt partly because liberal economy and formal democracy are unable to meet the needs of each person within the society. Formal democracy provides citizens with limited opportunities to take part in the decision-making process on political issues. Citizens vote in general elections, are consulted through a referendum or form small groups to lobby their representatives (Miller 40).

The most well-known critique over the idea of citizens' direct participation into the political decision-making processes is that of Joseph Schumpeter. He argues that "the citizen's job is to choose a team of leaders to represent him or her, not to attempt to decide issues directly" (qtd in Miller 40-41). Schumpeter' argument depends upon the fact that people are directly affected by the consequences of wrong political decisions (ibid 41). Nevertheless, such arguments against public participation are derived from the assumption that complexity is an intrinsic aspect of politics. Indeed, the market-based liberal model causes this illusion. Liberal democracy serves for the benefits of certain interest groups, while it has to hide this fact—its secret agenda—

in order to claim itself legitimate. In the fourth chapter we will see that Arendt's view of politics leads us to re-think whether economy is necessarily an element of politics, and how it could be possible for the citizens to discuss all political decisions in Ancient Greece *polis*es.

The main problems of the liberal paradigm will be discussed in detail, in the fifth chapter.

Deliberative Democracy

In the liberal model, "members of parliament, and other legislators enjoy a very high degree of independence – in so far as they are under pressure to vote in one way rather than another, it comes from their party, not from the people who elected them (Miller 43).

These facts urge us to seek a more participatory method of democratic will-formation: deliberative democracy.

According to J. Bohman & W. Rehg deliberative democracy is a normative account of legitimacy and it evokes ideals of (1) rational legislation, (2) participatory politics and (3) civic self-governance. In other words, deliberative democracy depends upon the political autonomy of practically reasoning citizens (ix).

Miller explains an advantage of deliberative democracy as follows:

> when decisions are taken democratically everyone has a chance to contribute, and so the views and preferences of the people from different social classes, different ethnic and religious backgrounds, and so forth, will all be heard, whereas the political class who governs us today are predominantly . . . male, and middle class (ibid 43).

However, there is a difference between the liberal and republican conceptions of deliberative democracy. In chapter five, we will introduce Cohen's theory of "ideal deliberative procedure" as an instance of the liberal conception of deliberative democracy according to which Rawlsian substantive rights are defined as prior to the deliberations. We have mentioned that Arendt's views are related to the republican

view of deliberative democracy. Habermas rejects both the liberal conception due to the priority it gives to the negative rights, and the republican paradigm for its strong view of centered society and the good life.

Proceduralism (Habermasian View of Deliberative Democracy)

In "Democracy as Reflexive Cooperation" Honneth states that both Arendt and Habermas defend radical democracy in part, but they differ in their views of "the democratic public sphere" (763-764): Whereas Arendt sees it as a medium of self governing political community, Habermas puts the stress over rational communication and he believes that procedural democracy helps rationalizing and legitimizing public debates. In other words, Habermas does not aim at self-administration which is a practical difficulty and "ethical overload" for the people.

Benjamin Constant compares the negative political liberty of moderns with the freedom of the ancients. According his view, for the people of modern States, political liberty is "the right to be subjected only to the laws, and to be neither arrested, detained, put to death or maltreated in any way by the arbitrary will of one or more individuals" (qtd in Gaus 127). Liberty of ancients, however,

> consisted in exercising collectively, but directly, several parts of the complete sovereignty; in deliberating, in the public square, over war and peace; in forming alliances with foreign governments; in voting laws, in pronouncing judgments, in examining the accounts, the acts, the stewardship of the magistrates; in calling them to appear in front of the assembled people, in accusing, condemning or absolving them (ibid).

Comparing the liberal view of democracy (deliberative and formal) with the republican and proceduralist paradigms it can be said that the main difference between the three views stems from their conceptions of freedom and the good life.

In the republican paradigm there is a strict sense of collectivity following the ancient notion of citizenship and an active-positive understanding of freedom; nevertheless, this freedom might lead to "the complete subjection of the individual to the authority of community" (Constant qtd in Gaus 127). Habermas' proceduralism, on the other

hand, favors neither liberal conception of negative freedom nor the republican view of the good life.

Habermas states that, "practical reason withdraws from universal human rights, or from the concrete ethical substance of a specific community, into the rules of discourse and forms of argumentation" because "the normative content arises from the very structure of communicative actions" (Habermas ibid 26). He defines his theory as a "proceduralized popular sovereignty" according to which the political space consists of a "network of peripheral public spheres" and a constitutional state. The public will-formation procedures taking part in this "*decentered society*" has a strong influence over the state and administrative affairs but not in the sense of direct democracy (*Ibid*).

2. 3   Conclusion

In this thesis, combining Arendt and Habermas I will argue that it is only and only in a well-organized public space that people can interchange their ideas rationally and achieve the democratic ideal of self-rule. However, rational communication has some prerequisites like ideological disinterestedness, rational communicational skills, or willingness to participate in public discussions. Since questioning one's most deeply held values is an intrinsic value of democratic will-formation and the existence of others urges us to such inquiries, the value of intersubjective communication is self-evident for a re-politization of the people.

Habermas specifically concentrates on the institutionalization of intersubjective will-formation processes. According to his view, in an ideal speech situation, sides are capable of convincing each other on the truth of their own argument by showing that they have good reasons behind their claims. If all sides carry the best intentions and each person is open to criticisms, consensus is likely to emerge. Under these conditions public deliberations can help the formulation of the general will.

It should be noted that my intention is not to defend a political 'model,' or a certain form of democracy etc. On the contrary, I aim at indicating the weak and criticizable aspects of several models and underlining Arendt's objection to political theorists. I have the intuition that even a perfect political model is not worth considering seriously unless the people in target have supreme moral values, i.e. are virtuous enough to execute them. To illustrate, in a court where none respects the view of the other and devote his/her best interest to understand the other's argument, it is impossible to arrive at a fair judgment. Likewise, for any form of democracy to be able to function well, citizens themselves must enjoy the virtue of being part of the political life. Political action might provide them the necessary social responsibility. As I see it, each individual who can freely express their own point of view is a democratic citizen, and thus will encourage the others to do so. Social change is triggered by the manifestation of ideas, which is a kind of a revolutionary action, based on ideas.

CHAPTER III
ROUSSEAU

Rousseau is one of the most important names that are cited with regard to the principal concepts which underlie democracy as an ideal. While all social contract theorists present arguments that provide the logic behind liberal democracies (even in our time), the contractarian models of Hobbes and his contemporary followers remain somewhat bland in comparison to Rousseau's analyses. Rousseau's position in the social contract tradition is special since he both presents the most thorough analysis of the main concepts of this tradition that are used in justifying liberal democracy and the most relevant critiques of some of their unquestioned presuppositions. Most importantly, Rousseau convincingly challenges the view that society is based on a contract. However, he may be said to remain in this tradition since he still believes that society should be based on a contract in order to be legitimate. In the *Social Contract*, he argues that, ideally, laws of a legitimate State should be made by the body politic *themselves* so that they tend to the welfare of the whole nation and sovereignty of the people is not alienated. In this context, the sovereign and the government are defined as distinct elements of the State; the one is an authoritative power concerned with legislation and the continuity of the political unity, whereas the other is a servant of the body politic (i.e. has executive duties), which makes the notion of *autonomy* a central concept in Rousseau's theory of a legitimate social order.

In the *Discourse on the Origin and Foundations of Inequality among Men* which is also known as the *Second Discourse* (SD) Rousseau tells a different story with respect to how civil-society is originated. When telling this story, he, as it were, lays bare the anatomy of the concepts of equality and freedom that are supposed to be the ideal principles and main justifiers of liberal democracy. After this dissection, In the Social Contract, he re-presents the question of what legitimacy, sovereignty and autonomy (civil-freedom) are really about.

In this chapter, I will first present the *Second Discourse* where Rousseau challenges the Hobbesian story about the origin of civil society and explores the concepts of freedom, equality and their inter-relations. After having revealed the flaws of civil society and its ideology as it stands, I will present the *Social Contract* where Rousseau investigates whether a prior social contract really existed and if not, what the ground for the legitimacy of the State might be; together with on which principles an ideal political order should rely. Finally, I will discuss the plausibility and applicability of Rousseau's principles for an ideal democracy with the problems they generate.

3. 1   The State of Nature

The *Second Discourse* was written in response to a question proposed by the Academy of Dijon for an essay contest: "What is the origin of inequality among men, and whether it is authorized by the natural Law" (SD 130). In this discourse Rousseau argues that there are two kinds of inequality among men[3]. Firstly, physical or natural inequalities which are indeed inevitable natural differences like age, health, physical strength etc., secondly, and more importantly, the political or moral inequalities which are established through civil society and not found in the state of nature. For instance, wealth, status, honor, and political power are of the second kind.

According to some *social contract theorists* like Hobbes, in the state of nature people used to live under severe conditions in which all men were the enemy of one another, whereas in the civil state people were rescued from the harsh rules of nature and the endless war of all against all through a social contract. Rousseau opposes this negative view of the state of nature as he, contrarily, describes the state of nature as a free, peaceful and tranquil state where men never quarreled neither with each other

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[3] Philosophers like Arendt and Rousseau followed the literary tradition of their age when referring to the human beings as 'men'. So, although I am aware of the importance of avoiding sexist language, when citing and paraphrasing such philosophers I felt myself obliged to be loyal to their word preference; but when stating my own ideas or ideas of non-sexist language users, I tried to refer to human beings as 'they' or 's/he.'

nor with members of the other species unless it was highly necessary for self-defense or nutritional needs.

In the *Second Discourse*, Rousseau explores the moral or spiritual aspects of savage man. The most important claim about the moral aspects of man in the state of nature is that he is *free to choose* his actions even if it is to his detriment:

> Nature alone does everything in the operations of the Beast, whereas man contributes to his operations in his capacity as a free agent. The one chooses or rejects by instinct, the other by an act of freedom; as a result the Beast cannot deviate from the Rule prescribed to it even when it would be to its advantage to do so, while man often deviates from it to his detriment (Rousseau SD 140).

Another important moral aspect which distinguishes man from the Beast is progress or "the faculty of perfecting oneself" (ibid 141). Rousseau states that animals are nearly the same when they are one year old or when they are a thousand years old, since there is no progress in them either as an individual or as a species, whereas once communication emerges among human beings, intergenerational transfer of the experiences occurs. Besides, even a single man shows great progress from his birth to his old age, and reversely shows tragic fall from the early old age to death. Hence the price of the superiority of man over the Beast is the decline in the old age which makes him vulnerable in the end. According to Rousseau, the sole cause of all miseries that emerged in the civil state is this natural faculty of progress & regress.

In the state of nature man would not need other men; therefore the reasons which brought men together belong to the civil state (ibid 149). Rise of the need for communication and language acquisition; living as a community; agriculture and settled life, in general, resulted in the occurrence of division of labor and leisure activities.

Rousseau criticizes other philosophers whom we call "contractarians" today for their claim that man is miserable in the state of nature. On the contrary, he thinks that man became miserable only after the emergence of civil society, but not in the state of nature where all men lived in peace and tranquility.

If negative moral aspects are attributed to man in the state of nature as in the contractarian tradition, then it means that the social contract is considered as a bargain through which the weak people gain security in the civil state. Since according to the negative conception of the state of nature savage life is not a preferable alternative, one cannot substantiate the necessity of a legitimate ground for the political order. This is because in a negative conception of man's state of nature, the strong has a right to do whatever s/he pleases, i.e. power is the basis of legitimacy, and this rule is transferred to the civil state too. However, in Rousseau's notion of the savage man, positive moral aspects are attributed to him and political-order has to make itself legitimate according to a principle which is other than "the rule of the stronger" so that one can prefer it to the peaceful state of nature. Accordingly, in Rousseau's view legitimacy of the political order can only rely on the *consent* of the people, i.e. the body politic.

Rousseau refutes Hobbes' claims about the state of nature by the aid of his research over the Caribs[4] (ibid 156). He investigates whether man in the state of nature can be good or evil and arrives at the conclusion that savage man is neither good nor evil, since he has no other goals than self-preservation, which is a natural tendency. In order for man to have wicked desires he would have to be capable of thinking conceptually and guided by a sense of self-interest which is above the natural tendency to survive, i.e. self preservation. In other words, good and evil are established qualities of civilized man, not natural qualities of the savage.

According to Rousseau, savage man does not also have a feeling of *amour propre* but only of *amour de soi meme*. *Amour de soi meme* is a natural self-love solely concerned with the preservation of life, which is also found in animals (ibid 152). *Amour propre,* on the other hand, is a self-interested feeling of self love and pride. In contrast to *amour de soi meme* which is a healthy kind of self-love, *amour propre* involves ascribing great importance to one's self in relation to others and expecting others to recognize one in the same way (i.e. as more important and valuable than

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[4] The indigenous people living in the coasts of the Island Carib.

others). In this way, Rousseau refutes Hobbes' negative conception of the savage man.

Furthermore, he states that man in the state of nature has a natural feeling of *pity* towards his human brothers. Pity is also found in animals, e.g. when an animal sees another animal is dead, it stops for at least a moment, and shows some sort of reaction like mourning etc; so just like animals, human beings have a natural feeling of pity. Savage man exhibits his pity in cases like coming across a wounded person or a dead creature. Therefore, Rousseau, unlike Hobbes, does not believe that man in the state of nature would be prone to harm others since his self-interest would be checked by the feeling of pity. The maxim behind pity and natural self-love was "do your good with the least possible harm to others", not the more ambitious maxim derived from 'reason' which is "do unto others as you would have them do unto you" (ibid 154). Nevertheless, since the life of the savage was at a pre-rational stage he did not have further moral qualities other than freedom, pity and *amour de soi meme*; that is to say he was a simple being. All the complexities like *amour propre*, vengeance and so forth occurred only after the emergence of a more civilized life.

Therefore Rousseau argues that *the laws of nature were superior to those of the civil state and natural morality was better than the moral rules established through the civil-state*. Unlike Hobbes, Rousseau defends the view that social contracts were not necessary to rescue men from the state of nature, but to provide freedom and equality within the civil state. He sees no reason to believe that the state of nature was a state of war.[5]

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[5] Rousseau has been criticized for not having done sufficient anthropological research to base these claims on. But these criticisms can be evaded by observing two points: Firstly, even though Rousseau uses the examples of the Caribs, his arguments seem to be more based on conceptual analysis of notions like freedom and equality than anthropological claims. Secondly, anthropological research does not seem to yield a conclusive solution to these debates (such as whether a state of nature existed or not and what the notions of freedom and equality would look like). The discussion, of course, would also depend on what is meant by 'a state of nature'. If by 'a state of nature' is meant a time before the existence of governments, then it can be said that the question is not even controversial. But details of the state of human beings at that time (their social relations etc.) are controversial.

In Rousseau's view, it was only after the emergence of language, settled life, cultivation of plants, metallurgy and agriculture—in short, civilization—that the natural differences turned out to be inequalities among men. Before that, men were all free, equal, and independent beings:

> Where there is no love, of what use is beauty? Of what use is wit to people who do not speak, and cunning to those who have no dealings with one another? I constantly hear it repeated that the stronger oppress the weak; but explain to me what the word oppression here means? Some will dominate by violence, the others will groan, subject to all their whims! this is precisely what I see among us, but I do not see how the same could be said about Savage men, whom it would even be rather difficult to get to understand what subjection and domination are... and what would be the chains of dependence among men who possess nothing? (Rousseau SD 158).

This observation by Rousseau is significant since it provides an important perspective to the relation between freedom and equality. While it is usually thought that the concepts of freedom and equality are ideals that are somewhat opposed to and in tension with one another, Rousseau is suggesting that where there is complete independence, there can be no cause for inequality and domination. Thus, if freedom is understood in terms of "independence and self-sufficiency", then not only is it not at odds with equality, but in fact secures and complements it.

3. 2   The Discovery of Inequality

Rousseau emphasizes the role of power relations and real property in the development of civil society:

> the first man who, having enclosed a piece of ground, to whom it occurred to say *this is mine,* and found people sufficiently simple to believe him, was the true founder of civil state (SD 161).

Once the right to private property emerged, man's view of the earth changed completely—that is his concerns began to extend beyond self-preservation. Division of land and property, agriculture, use of tools, domestication of animals, metallurgy, division of labor and settled life as a whole are the fundamental factors in the rise of civil society. Although division of labor was formally some sort of solidarity against the harsh conditions of nature, it resulted in the formation of master-slave relations and claims to property (land ownership) since with social cooperation, natural differences among men began to acquire social significance.

Unlike other social contract theorists like Locke and Hobbes, Rousseau sees the transition from the state of nature to the civil society not as a single move but as something that happened gradually through a few steps. He identifies three revolutions that mark this transition. The first revolution is settlement which began with men building huts, which were small structures to live in safely, so that they could protect themselves from climate changes. Living in different huts caused the occurrence of conjugal love between males and females, and paternal love between father and the children. In short, settlement resulted in the development of closer family and neighborhood relations together with monogamy (ibid 164). Those who lived in the same hut became closer and those who live in alongside huts became good neighbors. They could save some goods in their huts which was a sort of private property.

Leisure time activities resulted in the formation of more complex means of communication such as language acquisition, singing and dancing. Especially, activities like singing and dancing enabled people to realize their differences; that is to say, those who sang or danced better were admired more than the others (ibid 165-166). Men also realized that not all of them were as handsome or as strong as the others. These differences initially caused a feeling of pride and competition among them. According to Rousseau, it is during theses leisure activities that *amour propre* began to arise first (ibid 167). Jealousy, contempt, shame, and competition were natural results of the discovery of beauty and talent—the differences. This is how *amour de soi meme* transformed into *amour propre*. Men were no more as equal as they used to be in the state of nature.

The second revolution in early civilization was metallurgy and large-scale agriculture with the accompaniment of slavery. Rousseau guesses that some events like a stroke of lightening or volcanic eruptions must have taught men how to melt iron, so that plow and other metal tools were invented. Metallurgy enabled large-scale agriculture and some people started to work in the farms. Those who were stronger and smarter than the others were the first to own a land and they started to save crops and

dominate the others by putting them to work or making profitable bargains, which soon turned into slavery (ibid 168-169). So, after the realization of natural differences and development of *amour propre*, division of labor became the main foundation of inequality among men (ibid 170).

The third revolution is the establishment of laws. Here it is important to note that Rousseau sees the first laws as so-called treaties which were made among free people in order to enslave them in return for their life. Therefore, the basis of laws was not, indeed, a social contract among free and equal people but the deceiving arguments and despotism of the powerful early civil men. For this reason, Rousseau claims that the first men who accepted the new "political establishment" to secure their freedom were deceived since the dangers of the political society was far beyond the advantages, and the people were not experienced enough to "foresee" them (ibid 173). In brief, laws were made for the sake of the rich; i.e. to protect their property from the poor.

3. 3   Inequality: Natural vs. Political

"Real property" (land ownership) or in other words, someone's calling "a piece of land this is mine" corrupted the state of natural equality. Farms took the place of forests, slavery and exploitation emerged (SD 161). According to Rousseau the first revolution brought about some inequalities because of *amour propre* but these inequalities are relatively insignificant. It is after the second revolution, by the use of metals and agriculture, that people found themselves in a state of war and chaos. Real property resulted in the distinctions between wealthy and poor, master and slave etc. In brief, agricultural society became a society of labor and exploitation. Only at this stage of civilization could higher moral laws emerge but the people were not yet a body politic.

The rise of governments, laws, and political society was a consequence of the concept of property taking root and the chaotic atmosphere created by it. This is because, as regulative elements, the laws and the governments could emerge only

when things got really worse; i.e. because of a dire need to bring peace and order to society. Yet, at this last stage people eventually lost their *natural freedom* forever and got into the state of political society the root of which is the distinction between the wealthy and the poor: political inequality. In political society, labor, slavery, and poverty are the unending miseries of the people. At this point it is crucial to dwell on the difference between natural inequality and political inequality.

Natural or physical inequality is the state of diversity brought by difference of natural skills and abilities of men in the state of nature; and this term is valid for the pre-civilized and pre-political period of human history. In other words, indeed, natural inequality is a term referring to the natural differences, but not to the inequality among men. As mentioned above, natural differences are of no consequence when people are independent from each other and self-sufficient, and thus equality and freedom (if understood as independence) re-enforce each other.

The notion of political or moral inequality is, on the other hand, the state of inequality which arose with social cooperation, division of labor and real property in the civilization of men and continued in political society through biased laws and a corrupt social order. Therefore, the reasons of political inequality are first, private property and second, the institutionalization of laws. These factors indicate the corruption of the human condition under the civil-state.

Since the present political society is a society of inequality, according to Rousseau, pointing at the blemish in its roots can provide a ground for debating on a better political society. Thus, these observations lay the ground for dwelling on questions about legitimacy as well as acquiring an understanding of autonomy and Rousseau's conception of the general will.

3. 4   Freedom: Natural vs. Civil

I had mentioned above that for Rousseau freedom and equality in the state of nature are complementary concepts. However, the rise of inequality in civil society also

corrupts the natural state of freedom, i.e. independence. As Marx also explains in *On the Jewish Question*, the actual laws only secure political liberation and political equality of the citizens who are already rich. In other words, political freedom means liberty of property. Similarly Rousseau believes that the laws hitherto, unfortunately, have been in service of the strong and the rich, i.e. to protect their rights. However, ideal laws should be those which protect freedom and social equality among men. Ideal laws, as Rousseau claims, should be so general that they would provide all the people with human freedom and human equality. Therefore, Rousseau believes that we have to re-think freedom in civil society.

Rousseau does not consider the notion of freedom deeply as a metaphysical concept but rather from the perspective of political philosophy. In *Of the Social Contract* (SC) he refers to freedom as a basic quality of man in the civil state and states that SC was written "to manifest the people as they are and the laws as they can/should be" (Rousseau SC 41). In other words, Rousseau wants to first investigate who man is and what his qualities are as a being that constitutes the social order, and second to set forth the laws as they should be under ideal circumstances.

Rousseau thus makes two different definitions of freedom which are actually freedom of man under two different conditions:

(1) Freedom as a qualification of man which differentiates him from the Beast, explained in SD as a 'gift of nature'. This type of freedom belongs to the nature of man as he, besides following his instincts, is free to choose his actions. Although man is under the control of his will to live, he is capable of making choices which are, sometimes, to his own detriment. In other words, he can use his reason and capacity to choose his acts freely even if they are opposed to what his appetites prescribe to him. This is the definition of the freedom of man in the state of nature, i.e. man's natural freedom. His natural freedom relieves man from being the slave of his desires (SD 140).

The kind of freedom that Rousseau describes as existing in the state of nature is more like the liberal conception of freedom—that is, "absence of external impediments." Rousseau believes that with the development of civilization, this type of freedom has been lost and cannot be recovered.

Rousseau prefers the first type of freedom and laments its corruption and disappearance in civil society. He believes that with the development of civilization and social cooperation, and the corruption of human beings, the first type of freedom has been *irretrievably* lost. He thus develops a second conception of freedom as a sort of compensation for the loss of the first type.

(2) In SC, Rousseau describes civil freedom. Man in the civil state is a societal being, and "a free man is that who follows the rules he prescribed for himself" (SC 54). So, civil freedom is people's conforming to the laws which they made for themselves. The second type of freedom relates only to man in the social order, thus we had better consider it as *autonomy* and distinguish it from natural freedom. Whereas natural freedom is unlimited, autonomy is man's ability to determine his own limits. Laws limit human actions in order to provide safety in the civil state. In order to emphasize this view, Rousseau states that "the impulsion of mere appetite is slavery" (ibid 54) and insists that the body politic cannot be autonomous without the parts of it being free since slaves would not be able to make their own laws. Rousseau's reasoning here is that, since man in the civil state has to obey some rules, the best scenario would be for him to write the laws that bind him.

> What man loses by the social contract is his natural freedom and an unlimited right to everything that tempts him and he can reach; what he gains is civil freedom and property in everything he possesses (SC 53-54).

This is the concept of freedom which influenced Kant's conception of autonomy.

3. 4. 1 Rousseau's influence over Kantian system of morality

The influence of Rousseau's notions of autonomy and freedom on Kant is obvious from Kant's own definition of the autonomy of the will. Kant also conceptualizes

autonomy as a principle that enables rational beings to establish and follow their own laws and thus is a fundamental concept in Kant's view of human freedom. In this conceptualization, freedom stands for rational beings' ability to *act only according to their own rules* so that their will is not bound by others' principles.

Kant's notion of human freedom is transcendental, since freedom is an idea of the intellect and has no physical relation to the world of phenomena-sensible beings. Kant explains freedom of the will as follows:

> The will is a kind of causality belonging to living beings insofar as they are rational; freedom would be the property of this causality that makes it effective independent of any determination by alien causes (*Grounding* 49).

He continues by stating that necessity is the determiner of the actions of non-rational beings. Autonomy, as stated in the above paragraph, has something to do with decision (choice) making: "Always choose in such a way that in the same volition the maxims of the choice are at the same time present as universal laws" (ibid 44). The process of rational decision making in autonomous beings is as follows:

Rational beings discover their own laws by the aid of their intellect. In this process the property of freedom allows them to act only according to self-made laws. The human faculty which distinguishes right from the wrong (just and unjust actions) shows the best thing to do in each case; so, the decision is made. Autonomy of the will is the highest principle in Kantian ethics, and according to his view, autonomy enables people to distinguish between right and wrong. In other words, rational beings know what is right before acting so, and right is the one which is harmonious with their own moral law.

Kant states that "principle of morals is found to be necessarily a categorical imperative, which commands autonomy" (45). Whereas autonomy commands independence from "any property of the objects of volition" (44) in determining its own laws, if the will is influenced by external factors like reward and punishment heteronomy occurs; and thus heteronomy is not a true principle of morality:

> If the will seeks the law that is to determine it anywhere but in the fitness of its maxims for its own legislation of universal laws, and if it thus goes outside of itself

and seeks this law in the character of any of its objects, then heteronomy always results (ibid 45).

This notion of autonomy which has its roots in Rousseau and has thus further been developed by Kant has become the basis of a certain understanding of legitimacy in liberal theories: contractualism. The humanity formulation of Kant's Categorical Imperative which says

act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as means [only] (ibid 36)

lays the basis of the concepts of human dignity and respect for rational beings. The idea that all human beings are autonomous rational agents, leads to the view that every human being has the right to set his/her own ends and pursue them. The belief that human beings can never be used as means can be interpreted as incompatible with liberal capitalist societies since in these societies people do use each other all the time; but liberals often interpret Kant as supporting their ideology by drawing attention to the expression "only" in "never as means only." When interpreted in this way, *consent* becomes the key concept for showing respect for human beings as rational agents. This interpretation forms the basis of contractualism which takes consent as the basis of legitimacy.[6]

3. 5   Legitimacy

Rousseau's most systematic treatment of the concept of legitimacy is in *Of the Social Contract* (SC). Obviously, there is a continuity of thought between the SC and *The Second Discourse* (SD). In the SD Rousseau concentrates on the conditions which made the transition from the state of nature to the civil state inevitable.

In the SC, Rousseau defends the view that power relations have a significant role in the transition to the civil state; however, in an ideal civil society the legitimacy of the

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[6] "Under contractarianism, I seek to maximize my own interests in a bargain with others. Under contractualism, I seek to pursue my interests in a way that I can justify to others who have their own interests to pursue" (Ashford, Elizabeth and Mulgan, Tim, "Contractualism," The Stanford Encyclopedia of Philosophy (Winter 2009 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/win2009/entries/contractualism/>).

social order should not lean on power, but on a social contract signed among free and equal citizens (SC 50). In this context, the legitimacy of the social order and civil laws is the major topic of the SC.

Rousseau states that people should search for the first social convention upon which the legitimacy of the social order depends; nevertheless, this first contract does not exist. Hence, he claims that the social order is, indeed, generated through tyranny.

Rousseau investigates the legitimacy of the right which comes from power, and that of duty derived from slavery. In this respect, he thinks that transforming the power of the stronger into the right to rule others, and obedience into duty is nothing but an attempt to legitimize slavery. Transformation of force into right and obedience into duty enables the stronger party to remain as a master forever (Rousseau SC 43).

According to Grotius, people can transfer their rights and freedoms to a monarch (qtd in Rousseau SC 44). Rousseau disagrees with this view as he thinks that in order for rights to be transferred to a monarch willingly, the monarch must be selected by the people:

> For an arbitrary government to be legitimate the people would, in each generation, have to be master of accepting or rejecting it, but in that case the government would no longer be arbitrary (Rousseau SC 45).

Furthermore, a prior social contract should be signed to give the titles 'monarch' and 'subject' to the parties before the transfer of the rights. Otherwise, in no way is the transfer of rights and freedoms legitimate.

If there is no prior convention then it is obscure how and by whom the rulers are chosen. Minorities do not have to obey the rule of majority since the principle of the rule of majority itself necessitates a prior convention.

Rousseau believes that sooner or later people would realize that the right to rule which comes from the power of the stronger is not a natural right and therefore is not a right at all. Any power which does not come from the social contract is not legitimate, but despotic. Despotism cannot save people from the so-called state of

war in the state of nature; thus, people do not have to admit the rules of an illegitimate social order. In such a civil state, the rights, liberties or properties which are transferred to the stronger do not make it back to the people as freedom, equality or security of life. The despotic state is opposed to the principle of self-preservation and causes loss of natural freedom.

Some people disagree with Rousseau by claiming that the distinction between the weak and the strong also exists in nature, and thus the rule of the stronger is natural and legitimate. Rousseau argues against this thesis with a hypothetical case:

Even if there is such a distinction in the state of nature, nobody would admit to the rule of the stronger willingly. On the contrary, people would stand up to it: For instance, if a smuggler came across to me and wanted my money, if he had a gun, as I would be afraid of losing my life I would give my money. But if I had a gun too, I would fight back (SC 44). So, even if there is the strong and the weak distinction in nature, it does not necessitate that the people would not fight against the stronger. Thus, the fact that power is a natural quality does not legitimize tyranny.

Rousseau insists that the only way to find legitimacy in the roots of a social order—political society—is to rest it on a prior social pact according to which the body politic is brought together (SC 49). Power relations or the so-called natural inequalities cannot be a ground for legitimizing the social order.

Rousseau claims that the first civilizations were paternalistic and he sees an analogy between the paternalistic family structure and the paternalistic State. According to this analogy, in paternalistic governments the relationship between the state and the citizens is just like the one between the father and his children: in the family the children are dependent upon their parents; children belong to the father like property. Similarly, in paternalistic states, the people belong to their rulers and they are never free; the state cares for the citizens like a father (SD 177). However, this analogy can never justify paternalistic states. In the family, the father raises the children as he loves them, whereas in despotic governments like that of Caligula, the citizens were considered as animals and Caligula considered himself as the God of his citizens. In

addition, in the natural family as soon as the children grow up, they become free and independent whereas in the civil state citizens remain bound to the State.

The father finds the power to rule his children as he is stronger than them and paternal love and strength are given by nature, whereas the chiefs "can command others only by virtue of the laws [and the members of the state] [being] naturally equal" (Rousseau *Political Economy* (PE) 3). As for a *genuine* State's relation to its Citizens; on the contrary, it is not paternal love that unites them under the roof of a State. The State is only politically obliged to look after the Citizens and they cannot leave the political establishment without breaking with the social contract. Furthermore, in the first place, Citizens themselves decide for establishing a State and making laws for it; and thus the State's legitimacy relies on the consent of the people within it.

Yet another difference between the state and the family is that one has a political institution with the general will (which will be explained in the next section) and the other is an atomic being with a private will—interest. Within a state, the general will should be sovereign to all other wills since it is more "just" and tends to a more universal good: "... the most important maxim of legitimate [...] government is [...] in all things to follow the general will..." (ibid 9).

In short, people's consent is the proof of the legitimacy of the State under the laws of which they will be stripped of their *natural freedom* (the state of natural independence) and passed to civil-freedom. The main manifestation of civil-freedom (the hypothesis that people have left their natural freedom by their own will) could be political *autonomy*. To clarify, provided that the Citizens make their own laws, the State—with its laws—is legitimate and the people are politically free.[7]

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[7] However, although the Citizens had political liberty they might not be free humans. Political liberty might not be the same with or enough for human freedom.

3. 6   The General Will

Rousseau is aware of the fact that people's wills can easily be directed to interests other than the common good of the State, and thus he defines virtue as "conformity of the particular will to the general will" (PE 13). In my opinion, the underlying belief in that statement was that no State could be governed according to the general will unless the people were virtuous enough to see the difference between their private interests and the common good. And if the people are morally not good enough to see it, the laws must orient them to do so: "People's opinions arise from its constitution; although laws do not regulate morals, legislation does give rise to them; when legislation weakens, morals degenerate" (Rousseau SC 141).

When the people come together under the social contract a unity called the Sovereign or body politic arises. Rousseau calls the body politic 'Sovereign' since he takes autonomy as the fundamental principle of the people who come together under the social contract. Once such a unity is established, the people of the body politic are no more free individuals as they were in the state of nature. That is to say, they become parts of a new whole.

Rousseau explains the formulation of the body politic as follows:

> Each of us puts his person and his full power in common under the supreme direction of the general will; and in a *body* we receive each member as an indivisible part of the whole (SC 50).

Rousseau distinguishes *sovereignty*—the supreme authority—from *government* since "[government] has only the executive power, and can only obligate individuals," whereas "[the sovereign] has the legislative right and in some cases obligates the very body of the nation" (PE 6).

Body refers to *the body politic* which, according to Rousseau, is like a living man's body:

> The sovereign power represents the head; laws and customs are the brain ... the judges and the magistrates are the organs ... public finances are the blood which a wise *economy*, performing the functions of the heart, sends out to distribute

> nourishment and life throughout the entire body; the citizens are the body and the members that make the machine move, live, and work ... (ibid 6).

Since the body politic is a moral being like a man, it has a will; a general will "which always tends to the preservation and the well-being of the whole and of each part" (ibid).

There is an unequivocal difference between what Rousseau calls "the general will" and the "will of all." Rousseau states that the "will of all" is the sum of all interests within the body politic in which private interests also exist, whereas the general will is the remaining common good after all partial interests are eliminated from the will of all (SC 60).

However, the wills of individuals or the will of a group may not be consistent with the general will of the state. As Rousseau explains in his definition of the general will, politics is or should be about the *common good*; nevertheless, atomic individuals always care for their own good-private or partial interests.

To give an example, there are many cases in which the municipalities usurp the lands of the local people by representing their projects as 'public weal.' With this method, i.e. by expropriating the lands for very low prices and selling/renting them for higher prices, the municipality yields unfair gains. For instance, in a region where there are already plenty of organized industrial zones used with half capacity, a project for constructing a new organized industrial site means expropriating the lands of the peasants on that area. This is an abuse of authority and contradicts with the general will. In such cases, the phrase 'public weal' would be used to store partial interests under the guise of the general will. Furthermore, just as the investor can be made privileged in the auctions due to their close-relations with the government, the projects may be developed with bad intentions—from the beginning—like a share of the unearned income between the government and the investing or constructing firms. The environment monitoring projects in which pretty new cobblestones are changed in a couple of years is an instance of this.

As for proper execution of the laws—in harmony with the general will— collecting taxes for free public services like transportation, education, sheltering or other demands can be good examples.[8]

In this context, moral goodness is the identification of one's private interests with the general will of the state. In other words, atomic individuals' private interests or wills should not be different from the general will in which the state tends to the good of all. "The general will is always for the *common good*" and, "the most general will is also the most just, and that the voice of God" (Rousseau PE 8).

We thus see that for Rousseau the criterion for justice is the common good of the people under the roof of a specific state. Since the members of the "great city of the world" constitute a larger body politic, with respect to the body politic of a single state, the general will of a state may also not be consistent with the general will of the world-citizens (PE 7). Therefore, a just act within a state might be unjust for another state. At this point, one can see the signs of a universalist ethics in Rousseau: According to him, the generality of the will is the criterion for the hierarchy among the wills of individuals and that of universals. In this respect, individuals are subsets of the states and the states are subsets of the city of the world (ibid 7).

Determination of the general will is the most vexing aspect of Rousseau's political theory. As he admits that the people cannot absolutely know what is good for themselves and there is a clash of particular interests within the State, it is rather difficult to draw a frame of *common good* (SC 68).

According to Patrick Riley, Rousseau's notion of the general will relies on the "metaphorical" expression that the State has a will ("A Possible Explanation of

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[8] Here, it should be noted that although such examples are suitable, in principle, to understand how the general will tends to the common good, they are somewhat misleading for purposes of understanding how "general" the general will is. This is because, rather than being useful in drafting civil-laws, Rousseau's notion of the general will is more concerned with autonomy of the Citizens and the determination of the most general laws of a State such as the Constitutional Law.

Rousseau's General Will" 93). In reality, however, it is not possible for the body politic to have a will since will is an "individual (psychological) category" (ibid 92).

Riley claims that Rousseau's notion of the general will can be made a more meaningful concept if we understand it as the people's "will to the general" (ibid). In this formulation, each person wills something individually but the *object* that they all will is *common* to all.

This general object which is willed by all is the common good, i.e. each thinks that it is good for him/her-self and for the rest of the society. Or in Kantian terms, each may think what s/he wills is at the same time *what ought to be willed*. Here, we see the Kantian characteristic of the general will since there must be an underlying common morality in the Citizens' willing—an orientation to the universally willable maxims.

Nevertheless, Riley claims that the common morality of antiquity was coming from the absence of individual consent, and thus their *unity* was illegitimate in Rousseau's sense (87).

In the original formulation of the general will, as Riley states, the confusion comes from the fact that Rousseau tried to fuse "the generality (unity, communality) of antiquity with the consent of modernity" (91). This is because in *Of the Social Contract* Rousseau introduces "consent" as the basis of the legitimacy of the State/political order, whereas in antiquity politics had a "non-voluntaristic characteristic" (Riley 87).

3. 7   Sovereignty

According to Rousseau, the essence of laws is found first of all, in *civil freedom* and *autonomy* "because any individual dependence is that much force taken away from the State" (Rousseau SC 78). To remind, *autonomy* means the body politic's authority to self-legislate without being influenced by partial interests. Individual dependence is lawgivers' and governors' infirmity and vulnerability to personal

interests. For instance, a Magistrate's abuse of his authority to execute public affairs for his personal interest is an individual dependence.

Secondly, the essence of laws is found in equality because "freedom cannot subsist without [equality]" (ibid 78). In the *Second Discourse* Rousseau was addressing the sense of competition and selfishness (*amour propre*), which emerged as a result of grasped natural differences in the early revolutionary steps, as the foundation of inequality. And this inequality resulted in slavery and losing natural freedom through an illegitimate social order. Rousseau states that in an ideal state, an individual should be neither so rich as to buy another individual nor so poor as to sell themselves like a slave. Accordingly, political equality refers to the balance of "power and wealth" so that members of the body politic are protected from any sort of "violence" (ibid 78). Therefore, Rousseau believes that the spirit of laws should rely on the following principle: "force of things always tends to destroy equality that the force of legislation ought always to tend to maintain it" (ibid 79).

Within political society, the people must be equal in order to be free. The laws can protect freedom and equality if they are made by free and equal people. In this respect, free people's laws serves for the common good. Freedom of the Citizens depends upon the condition that the power of sovereignty is not alienated and the deputies' authorities are restricted to the execution of the laws. Otherwise, a republic can easily turn into a tyranny of the majority or be captured by the rule of a real tyrant.

In the SC Rousseau uses the notion of "freedom" as the opposite of slavery: "Free peoples, remember this maxim: Freedom can be gained; but it is never recovered" (Montesquieu qtd in Rousseau SC 73). Each time freedom is mentioned, he refers to the sovereignty and inalienability of it too. This is because Rousseau thinks that governments should not be given the power to legislate or rule the people, but only to serve for them—execute the laws.

As it is stated in *The Social Contract,* the public persons—the body politic—form the *City* as a political space, and the houses form the city as physical space. Rousseau

makes a distinction between *Citizen* (with a capital 'C') and *citizen*. Therefore, being the parts of the body politic, the public persons are called *Citizens* (SC 51 footnote); *Citizens* are members and parts of a political society, whereas citizens are merely residents of the city. Such a distinction can be made easier to understand if we go back to the Ancient Greek City State—*the polis*— where the people were primarily identified according to their Citizen/non-Citizen status. The Citizens were active participants of the polis, and the polis itself did not have a politically idle connotation. That is to say, beside the aspect of its being a physical space for living, the polis was the political space of Citizens. With regards non-Citizens, they were politically inactive subjects of the City State.

Rousseau addresses such distinctions in order to underline different functions of the body politic:

The City or body politic is known as *State* when it is passive—as in the case of Greek City-States,— and it is called *Sovereign* when active. As a whole, members of the body politic are called *people*, but as individuals they are called *Citizens*. And, they are called *Subjects* "as subjected to the laws of the State" (ibid 51).

Sovereignty is the "exercise of the general will" (SC 57) which is "declared by the law" (SC 141). According to Rousseau, Citizens cannot alienate their sovereignty to deputies since "power can be transferred, but not will" (SC 57). In this respect, Members of the Parliament (MPs) are servants of Sovereignty and Citizens' freedom lies in this principle. Rousseau criticizes the English people for transferring their legislative power to MPs:

> The English people think it is free; it is greatly mistaken, it is free only during the election of [MPs]; as soon as they are elected, it is enslaved, it is nothing (SC 114).

3. 8   What Rousseau Defends

I believe that Rousseau is more on the side of radical democracy which can be proved by his notion of *autonomy*. Regarding the means of government his major concern is to make sure that the people's sovereign duties are never transferred to

representatives since "legislation" and "the decision on the continuity of the State" are the only responsibilities that make the people a *body politic*. These duties also make a State legitimate while enabling the people to maintain their civil freedom and Sovereign authority over temporary governments. In this respect, in any type of government the point is to distinguish, clearly, between people's decisions and the execution of their decisions since the decision itself is the will of the body politic. For the same reason, Rousseau states that "(executive) power can be transferred, but not will" (SC 57).

To summarize Rousseau's views, it can be said that an ideal State should not stray from the following ideal principles:

(1) Sovereignty cannot be alienated and/or represented by other elements of the state (*Ibid*).

(2) In the civil state, the citizens remain *free* as long as they are *autonomous* (*Ibid* 114).

(3) Civil laws (and so, conventional rights) should be in harmony with the general will, that is to say laws must tend to the common good (*Ibid* 67).

(4) The distinction between *sovereignty* and the *government* finds its expression in separation of the legislative power from the duties of the government (executive, juristic) (Rousseau PE 6).

In addition to these, Rousseau argues that, the citizens should be capable of coming together occasionally to discuss the following matters:

(a) Stating their opinions about the current laws, if necessary changing them,

(b) Stating their opinions about the current representatives, government, or the form of government, if decided overturning them,

(c) Breaking off the social contract or continuing the civil state (Rousseau SC 120).

What Rousseau is saying here seems close to something like a separation of powers. In fact, literally, we cannot consider a separation of *three powers* in Rousseau's

theory, but we can say that he is a defender of deep democracy (since he does not compromise absolute sovereignty of body politic).

Montesquieu is well known for his principle of the distribution of the three powers. He underlines the importance of this distribution in order to maintain liberty within a political society. According to his view, if the powers of legislation, execution and jurisprudence are held by the same element of the state this leads to the tyranny. They should be separated from each other in a way that each can control the other and protect the state from abuse of authority ("The Spirit of Laws" Book XI).

Rousseau, on the other hand, is more concerned with giving the absolute authority of legislation to the sovereign—body politic—and leaving the duties of execution of laws and jurisprudence to different elements of the government. In this respect, the sovereign and the government are clearly distinguished. Here it should be underlined that Rousseau's view can be expressed as the distinction between the *universal* and *individual*. The sovereign tends to the universal maxim and the government tends to the individual concerns under the light of the sovereign's maxim.

3. 9   Application of Rousseau's Ideas (Problems)

Rousseau considers consent of the people as the basis of the legitimacy of the State and its political decisions. If the political decisions are made without the people's consent they do not represent the general will of the body politic, and thus they might not tend to the common good of the State either. For this reason, Rousseau emphasizes the distinction between will of all and the general will.

He is against the idea of transferring sovereignty to the deputies, also because the sovereign authority of self-legislation and will-formation is the guarantor of the civil freedom.

Nevertheless, practical limitations obstruct an actual process of law-drafting. In large and crowded states the Citizens cannot come together, and participate in legislation

and other affairs directly or simultaneously. Therefore, in *Of the Social Contract* Rousseau suggests that the general will can be determined through the majoritarian principle: voting.

If we adapt it to the present terminology, Rousseau's notion of "autonomy" refers to the legislation of the Constitutional Law by public vote. Because, first of all, the general will is manifested in this law.

As the determination of the general will is the very duty of the sovereign—body politic—defenders of the parliamentary system may claim that this is what the parliament stands for: to represent the body politic by making laws which are the expression of the general will. In *the Crisis of Parliamentary Democracy* Carl Schmitt states that "for practical reasons it is impossible today for everyone to come together at the same time in one place" and it is not possible as well to refer "everyone about every detail" (34). For this reason, "one helps oneself quite reasonably with an elected committee of responsible people, and parliament is precisely that" (*Ibid*). The belief that the decision of the parliament can represent the decision of majority is derived from Rousseau's own commitment to the majority principle, i.e. the general will is found out by the majority decision (SC 124). Since they accept the parliament as the representation of the people, defenders of the parliamentary system would see no contradiction between what they claim and what Rousseau stated. Furthermore, they could say that in large-scale democratic countries, the parliament is the only practical means for the representation of the public, and for practicing the legislative power.

Nevertheless, the parliament cannot represent the body politic perfectly: As Rousseau states, above all, sovereignty should not be alienated; a principle which clearly contradicts with the parliamentary system.

For instance, Members of the Parliament (MPs) are immune to criminal responsibility which makes it quite possible for them to follow their private interests—rather than the general will of the State—without the risk of being

punished. If they did not have such a privilege, or if the system of representation did not provide such a wide range of authority to MPs, private interests would not be a matter (regarding the abuse of sovereignty). Even if the people have a right to overthrow the government in the next election it might be too late to recover the effects of misused authority.

The idea of majority vote itself has several problems which persist in formal democracy. I will focus on the problems of majority vote in more detail within the section on the problems of formal democracy.

In my opinion, the most contradictory aspect of Rousseau's political philosophy is the fact that he allows the majoritarian principle. Even if a system of voting is applied for the legislation—to make laws of the State—it would still be rejected by the people outside the majority group. Certainly, it is naive to claim that the majority knows better what the common good is, and to allow the crowds abuse the rights of the minority.

3. 9. 1 Paradox of democracy[9]

Frederic Copleston also states that Rousseau's notion of the general will generates a paradox of freedom. The paradox is caused by the assumption that the general will is determined through tally of the votes. And, thus I prefer calling it a *democracy paradox*.

The paradox can be examined in two different statements of Rousseau:

(1) "Whoever refuses to obey the general will shall be constrained to do so by the entire body: which means nothing other than that he shall be forced to be free" (SC 53).

According to this phrase about social pressure, the social contract nonverbally forces the people to leave their natural freedom and, instead, submit to their own laws. In other words, civil-freedom is, indeed, an imposition—which is a paradoxical definition of freedom.

> (2) Tally of the votes yields the declaration of the general will. Therefore when the opinion contrary to my own prevails, it proves nothing more than that I made a mistake and that what I took to be the general will was not. If my particular opinion had prevailed, I would have done something other than what I had willed, and it is then that I would not have been free (ibid 124).

This phrase indicates that, the key to freedom in social order lies in following the opinion of the majority. However, in formal democracy, there are many cases in which voting leads to the tyranny of the majority and abuse of human rights.

In a system lying upon the principle of majority vote, i.e. claiming that the general will is the will of majority, it is naively optimistic to expect that people would adapt their individual wills to the general will. This is because; everyone would know that the allegedly general will is, indeed, the will of the majority. The manifested will would be accepted as the general will, even though it may not tend to the common good. This, inevitably, leads to the fact that benefits of the majority prevails over the will of minority. However, there is a serious possibility that the will of the minority may tend to more universal principles on the common good.

Therefore, Rousseau's paradox, rather than indicating a paradoxical definition of freedom, points out a defective principle of formal democracy: tally of the votes.

3. 10   Conclusion

In this chapter Rousseau's argument on a legitimate social order has been traced throughout his well-known texts *The Second Discourse* and *Of the Social Contract*. In the *Second Discourse* he put forth the view that the inequality among men did not spring from human nature but from the illegitimate grounds of civil-state which emerged through the revolutionary steps of civilization: division of labor, the stronger parties' oppressions over the weak, private property, and finally unjust laws of civil-state. Furthermore, he argued that men in the state of nature were free beings

equipped with a faculty to progress & regress. Primitive men were also sentimental beings in whom self-love—*amour de soi meme*—and pity were the most prominent feelings. Rousseau also stated that although there was no political organization and thus no political inequality among men (originally) in the state of nature, soon after they had time to spare for leisure activities their natural differences became a matter of jealousy and quarrel. Following these feelings men began to compete with each other, and the stronger gained advantages over the weak.

With a realization of how to use the nature surrounding them—making huts from trees, tools from stones, cultivating the soil, using mines to make more complicated tools—the savage men had already taken the steps into the civilization. Once they understood the value of the soil, they claimed a right on it. Land property generated a class difference between workers and land owners, and the division of labor became more visible in the agricultural society. Agriculture resulted in complexities in their social structure such as the need for rulers and laws to protect their property rights.

In *Of the Social Contract* Rousseau tried to create a sound argument of legitimate social order because he knew that the freedom (or natural independence) in the state of nature would never come back once the people passed to the civil state, and there had to be a reminiscent of it in the political society otherwise none would prefer it to the tranquility of the state of nature. This was "civil freedom" or *autonomy* in the sense of people's authority to make their own laws and being governed according to them.

Rousseau found out that civil rights and the social order itself were not legitimate since there was no actual primary social contract that made the people a body politic in the beginning—through their *consent*. Therefore, the ground of the present states was the belief in the right of the stronger. However, the right of the stronger could not be a legitimate basis for social order since legitimacy by definition has to do with consent and in order something to be called a right it had to provide justice.

According to Rousseau, laws of the civil state would be the manifestation of the general will so that they would not drift apart from justice and be in favor of stronger parties' private interests. In this context, he demarcated "the will of all" from "the general will of the State." The will of all was a sum of all private interests whereas the general will was the expression of the body politic's common good, i.e. public interest of the State. Rousseau claimed that the laws which were harmonious with the general will would be very brief and simple as they would be inclined to the universal goodness of humans. But what could be so common to us all that we could call it a general will?

If the laws which were supposed to be the manifestation of the General Will were so divine and so disinterested about the partials then they had to be non-human made. If the magistrates were given the authority to make laws for the people, it would mean alienating popular sovereignty. Rousseau had also emphasized the importance of inalienability and indivisibility of sovereignty and stated that the governors were only servants of the body politic.

On the problem of self-legislation, Rousseau offered that the majority of votes would manifest the general will. Nevertheless, he was not totally confident that the majority would tend to the good and not be cheated or influenced by magistrates and other interest groups. Beside the problem of coercions on public consent, the ideal of popular government (majority vote) has its own problems like the reliability of voting system, problem of the tyranny of majority and minority rights which will be discussed in detail in the section on the problems of formal democracy.

Therefore, the three weakest points in the SC (1) the problem of how to provide insight to the notion of the *common good*, (2) how to determine the laws of the general will, and (3) the possibility of finding an appropriate lawgiver, remain unresolved.

CHAPTER IV
ARENDT

According to Arendt, political philosophers have always tried to substitute *action* with *political models* which rely on a certain imaginary human being constructed by or existing in the vision of these philosophers. In this respect, Rousseau's model is also vulnerable to the Arendtian criticism. In her most famous book *The Human Condition*, Arendt re-conceptualizes politics in a radically different way than it has been in the tradition of political philosophy since Plato. This new conception has become very influential in contemporary political philosophy (e.g. in the works of Habermas, S. Benhabib, Iris M. Young etc). Many writings have proliferated on what is today called "Deliberative Democracy" or "Participatory Democracy" where one often finds direct or indirect references to Arendt's ideas. I therefore, believe that it is important to examine this crucial text for an understanding of alternative models of democracy.

According to Arendt, those who live in the world are not 'the imaginary human beings' constructed in the visions of political philosophers but the *multitude of humans* each of whom is unique and pregnant to novelties. Man is always capable of starting something new or creating miracles, which points out to the unpredictability of his actions. As long as political philosophies continue to disregard the *plurality* condition of people they may not be able to go beyond creating totalitarian utopias—indeed dystopias—in which there will be no room for *human action*.

The impossibility of modeling man and his actions is a result of the contingency of human nature. In other words, man does not have a specific nature, but only that he is affected by certain natural conditions. And although the conditions determine his activities to an extent, man is not a fully determined being either.

Arendt gives the original definitions of *freedom*, *equality*, and *plurality*—the principles of democracy—relating to their meaning in the Ancient Greek city state-*polis*, where democracy formerly occurred. Although she does not refer to the term "democracy" directly, Hannah Arendt's thoughts in her text *The Human Condition*

(HC) provide a reliable ground for defending a thesis on democracy as an *ideal* and the *ethical values* which are necessary for democracy to function properly.

4. 1   The Term *Vita Activa*

By basing her investigations on the *polis,* Arendt explains the conditional life of man in general, under the light of the term *vita activa* which consists of three activities *labor*, *work*, and *action*; each of which corresponds to a specific human condition; namely, *life*, *worldliness* and *plurality* (HC 7).

First of all, man is conditioned by his biological life; and labor refers to those activities which are necessary for his biological survival on earth and laboring man is called *animal laborans.*

Arendt refers to the distinction Locke makes "between working hands and a laboring body," and she claims that this distinction is a reminiscent of the ancient distinction between *work* and *labor* (qtd in Arendt HC 80). Nevertheless, in the modern world this distinction has disappeared. The ancient dual terminology is important as it indicates the hierarchical classification of labor, work, action and contemplation. In this context, labor has the lowest rank since it is the activity of servants and slaves who are bound with necessities of life and do not have a life in public (*koinon*) (Arendt HC 55).

Whereas labor does not leave an artifact behind, work is associated with the product itself. Therefore, through work, humans create a world of their own, i.e. a world of artifacts, and work has a higher rank in this hierarchy of human activities.

The modern world has turned into a world of laborers because *labor* is considered as the supreme activity among all activities of *vita activa*. Besides, survival of the individual is viewed as the highest good in life. Arendt defines this fact as the defeat of *homo faber* and the victory of *animal laborans*:

> In the last resort, it is always life itself which is the supreme standard to which everything else is referred, and the interests of the individual as well as the interests

of mankind are always equated with individual life or the life of the species as though it were a matter of course that *life is the highest good* (*Ibid* 311-312).

Work is the human activity through which man creates the artificial world, i.e. the man-made world, and the overemphasis on work (as in the case of *homo-faber*) leads to a flight from the earth to the world (which is a reason of alienation).

According to Arendt, together with man, life was given to all beings on earth and it existed long before the existence of man. While living, *earth* is the only place that man and other beings share in common:

> The human artifice of the world separates human existence from all mere animal environment, but life itself is outside this artificial world, and through life man remains *related* to all other living organisms (*Ibid* 2).

World, on the other hand, is distinct from the earth since it is an artifice of man.

Arendt states that in the modern world, which started with the first atomic explosions and is not the same as the scientific modern era between 17th and 20th centuries, the reason why scientific developments are no longer promising for humanity is that there are military and political aims behind them (*Ibid* 1-6). Scientific developments have resulted in the occurrence of a scientific community which does not speak with the words that the rest of the people do but uses a symbolic-mathematical language created in science's own journey. As a result, the public has become unaware of *what the scientists are doing*.

Most dangerously, the scientific community is rather open to the abuse of political goals a proof of which is the atomic bomb. Therefore, things that we do is the most basic concern for Arendt, and according to her view, *we are in danger of losing our human side unless we can think and speak over the things that we do*.

Words and speech are the aspects of man which make him a *plural* and political being. Unfortunately, as explained in the above paragraph, science has entered into a fictitious world where words are not used. In this sense, as I see it, Arendt uses an event—that an object was sent to space in 1950—as a metaphor to explain the crash

in the scientific development. With this object, there has been a flight from the earth to the universe, i.e., man has been alienated to the earth (*Ibid* 3).

Furthermore, in the modern world, the stage which started with the invention of automation and continued with robot industry, have resulted in the R&D of artificial intelligence and brought about an expectation of creating artificial humans or machines which can think for us. In general, this is a matter of making life completely artificial in which there will be no space for plurality and action. This would be the victory of *homo faber.*

4. 2   Action

Action is dependent upon the *plurality* condition of man, and thus it is the only *intersubjective* activity (Arendt HC 9). In order to make a clear definition of Arendt's theory of action, the notions of natality, freedom, the distinction between the private & the public, equality and plurality should be explained first.

4. 2. 1 Natality

According to Arendt, *natality* is peculiar to human beings. It is the reason behind the unpredictability and novelty of human actions; and thus, it is the "central category" of man's political existence:

> … of the three [activities of *vita activa*], action has the closest connection with the human condition of *natality*; the new beginning inherent in birth can make itself felt in the world only because the newcomer possesses the capacity of beginning something anew, that is, of acting. In this sense of initiative, an element of action, and therefore of natality, is inherent in all human activities (HC 9).

In other words, natality is the human condition related to birth and it means having "the capacity of beginning something new." As a result of natality, human action is always pregnant to novelties; and thus the most important feature of human action is *unpredictability*.

Arendt states that the meaning of man's capability of action is that "the unexpected can be expected from him", and therefore, "he is able to perform what is infinitely

improbable" (HC 178). This possibility comes from the fact that "each man is unique", i.e., "with each birth something uniquely new comes into the world" (*Ibid*).

It should be noted that, Arendt's emphasis over natality is an indicator of her anti-deterministic attitude towards human affairs:

> The miracle that saves the world, the realm of human affairs, from its normal, "natural" ruin is ultimately the tact of *natality*, in which the faculty of action is ontologically rooted (HC 247).

Therefore, political philosophers are mistaken as they consider human affairs as if they are part of the material causality. "If without action and speech, without the articulation of *natality*, we would be doomed to swing forever in the ever-recurring cycle of becoming [...] we would be the victims of an *automatic necessity*" (*Ibid* 245-246).

4. 2. 2 Freedom

In *Between Past and Future* (BPF) Arendt distinguishes human freedom from the notion of metaphysical freedom since unlike the causes behind physical events in nature, the motives behind human actions are not fully predictable and explicit to human understanding, and thus causal explanations cannot exhibit the causes & effects of human actions in an all-embracing manner. In other words, although causality might provide an argument against freedom in the sphere of nature, there is enough space for freedom in the sphere of human affairs:

> It is true that the test of causality—the predictability of effect if all causes are known—cannot be applied to the realm of human affairs; but this practical impredictability is no test of freedom, it signifies merely that we are in no position ever to know all causes which come into play, and this partly because of the sheer number of factors involved, but also because human motives, as distinguished from natural forces, are still hidden from all onlookers, from inspection by our fellow men as well as from introspection (Arendt BPF 144).

Arendt rejects the views about freedom which occurred in late antiquity and remained until the middle of the 19th century. They were claiming that freedom is an inward state—a closure to one's self—through which "one limits himself to what is in his power" (*Ibid* 147). Or it is "doing what a man likes" (Aristotle qtd in Arendt

BPF 147). She states that, later on, these views have been transformed into "free will."

Contrary to these solitary accounts of freedom, she argues that freedom is something which one can "become aware of" only in his/her intercourse with others (*Ibid* 147). In this respect, Arendt's conception of freedom requires the presence of a dialectical relation between what is *private* and what is *public*. The interplay between the private and the public makes freedom possible in both a metaphysical and a political sense. In the former sense, privacy grounds the natality of men; it prevents men from being treated as a "what."

> … if we have a nature or essence, then surely only a god could know and define it, and the first prerequisite would be that he be able to speak about a "who" as though it were a "what" (Arendt HC 10).

In the political sense, freedom requires the existence of the private space as the sphere where needs are met. This is because Arendt believes that freedom is gained through liberation from the "necessities of life" in a "politically organized world." She underlines the fact that this is how freedom was understood in Ancient Greece. In addition, because of its connection to natality and action, freedom needs a "common public space" (Arendt BPF 147). As a matter of fact, for Arendt "the *raison d'être* of politics is freedom, and its field of experience is action" (*Ibid* 146).[10]

At this point, we arrive at the importance of "public space" as a *sphere of political action where freedom is practiced* in Arendt's theory of action. Nevertheless, she underlines that such an understanding of politics in strong relation with freedom is not found in our present experience of politics due to the rise of totalitarianism:

> The rise of totalitarianism, its claims to having subordinated all spheres of life to the demands of politics and its consistent nonrecognition of civil rights, above all the rights of privacy and the right to freedom from politics, makes us doubt not only the coincidence of politics and freedom but their very compatibility (*Ibid* 149).

The type of freedom that Arendt mentions is not "a freedom of choice" in which one "decides between two given things" but "the freedom to call something into being

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[10] In other words, the justification of the existence of politics is freedom.

which did not exist before" (*Ibid* 151). In this definition Arendt equates "freedom" with action because "men *are* free as long as they act; for to *be* free and to act are the same" (*Ibid* 153).

In Arendt's theory of action, the emphasis is on the praxis itself, i.e. freedom is not a potential that can be possessed, but people *are* free only when they actualize the principle of freedom; only when they act.

She argues that the state is "a product of action" and all "political institutions depend for continued existence upon acting men;" that is, if men stop acting the state ceases to exist, whereas the product of art and science is "the work of art" which has an "independent existence" (*Ibid*). The chief difference that distinguishes politics as a product of freedom from art is that "the process of creation" in art "is not displayed in public" (ibid). However, performing arts differ from those which leave a work of art as the end of the creative process because "just as acting men need the presence of others before whom they can appear" performing artists "need an audience to show their virtuosity" and "both need a publicly organized space for their work" (Arendt BPF 154).

Arendt considers the Greek *polis* of antiquity as a "form of government," "which provided men with a space of appearance where they could act, with a kind of theatre where freedom could appear" (*Ibid*).

Arendt argues that the fact that her view of freedom as the source of human actions and their political life is not found in the historical texts on Ancient Greece is due to the dominant effect of Greek philosophy which changed the literary and cultural heritage of the early antiquity completely, and resulted in the transformation of the notion of freedom into "free will;" and thus into a matter of one's inner self. However, she says her notion of freedom can be found in St. Augustine's philosophy as he was both a Christian and a Roman philosopher (Arendt BPF 167). As she claims, Romans were more attached to the ancient understanding of freedom; that they could protect the early antiquity's heritage better than the Greeks themselves.

4. 2. 3 Private-public distinction

In Ancient Greece, citizens used to live at least two different lives:

1) *Private life* refers to the time spent in the household. Women, children and slaves were members of the household and man was the head of the family. By ruling the household members he could gain his freedom; that is his biological necessities were satisfied by the non-citizens in the family.

To underline the significance of the private sphere Arendt draws attention to the conception of freedom that existed in Ancient Greece. In Ancient Greece freedom meant freedom from the necessities of life, i.e. not to be determined absolutely by the biological condition of life, or not being reduced to one's labor or function in life (Arendt HC 32). This is why, labor activities were relegated to the private realm; man's animal side was kept in the dark for him to be able to appear as human in the *polis*. Therefore, servants or slaves could not possibly be free in the eyes of Ancient Greek and Roman thinkers (*Ibid* 39-40).

2) *Public life* refers to the time that the citizens spend with their peers in the *polis*. In the *polis* life, the citizens are free and equal, and thus this is an active, political life. According to Arendt's line of thought, whereas in the household man was bound with necessity and he was the master of the other people within the household, the *polis* was the only place where man could act as a free and equal agent (*Ibid* 28-29). According to Arendt, one cannot be free not only when one is ruled but also when one has to rule. One can be free only among the equals.

It should be noted that Arendt does not consider the term '*polis'* merely as space, rather she attributes the meaning of *political life and political space* to it, just as the Romans did to the *res publica*. Public space is this physical condition of togetherness which brings the people together for a common purpose, just like a table establishes a bridge between men and relates them to each other with a common subject (Arendt HC 52).

The man-made world objectifies the *polis* through things or spaces and thanks to it we have a chance to speak and reveal who we are; just as it happens in the cases of negotiations in the open bazaar, lying in the *triclinium* taking part in a symposium, or arguing in a round-table meeting. But in antiquity public space was more than a place, it meant a type of life through which the citizens could display "who" they were and what their difference was from the others.

In this context, the people in the *polis* are always different from each other with regards to their plurality, but at the same time they are all equals with respect to their freedom from being governed. Therefore, the polis is the place which enabled action and where action could take place:

> In *acting and speaking*, men show *who they are*, reveal actively their *unique personal identities* and thus make their appearance in the human world, while their physical identities appear without any activity of their own in the unique shape of the body and sound of the voice. This disclosure of "who" in contradistinction to "what" somebody is—his qualities, gifts, talents, and shortcomings, which he may display or hide—is implicit in everything somebody *says and does*. It can be hidden only in complete silence and perfect passivity, but its disclosure can almost never be achieved as a willful purpose, as though one possessed and could dispose of this "who" in the same manner he has and can dispose of his qualities. On the contrary, it is more than likely that the "who," which appears so clearly and unmistakably to others, remains hidden from the person himself… (Arendt HC 179).

4. 2. 4 Freedom together with equality

As Arendt explicates, in Ancient Greek city states, when the citizens left their household, and thus their private life, and met their peers in the *agora* or in other public spaces of the *polis,* they were *free* and *equal*. The equality, here, refers to the fact that the Greek neither ruled others in the *polis,* nor were ruled by them. In that sense, they were politically equals. However, when it came to exhibiting their talents, which meant to speak and display action, each wanted to be the best. This is because they were plural beings and they believed in the necessity of proving their difference as a condition of being a human:

> To belong to the few "equals" [...] meant to be permitted to live among one's peers; but the public realm itself, the polis, was permeated by a fiercely agonal spirit, where everybody had constantly to distinguish himself from all others, to show through unique deeds or achievements that he was the best of all [...] The public

realm, in other words, was reserved for individuality; it was the only place where men could show who they really and interchangeably were (Arendt HC 41).

Arendt also relates this "agonal" spirit of the Greek to their willingness to participate in the public affairs, i.e. governmental matters:

> It was for the sake of this chance, and out of love for a body politic that made it possible to them all, that each was more or less willing to share in the burden of jurisdiction, defense, and administration of public affairs (*ibid* 41).

Concerning the notion of freedom that the citizens of the *polis* have, it can be said that, thanks to the separation of the two lives, i.e. life in the household and life in the *polis*, the citizens could manage their biological necessities and be freed from them by ruling other people in their household. Moreover, they were freed from inequality by means of the *polis* life. Although Arendt does not refer to it, this type of freedom is provided by democracy itself. Lack of governors meant self-rule for the citizens, and of course being preserved from tyranny of governors.

4. 2. 5 Plurality

Arendt draws a line between the conceived human nature; i.e. man as a uniform being, and man as he is—as a conditioned, *plural* being. According to religious books, God created man first, and woman was created from the body of man. The reproduction of man and woman has resulted in the multiplication of the people on earth. However, Arendt argues against this view of multiplication by reproduction. She thinks that multiplicity and plurality are different things. If man was "endlessly reproducible from the same model, action would be a meaningless luxury" (Arendt HC 7-8). Indeed, by virtue of his nature or the condition that differentiates him from other creatures, man is a political animal. He is supposed to survive a political life which he spends among his peers. The condition of man's being an equal and political being is plurality. *In this sense, plurality refers to the fact that man is not a uniform and single being as some philosophers, politicians, scientists or the clergy picture him to be.* Among the three activities that Arendt combines as *vita activa*, only action corresponds to man's plurality condition (*Ibid* 7).

Plurality is the condition of human action because "we are all the same, that is, human, is such a way that nobody is ever the same as anyone else who ever lived, lives or will live" (*Ibid* 8).

What makes man a political being is his actions. In order to be capable of acting, a being has to be free and equal. What makes man apolitical and uniform is losing his words and thus his speech and act. In this respect, Arendt thinks that scientists who use a symbolic-mathematical language and who do not think & speak over what they do are not political themselves, but they are easily abused for military and political aims, and hence what they do has serious political results.

The unpredictability of events caused by the flux and connectedness in the universe is not separate from the unpredictability of the results of human action. Therefore, the connectedness between human beings and the universe should force human beings to limit their action. This is because *people can never be entirely aware of the results of their activities*. This is the core reason of human errors. Therefore, Arendt thinks that serious scientific decisions—the results of which affect the whole environment—cannot be left to the will of professionals:

> The question is only whether we wish to use or new scientific and technical knowledge in this direction and this question cannot be decided by scientific means; it is a political question of the first order and therefore can hardly be left to the decision of professional scientists or professional politicians (*ibid* 3).

Arendt also refers to *thinking* as the purest form of action: Nevertheless, she rejects the ancient hierarchy between *vita contemplativa* (life of contemplation) and *vita activa* (life of activity) since she believes that action already involves thinking and speech (*Ibid* 16-17). Moreover, an overemphasis on contemplation as in the example of Plato's view of *dialectic* leads to isolation from human affairs and inaction in the *polis* life.

4. 3   Rise of the Social

Paralleling the escape from earth to the universe, Arendt refers to an escape from the human-made world where we can be among others like us (*the physical condition of*

togetherness) to the inner self. The reasons for this fact are; the disappearance of the political space and loss of communication and action. The fundamental factor of this process of alienation is the over-expansion of the private space and the occurrence of mass-society.

According to Arendt, alienation of man to the earth and then to the world started in late Antiquity, continued in Middle Ages and severely rose in Modernity.

In Antiquity the life in privacy—*idion*—was not respected since it was the life of women, slaves, children or foreigners who were not free individuals. Non-citizens were not able to show who they were and become human; since their chance to appear in the *polis* was restricted or they had no such right at all. This is the beginning of the distinction between the modern world and antiquity.

According to Arendt, starting from the late Roman period, the life or space that we describe as confidentiality, privacy or the household started to enlarge, and for the first time "society" emerged.

Later on, in the nation states of modern world, private life continued to become enlarged in such a way that the whole society became "one big national family", and thus everything which used to be private became a common matter for all the people in the state (*ibid* 33). That is, society absorbed the *polis*. Arendt criticizes the view of national economists, as she believes that they invented a "common good"—a false fantasy which, nonetheless, has been accepted by all political models (*Ibid* 35-55).

With the enlargement of the household in a way that led to the absorption of the public space, we faced "the rise of the social," i.e. people as a mass.

Therefore, in modern societies, we tend to always associate economics with politics as we think of politics as dealing with justice and we tend to think of justice in terms of distribution of resources. For example, in *The Discourse on Political Economy* (PE), Rousseau mentions the original meaning of the term "economy" in Ancient

Greek and uses two terms to explain it. In this respect, "political economy" refers to the "wise and legitimate government of the [state], for the *common good* of the entire family" and "private economy" refers to that of the "household, for the common good of the [large family]" (PE 3). According to this definition, Rousseau considers the state as an extended family, whereas Arendt severely criticizes such an understanding of politics.

In this respect, it is important to note that Arendt makes a distinction between what is social and what is political. What is social relates to society as Arendt defines it where togetherness is transformed into "mutual dependence for the sake of life" only (HC 46). What is political, on the other hand, is what happens in the *polis* or in public space, and requires the existence of others. Presence of others challenges us to become human, and it is the only way for us to express *who we are indeed.*

For the people in the *polis* of Ancient Greece or *res publica* of Romans not only 'mass society' but also 'society' itself were unfamiliar concepts. Arendt points out that what we call 'society' in the modern world is the substitution of the *polis* or the public space of free and equal citizens of antiquity.

Thus, Arendt's critique of the nation states and the modern world depends on the following points:

a) The enlargement of the household led to the substitution of the *polis*- the political life in the public space—with the life of society (Arendt HC 40).

b) Society changed and simplified the human condition of *plurality* into a state of "mutual dependence" (*Ibid* 46).

c) National economy considers a "common good" which is also a common concept for all political and economical systems, e.g. communism, welfare state and liberal democracy, which is a false *fantasy* (*Ibid* 43-46).

d) *Behavior* substituted *action*, and the people turned into masses which means that they became variants in the statistical estimations of the economists and community engineers, or governors (*Ibid* 42-43). This led to *conformism* which means, basically, the society's expectation from everybody to obey the so-called rules and norms of behavior.

e) All these facts generated "a modern equality" among "all governed" who are nothing but laborers (*Ibid* 40).

In this respect, while modern equality caused the people turn into an unqualified mass society and into the household of the governors, indeed it meant the dissolution of freedom and the emergence of inequality.

In the modern world, there are two poles; the whole society is the opposite pole of the state or the governors, that is, they are the *ruled mass*. To put it differently, with the rise of the social, equality lost the meaning it had in antiquity.

Arendt claims that, Christian based protestant ethics glorifying *work* still has an important influence on the determination of modern values; and yet conglomeration of assets is the ultimate goal of neoliberal economy. And thus, people are no more free or equal in the ancient Greeks' sense. If the situation of the people in the household of the antiquity is remembered; everyone other than the citizens—the head of the household—including women, children, slaves, servants and foreigners, was the same in the eye of the household owner. Non-citizens were pushed to live in the *idion*–their private life only, and idiotic life was apolitical. In the modern world, since the household overtook the *polis* and life of the citizens turned into the life of non-citizens, no space is left for a political life. As a result, the people are forced to live an idiotic life. Just like the slaves of the antiquity, modern people's plurality condition is obstructed in the household. Unlike a truly political sphere, society is a passive bunch of people, it is the class of all laborers, it is the governed and it is one big mass and the people in it are all mass animals. Therefore, *modern equality means sameness or uniformity* and it is not a condition of freedom anymore.

As mentioned before, in Arendt's view, the private is the condition for the public to appear. In other words, there is a dialectical relation between the two and one cannot exist without the other. While leaving no space for speech and action, i.e. for political life, the invasion of the *polis* by the household has also turned private matters (whatever is related to one's private life) into public matters.

Arendt argues that the notion of privacy against society was the invention of Rousseau. Indeed, it is the utterance of modern reality since in modernity there is a rise in the individual arts like poetry, novel, and music, which are rather private; unlike the arts of theatre, sculpture and architecture; which are more public. Arendt claims that such a rise in arts like poetry and novel which are so individualistic and expressing the enrichment in the individuals' world, is a proof of Rousseau's exclamation of privacy against society. The development of extremely individualistic art in modernity, is proof of the fact that modern society has destroyed the political space and plurality, and imprisoned the individual into his private life.

Neoliberalism caused a further enrichment in the private space of the individual and life has been captured by the toys and time-killers of this larger privacy. An antipathy against what is political has arisen.

Another result of the rise of the social is *conformism*. Once conformism takes root in a society, people lose their capability of action, and also creating novelties. In conformist societies, action is substituted with *behavior*. Society gains authority over the individuals' private lives. Conformism is an expectation that everyone should behave according to the accepted rules and norms. While in action people are free to speak and act as they wish, in behavior we are confronted with a pre-determined set of rules and norms according to which we have to behave. Approaching people in the frame of behaviorism—considering them as mass animals—is an aspect of paternalistic social orders. On the other hand, in truly democratic States, people can manifest the plurality of their choices, needs, interests, and their unique identities.

For this reason, action is strongly connected to freedom, plurality and becoming a political being.

In conformist societies, differences belonging to the whoness of a person are not supposed to appear in the political arena and pose a reason for public debate. In other words, conformism aims at burying the people into their *idion.* That is to say, it is the enemy of plurality and individual differences, and thus of freedom and democracy.

For Arendt, the notion of modern equality is the factor beneath conformism; since transformation of members of the whole society into the household members or subjects of the State eradicated the equality which existed in antiquity thanks to direct democracy. At this point, Arendt is in favor of *a radically democratic view of citizenship*.

The rise of the social, then, has two serious consequences: The first is *worldlessness*: the loss of man-made world as an artifact and the condition of togetherness, and the second is *depoliticisation*: without action, people cannot be free or equal. They cannot be free because they are ruled by others. They cannot be equal because there is no public space for them to be and act among their peers without a ruler-ruled relation. Without action, man cannot become a political animal.

Arendt's analysis of the absorption of public space is so deep that this critique challenges all economical and political models including those of liberals and Marx.

4. 4   Arendt and the *New Spirit*

In order to examine whether Arendt's thesis on the disappearance of public space with the enlargement of private space in modern world is still a valid argument; a brief analysis of neoliberal life can be used. There is such an investigation in the introduction chapter of this work and it provides us with a comparison of neoliberal cities with Ancient Greece city states-the *polis*.

As has been examined in the introductory section, neoliberal cities have their own characteristics which can be called "spirit." The spirit of our age is restlessness. Resting provokes thinking, introspection, criticizing and contemplation; and thus it takes part in the formulation of ideas. Those ideas may be related to the events around us, the structure of the city we are living in, the necessities of life etc. If you have time to do so, you can reflect on everything including your own mind. Nevertheless, the restless character of our age is a serious threat to the activity of thinking. Today, people are born into a world in which they are not allowed to sit and think.

> …this, obviously, is a matter of thought, and thoughtlessness-the heedless recklessness or hopeless confusion or complacent repetition of 'truths' which have become trivial and empty- seems to me among the outstanding characteristics of our time. What I propose, therefore, is very simple: it is nothing more than to think what we are doing (Arendt HC 5).

Thinking happens automatically when people are allowed to *do nothing*. It is a part of the nature of doing nothing and just being there. It means that by demarcating himself from *homo faber* who works and creates his own artificial world, and also from *animal laborans* who labors and produces the necessities of life, man can exist without doing anything. In this way, he may be able to spare some time for action.[11]

There is a great difference between thinking *over* what is already given, reading what others have written, watching a preset content from any medium etc., and thinking as the purest form of action. In the morning, people are expected to read the newspaper, after work when they get back home they watch TV, read a book, listen to the radio or surf on the internet. In none of these activities is an individual allowed to think freely.

How many minutes a day does a person just sit and do nothing? Even if there is some time to do so, do they feel comfortable without doing anything? The answer is probably no. With this question, it is understood that restlessness is the spirit of our age. The inner feeling of discomfort or anxiety in a moment of halt was taught to us,

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[11] I am using the term action in an Arendtian sense here, to refer to thinking as well as other types of action; since thinking is the purest form of action.

i.e. our minds are directed to feel so. Moreover, there is something called *spare time activity*, which means that you have to do something if you have extra time when you have run errands and finished compulsory tasks. Spare time activities, e.g. playing computer games, reading a magazine etc. are mostly *idiotic* in the sense that they have an individualistic and non-communicative fashion.

So, a final statement can be that "our time has been invaded!" We have only time to do, but not to act. Action requires thinking and necessitates the existence or active participation of others. Thus, an Arendtian analysis of modern life shows that two things are missing in the present human condition: *thinking* and *publicity*.

4. 5   Objections

Opponents of Arendt's views may find her not critical enough about the inequality of the social structure in antiquity: There is no need to remind that in the Ancient Greek model—direct democracy—the whole society could not intervene in governmental matters; only citizens could enjoy a political life. Plurality and freedom, which are the necessary conditions of politics, were the privilege of a small number of elites. Non-citizens were not politically active and they were not free people. Similarly, in the Roman Republic there were different social groups like Senates and Tribunes which Rousseau explains in detail in *Of the Social Contract*.

Both Greek and Roman thinkers believed that the slaves' unresponsive attitude towards slavery was a proof of the claim that they were born as slaves. According to this view, if they were not so they would refuse to live under the dominion of their masters and fight for their freedom. On the other hand, the citizens were born to be free.

Of course, Arendt herself is aware of this attitude and the possible critiques regarding the citizen/non-citizen distinction in Ancient Greece. In *The Human Condition* she quotes, at length, the views of Plato, Solon and Vergil on slavery in Ancient Greece

and Rome.[12] However, she seems to evade making an explicit judgment about it, even though her tone implicitly appears not to be endorsing it. But still, as I see it, Arendt's point is that the Greeks were, at least, not hypocritical about the double standard of life in their city states, whereas the modern world introduces inequality as if it was equality.

Another objection is about the distinction between "the general view of politics" and "Arendtian view of politics," because, unlike the liberal conception, Arendt's account of politics is not instrumental, i.e. she sees politics as an *end*.

For instance, in "The Market and the Forum" John Elster argues that politics is generally about the *common good*, and that politics should be considered *instrumentally* since it is or should be about decision-making and influencing what goes on (19). Thus, Elster criticizes Arendt's view from an instrumentalist perspective.

He claims that one must make a distinction between "the task of justifying a constitution *ex ante* and that of evaluating it *ex post* and at a distance" (20). In other words, a view of politics cannot be justified with the expected consequences of it, since there is the possibility that they might not be fulfilled. Furthermore, the consequences of political action like "improving citizens' awareness on public matters" or other "educative effects" are merely "by-products" (Elster 20). In the

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[12] "By Solon's time slavery had come to be looked on as worse than death" (Robert Schlaifer qtd in Arendt 36 footnote). Since then, philopsychia ("love of life") and cowardice became identified with slavishness. Thus, Plato could believe he had demonstrated the natural slavishness of slaves by the fact that they had not preferred death to enslavement (Republic 386A). A late echo of this might still be found in Seneca's answer to the complaints of slaves: "Is freedom so close at hand, yet is there any one a slave?" (Ep. 77. 14) or in his "life is slavery without the virtue which knows how to die" (77. 13). To understand the ancient attitude towards slavery, it is not immaterial to remember that the majority of slaves were defeated enemies and that generally only a small percentage were born slaves. And while under the Roman Republic slaves were, on the whole, drawn from outside the limits of Roman rule, Greek slaves usually were of the same nationality as their masters; they had proved their slavish nature by not committing suicide, and since courage was the political virtue par excellence, they had thereby shown their "natural" unworthiness, their unfitness to be citizens. The attitude toward slaves changed in the Roman Empire, not only because of the influence of Stoicism but because a much greater portion of the slave population were slaves by birth. But even in Rome, *lahos* is considered to be closely connected with inglorious death (Vergil qtd in *ibid* 36).

action oriented theory of politics, we focus on the "satisfaction" provided by political activism, however political theory must be "purposeful" (*Ibid*).

It is among the possibilities that citizens may not enjoy the deliberations, or even if they do so, their deliberation might not be, practically, followed by solutions to matters of concern (Elster 25). In the final analysis, political discussions are about "what to *do*—not about what ought to be the case" (*Ibid*).

However, according to Arendt's view—which also represents the radical democratic paradigm—there are intrinsic values attributed to politics. Politics is not necessarily related to taking part in governmental issues. On the contrary, Arendt considered the managerial issues as household concerns and stated that these should stay out of the political space:

> without mastering the necessities of life in the household, neither life nor the "good life" is possible, but politics is never for the sake of life. As far as the members of the *polis* are concerned, household life exists for the sake of the "good life" in the *polis* (HC 37).

Thus, Arendt criticized national economy for making such matters a public concern. This is the major distinction between the *general view of politics* and *Arendtian view of politics*. For this reason, according to Arendt, man is neither a social animal nor an animal laborans as Marx states. On the contrary, man is a *zoon politikon* in the Aristotelian sense, i.e. man is a political animal as politics is what makes him a human.

Now, turning back to the critique, it can be said that Elster is missing the point: Authorship of laws—which regulate the social with regard to, morally, "what ought to be the case"—or the scope of justice are also concerns of politics. Besides the fact that *autonomy* (in the sense of self-rule or self-legislation) is the principle of democracy, how can the political decisions be claimed to be legitimate without getting the consent of the people or providing for their active participation in the process of will-formation?

Furthermore, Arendt states that the citizens participated "neither exclusively because of duty nor, and even less, to serve their own interests but most of all because they

enjoyed the discussions. the deliberations, and the making of decisions" (Arendt *On Revolution* 115). And this is the view of politics and action "as something other than governance," which is, also the subject of this thesis.

4. 6   Conclusion

Although there are many questions that one has to deal with while defending Arendt's theory of action as a whole and even if several of them are unanswerable, there is still so much to appreciate in what she defends.

According to Arendt, being human means being capable of political action. Since political action requires freedom, a free human neither governs the others nor is governed by others. Such a freedom from governance provides one with the chance to be among one's peers, and being among one's peers means being equal to them. This was the case in Ancient Greece. In this respect, being a political man meant having the right to make an appearance in the *polis*—among one's peers—and reveal one's *whoness* there. Speech is the central activity of political action since one cannot reveal his/her identity without expressing himself/herself and negotiating with others: "Wherever the relevance of speech is at stake, manners become political by definition, for speech is what makes man a political being" (Arendt HC 3). The existence of others and freedom to exhibit one's differences from others are as important as speech in action. Nevertheless, there is need for a common world for this togetherness.

The existence of the *polis* as political space means that the Greeks were a political society and they were capable of putting themselves forth and self-actualizing through public discussions. Therefore, it is possible to bring this general view up that Ancient Greece and the Roman Republic had a *deliberative structure.* Even though Arendt rarely (actually only once) uses the term "democracy" directly in *The Human Condition,* I contend that with her stress over action and the notions of freedom, equality and plurality, what Arendt puts forth in The Human Condition is indeed, a case for *deep democracy*.

In my opinion, there is a special purpose in Arendt's choice of not using the term democracy directly, which has to do with her view of Politics as something different from management of a nation. Because she is strongly against any kind of totalitarianism, Arendt was also wary of political philosophies and models which image man as not a plural but a uniform being. In this context, the importance and meaning that Arendt attributes to politics could not be in the sense of governance or managerial matters. In other words, she is not interested in democracy if the term is to be understood as a form of political management, but rather to present the culture of a democratic society (Ancient Greece in the pre-philosophical period) in order to present democracy as a way of life—way of becoming human. Thus, the terms which are elements of Arendt's theory of political action—*revealing the "whoness" of a person, togetherness, natality, plurality, becoming political, becoming human and action itself*—indicate that her reference to Ancient Greece politics was not in the sense of governance or management.

As for deliberative democracy, the aim of the considerations here is *making man a political being again*. For this to be achieved it is not necessary for the whole society to take part in active governmental positions, to be concerned with management issues, to become members of the parliament or to be voted in elections. For democracy to become a self-protected system of governance, the first step should be the re-construction of public space, and the second is developing an ethics of democracy. I use the term "ethics" here in its broadest sense, understood as a way of life. In other words, deliberative democracy is not only (or even primarily) about form, management or results, but a culture. Direct democracy as a means of actual governance must be the last step in the re-politization of the people.

CHAPTER V
FROM FORMAL TO A DELIBERATIVE DEMOCRACY

Up to now, it has been discussed that formal democracy boosts the state of apathy and isolation among citizens, since, in this model an ordinary man's political freedom is limited to a negative right to vote, and once this right is exercised he is cut off from the rest of the political processes. Even the constitutional law does not represent the general will of the people because its content is not determined by the people themselves. As we have mentioned, Rousseau "understands liberty as the autonomy of the people, as the equal participation of each person in the practice of *self-legislation*" (Habermas "Popular Sovereignty as Procedure" 44). However, formal democracy does not provide such an opportunity for self-legislation. Hence, going into details about these problems will illuminate us on the necessity of searching for alternative models of democracy.

5. 1   Problems of Formal Democracy

Representative democracy enable the citizens limited opportunities to take part in the decision making process on political issues. Citizens vote in general elections, are consulted through referendums or form small groups to lobby their representatives (Miller 42). Nevertheless, none of these methods supply direct participation to governmental matters.

The main problem with the principle of voting (majoritarianism) is that it relies on a primitive method: head counting. Is it reasonable to claim that an idea is true or superior to other views, simply because more people defend it? Examples from the history of science have repeatedly shown that the uneducated masses usually adopt false beliefs. There is actually a reason for this as well: firstly, ideas that are easier to understand are adopted more easily and secondly, the people tend to make their decisions by habit. As a matter of fact this is the nature of conformism: the desire to preserve generally accepted and culturally adopted ideas even if they are false or self-detrimental.

Knowing these facts, politicians can easily abuse the feelings and beliefs of the people. Therefore, an openness criterion in the public will-formation processes—contrary to the present situation—may urge the people to accept "the unforced force of the better argument," instead of behaving sentimentally (Habermas qtd in Berdal 35). Because—if Plato's critique of democracy is remembered—in a system of popular leadership, the candidates know how to play according to the desires of the people and abuse them. Thus, the voting system should be designed in a way to avoid misuse of authority and abuse of human needs. For instance, bribing the people, promising them rewards and privileges or asking for vote by posing threats are common methods of abuse.

When autonomy is absent, we cannot claim the existence of a "democratic process of will-formation." Principle of sovereignty is there to protect the people from the tyranny of governors and other benefit groups.

Accordingly, major problems of liberal democracy can be laid on the table as follows:

5. 1. 1 Problem of the tyranny of majority (Tocqueville & Mill)

The most well-known articulations of the problem of the tyranny of the majority are those by Mill and Tocqueville.

Mill (who is influenced by Tocqueville on this point and whom I will return to soon) is precautious against the idea of popular sovereignty since the majority decision can turn into oppression over the rest of the people within society or over a group even within the same majority. In *On Liberty* he states that in the world "there is an inclination to stretch unduly the powers of society over the individual, both by force of opinion and even by that of legislation" (571).

According to Mill, the tyranny does not only arise from the powers that magistrates hold in their hands but also from the conservatism of the people. He calls this second

type a "social tyranny" which is different from political oppression and which "leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself" (ibid 566).

Mill claims that there has always been a "struggle between Liberty and Authority", and thus he states that Liberty was defined as "protection against the tyranny of the political rulers" (564).

To protect against the tyranny of rulers there are two well-known provisions:

(1) Political liberties or rights are "immunities" which "limit the power that the ruler should be suffered to exercise over the community" (564).

(2) "Constitutional checks" which enable the body politic to express their consent and interests, e.g. general elections or referendum (ibid).

However, there is a second type of tyranny, with which Mill is more concerned: social oppression:

> ...the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any *individuality* (566).

Therefore, Mill defines "Civil or Social Liberty" as "the nature and limits of power which can be legitimately exercised by *society* over the *individual*" (564). In *On Liberty* he argues that "individuality" is an element of one's "well-being" as a person and the well-being of society consisting of individuals (594) and freedom of opinion together with freedom of conscience, speech and act are necessary conditions of people's personal development. This is because the "diversity" (595) of ideas allow people to see the fallibility of their arguments, and reversely, "to silence" the opinion of others means "to assume our own infallibility" (592).

Due to an evil feeling in human nature—"want of power"—Mill claims, rulers or society want to "impose their own opinions and inclinations as a rule of conduct on

others" (571). For this reason, the rules that we seek to protect each of us from the oppressions of majorities and elected representatives must be so general in principle that we do not fall into fallacy that the society does to maintain its customs.

In his well known text *Democracy in America*, Tocqueville admits that "all authority originates in the will of majority" and Justice is a "general law" depending upon the will of "a majority of mankind" (547). Accordingly, the rights of each individual is limited to "what is just"; and thus, for him, it is an unacceptable maxim that an individual "has a right to do whatsoever it pleases" (ibid 547). In this argument, Tocqueville makes a clear distinction between "the majority of humankind" and "majority of a people" (ibid 548). Justice is the general law of the "sovereignty of mankind" not that of "the sovereignty of a people" (ibid). Therefore, a specific country's law may be unjust and a person, ideally, has a right to "refuse to obey an unjust law" (ibid). Tocqueville thus claims that democracy being constituted by majorities ("public opinion constitutes the majority", "legislature represents the majority", government "is appointed by the majority" etc), is always open to a "risk of tyrannical abuse" (ibid 548). Tocqueville defines the terms "majority" and "minority" in interrelation as follows: "A majority taken collectively may be regarded as a being whose opinions and [...] interests are opposed to those of another being, which is styled a minority" (ibid 547). It should be noted that even though Tocqueville makes a distinction between the majority of human kind and the majority of a people, "the risk of tyrannical abuse" remains a problem with the majority of human kind as well. However, the unjustness of such tyranny is more blatant when it is the majority of a particular people that is tyrannical.

In the present democratic nation-states, Rousseau's principle of autonomy is not applied. The distinction between government and the sovereign has dissolved, and the body politic's authority is reduced to voting. In every political stage, from execution to legislation, minorities are devalued by the privileges of majorities, and injustice has been legitimized by majoritarianism. In such a system, governments declare themselves as the voice of the people, and behave like monarchs.

The tyranny of the majority does not have to manifest itself through violation of minority rights by governments; it can also be more subtle and implicit. As Tocqueville argues, in modern democracies the tyranny of the majority is often experienced in the act of stating one's opinions. Although the people (or minorities) are enabled to express their most radical ideas while "retaining their life, property and civil-rights", they immediately feel the cold face of social pressure and marginalization due to their *nonconformity* to the public opinion (view of the majority). In Tocqueville's words, their "body is left free, [but] soul is enslaved" (550-551).

The privileges and powers of the majority in a democracy might be so strong that even the laws or magistrates cannot protect the rights of the minority. As an example to this situation, Tocqueville quotes one of his conversations on the Black people's right to vote in the United States:

> I said one day to an inhabitant of Pennsylvania, "...how it happens, that in a State...celebrated for its toleration, freed Blacks are not allowed to exercise civil rights. They pay the taxes: is it not fair that they should have a vote?" [...] "This is not the fault of the law; the Negroes have an undisputed right of voting: but they voluntarily abstain from making their appearance." [...] "Why, the truth is, that they are not disinclined to vote, but they are afraid of being maltreated; in this country the laws is sometimes unable to maintain its authority without the support of the majority. But in this case the majority entertains very strong prejudices against Blacks, and magistrates are unable to protect them in the exercise of their legal privileges" (footnote 548-549).

Tocqueville states that democratic nations tend to the following ideal state:

> ...suppose that all members of the community take part in the government, and that each one of them has an equal right to take part in it. As none is different from his fellows, none can exercise a tyrannical power: men will all be entirely equal; and they will all be perfectly equal, because they will be entirely free (551).

However, he says, in reality equality (as in the sense of "equality of conditions") only exists in civil society, not in the "political world" (ibid 551). Although people have equal rights and are similar to each other regarding the sameness of their lives—in the areas of education, professions, and manner of living—they "do not take an equal share in the government, and thus they are not politically free (ibid).

This point made by Tocqueville points to a deeper problem with democracy which also feeds into and exacerbates the problem of the tyranny of the majority.

5. 1. 2 Idiocy

Representative democracies make citizens so apathetic about public issues that they have no concern or reaction to political issues other than those which directly relate to them. Miller uses the Greek term 'idiot' to define this apathetic situation of civics in formal democracy: "Someone who lived an entirely private existence and took no part in the public life of the city" (48).

Tocqueville argues that the equality principle of democratic states creates an individual sphere of freedom in which people become "independent of each other", and "this complete independence, which they constantly enjoy toward their equals and the intercourse of private life, tends to make them suggest political freedom" (555). Nevertheless, this love of political freedom cannot prevent a centralization of political power. Since none likes to see his equal as superior to himself each submits, voluntarily, to the will of their elected governors. However, having "collected all political power into their hands" the sovereigns might easily be directed by their "private interests," and turn into guardians (558). Tocqueville notes that "if despotism were to be established among the democratic nations of our days, it would degrade men without tormenting them" (ibid 558). For this reason, he states that "the words *despotism* and *tyranny* are inappropriate [today]" (ibid 559), and a general state of "*apathy*" (footnote 561) is a better word to define the condition of democratic nations under the rule of sovereign guardians:

> An innumerable multitude of men all equal and alike, incessantly endeavoring to produce the petty and paltry pleasures with which they glut their lives. Each of them, living apart, is as a stranger to the fate of all the rest—his children and his private friends constitute to him the whole of mankind; as for the rest of his fellow-citizens, he is close to them, but he sees them not;—he touches them, but he feels them not; he exists but in himself and for himself alone; and if his kindred still remain to him, he may be said at any rate to have lost his country (Tocqueville 559).

Tocqueville defines democracy as "soft despotism." Due to the individualistic character of democracy,

> the will of man is not shattered, but softened, bent, and guided: men are seldom forced by it to act, but they are constantly restraint from acting: such a power does not destroy, but *it prevents existence*; it does not tyrannize, but it compresses, enervates, extinguishes, and stupefies a people, till each nation is reduced to be

> nothing better than a flock of timid and industrious animals, of which the government is the shepherd (ibid 559-560).

Finally, Tocqueville expresses his suspicion on the properness of the people's "choice of those by whom they are to be governed" since "a liberal, wise, and energetic government [cannot] spring from the suffrages of a subservient people" (ibid 561). Tocqueville carries such a suspicion because he thinks that the state of apathy or depoliticisation of the people is a natural result of liberal democracy's individualism:

> As all fortunes as scanty, the passions of men are naturally circumscribed—their imagination limited, their pleasures simple. This universal moderation moderates the sovereign himself, and checks within certain limits the inordinate stretch of his desires (ibid 558).

He argues that the effects of the principle of the equality of conditions in liberal democracy can be observed most explicitly in the lives' of workmen due to the alienating working conditions in the industry. Although in principle everyone is equal and everyone is free to choose his destiny, in practice the economic inequality between people of different classes (manufacturers and workers for instance) is stronger than the liberty and equality in principle:

> ...he no longer belongs to himself, but to the calling which he has chosen. It is in vain that laws and manners have been at pains to level all barriers round such a man, and to open to him on every side a thousand different paths to fortune (553).

Tocqueville further states that "the executive government, having mustered a few troops, is able to commit acts of oppression one day" (footnote 561). Whether the majority of the people or less than a half elects them, governors sometimes turn out to be tyrants and the people are not given a chance to veto the government most of the time. In brief, it would not be surprising to see democracy turning into the soft despotism of sovereigns, just as it can turn into a tyranny of the majority.

This depoliticizing effect of formal democracy can be seen in the problems associated with one of the most fashionable contemporary political theories: Social choice theory. Social choice theory, which quite accurately expresses the spirit of democracy as it is understood today, is concerned with bringing about "compromise" among a great number of self-interested individuals. It takes democracy to be based on social choice—aggregation of individual preferences towards collective decision

making. According to this theory, political institutions have a "redistributive" role, i.e. control over the market, since each individual wants the redistribution to be "in their favor" and this poses an obstacle to compromise (Elster 4). "Individual rational action" is seen as the expression of those preferences by the individuals, nevertheless social choice theory lacks politically acting agents (Elster 6).

5. 1. 3 The problem of open content

It is often mentioned in discussions on social choice theory that the preferences that people choose to express might not be their real preferences as the given preferences are not expressed by the individuals *themselves* in the beginning (Elster 6). This problem points to another defect of formal democracy known as "the problem of open content."

The problem of open content refers to situations where voting options are inadequate or the content is inappropriate. Due to the reasons like the ambiguity of voted content, or obliqueness of the statements and commitments of political parties the system of election and majority vote can easily be abused.

In his article "The Market and the Forum" Elster summarizes these problems as follows:

(a) Agents do not demand legitimization of the political processes.
(b) Individuals confront to what is given to them.
(c) The set of political alternatives given to the agents are causally-independent from the individuals.
(d) Preferences given to the individuals are purely ordinal, so that intensities between different individuals' views are not expressed.
(e) The outcomes that each individual desires may, indeed, differ. Thus, the social choice may not represent the common good.

An example to the problem of inappropriate content can be plebiscite. The government or the parliament can hold a *plebiscite* for the approval of a new constitutional law proposal. Plebiscite (a French origin word) is a method of decision making depending upon the public votes which is also known as "referendum." In history, this method was used in direct democracies of the early Roman Republic and Ancient Greece city-states; and in present democracies, referendum is different from the general elections since it is used for deciding on a particular subject that relates to the body politic as a whole. Therefore, referendum is a rather suitable means for determining the general will. A referendum, nevertheless, can turn out to be an unjust or undemocratic method unless the content of voting or voting options are prepared on a just basis. For instance, if the constitutional law is submitted to the decision of the public entirely, i.e. the articles are not submitted separately, the referendum becomes a legal means of cunning the body politic. The majority may want to approve only some of articles in the law; but if the people are not asked to vote the articles separately, it means that they are forced to accept the law as a whole. Furthermore, since the determination of the laws of the State—the constitutional law—is the very process in which autonomy of the people is actualized; the content of the laws (the articles) should be defined in more participatory means. Otherwise, the content itself does not indicate the Sovereignty of the people.

Regarding the participatory means of determining the content of the law, it can be said that, our age offers a wide range of apparatus for communication. The press, electronic media (TV & radio channels) and the internet provide the medium where the content of laws can be discussed rationally. Moreover, as Rousseau's notion of the "lawgiver" inherently refers to the authorities and experts on laws and other public concerns, it would be wise to ask the intellectuals, academicians, sociologists, occupational groups, NGOs, syndicates, the body of lawyers, politicians, etc. to recommend on the issue and even submit their own law articles. Methods like shipping, emailing, publishing and broadcasting could be used to send and collect data throughout the legislating process. No legislation and no referendum can be the expression of the general will without consulting the specialists and representatives from each group of people in the country through the mentioned means or plenty of

other advisable ones. For example, if a member of a minority or marginal group cannot find any article regarding their rights and position in the laws of the State, it is not reasonable to expect him/her to vote. Thus, both the content and the final decision on the laws should be open to public participation.

5. 1. 4 Control of wealthy classes

It can also be added that formal democracy is liable to abuse because of the control that wealthy classes have over the government and politics. Often the elected representatives do not genuinely serve the interests of the people who elected them, but those of the ruling (wealthy) classes. Even if citizens are not content with their elected representatives, they cannot intervene in what goes on. Lobbying option is not a solution to this problem since the success of the lobby depends on how much wealth and thus how much authority over politicians the group has. That's why most of the time organized corporate owners have a stronger role in politics than ordinary citizens or poorer NGOs.

Since in the civil-state people are guided by a Rousseauesque feeling of *amour propre*, once a secret compromise between interest groups and the political parties, which are capable of replying to the demands of these groups, is made, manipulating the people to take self-detrimental decisions—in the long run—is as easy as pipe. After all, only a few people prefer the common good to their personal interests.

For all these reasons, the will of the majority does not necessarily tend to the common good. On the contrary, it tends to wrong decisions, since in the liberal system the wills are not formulated on account of intersubjectively recognizable reasons, but interests.

5. 1. 5 Technical barriers: (Election threshold and privilege of parliament)

a. The election threshold can be considered as another reason of the tyranny of majority. If there is a threshold in a country's system of election, it means that

representatives of certain groups cannot join the parliament as their votes count less than the pre-defined percentage. In this case, not only some groups are not represented in the parliament but also their chairs are transferred to the winning party in the elections. Having gained the chairs of non-represented groups in the parliament the winning party becomes a majority in the parliament even if its votes count less than fifty percent in the tally of the votes. Therefore, the election threshold provides an advantage to the winning party in the parliament although the majority of the body politic does not vote for that party but others.

This fact shows us that majoritarian democracies are not even majoritarian in the literary sense. Nevertheless, the fundamental problem with election threshold is that it prevents many groups within the body politic from being represented in the parliament. Due to the election threshold many Citizens do not even vote for their parties since they know that it cannot pass the threshold. Moreover, many others feel themselves obliged to vote for a party the opinions of which they do not fully agree with in order to form another majority against the winning party. In this sense, even the represented groups are not done so conveniently. This barrier system causes the people to give up their true opinions and tend to the views of majorities.

The winning party establishes the government, and by means of the threshold it gains the majority of chairs in the parliament without being elected by the majority of the people. Thus, deputies of other parties cannot stand against the government's deputies in quantity. In parliamentary democracies, many of the decisions are made through voting within the parliament. And most of the time, the government party is powerful enough to pass its own laws as it is a majority in the parliament.

b. Another technical barrier which prevents the parliamentary system from being a sufficient representation of the body politic is legislative immunity or the *privilege of the parliament*. According to this privilege, MPs' old cases are closed and this nullifies the concept of Sovereignty since the people cannot question or sue the MPs and they cannot overthrow the government until the next general election (which is generally too late to recover the consequences of the misused authority).

A parliamentary system with such technical barriers is also against the principle of the separation of powers since the threshold causes the parliament to lose its power to oppose the government and it malfunctions. Furthermore, the privilege of the parliament puts the MPs into a superior position and results in personal interests' invasion of the "public interest." Once the members of the parliament are elected, sovereignty is transferred to them. However, sovereignty is immediately transferred to the government as the governing party has a majority position in the parliament.

5. 1. 6 Problem of representation

Another problem with formal democracy—regardless of the differences between its variants like social choice theory, parliamentary system or constitutional democracy—is that it cannot represent *all* individuals within the society, but only *some* of them.

Besides the obstacle of election threshold, due to majoritarianism—the idea that some majorities have primacy in the society—which is intrinsic to the principle of voting, some people cannot be represented through the parliament. Majorities' primacy may devalue the needs and desires of minorities, or the minorities might not find a political party or individuals with a suitable agenda for their situation. For this reason, the system should be revised in a way that the public spheres outside the formally organized parliament can also represent the people with plural social perspectives and identities.

What makes a society democratic is its ability to protect the rights and liberties of minorities and powerless groups. The deliberative model is more likely to succeed in this. If freedom and equality are the two basic principles of democracy as an ideal, than democratic models themselves should be capable of protecting equality and freedom of each individual. The discursive practice found in the deliberative model is a remarkable means to provide space for each person's self expression freely and equally. Moreover, seeking consensus among counter parties through rational deliberation—the ideal of proceduralism—is surely a better practice than simply

eliminating the views of the minorities through voting. This may be seen as, at the same time, a more active or positive conception of freedom and equality.

There are unions and organizations other than political parties or individual candidates joining the elections. Political parties, in general, believe in the efficiency of parliamentary democracy and the view that political space is the parliament itself. On the contrary, there are other bodies that defend the view that politics should not be taken outside the scope of people and the space of political action is not the parliament (only). The view that politics and governance are not the same, have been discussed in the section on Arendt. In this respect, it can be said that many people want to express their opinions through chambers, NGOs, national or international unions, organizations, institutions etc. More importantly, even in large-scale countries, it is possible to create space for political action/direct participation instead of merely being represented in the parliament, i.e. reducing political liberty to a negative right to vote.

5. 2   Deliberative Democracy as an Alternative?

In "Democracy as an Ideal Deliberative Procedure," (DIDP) Joshua Cohen defines *deliberative democracy* as the association of an administration through deliberation of all of its members and introduces a new account of deliberative democracy which he calls "the *ideal deliberative procedure*" (68). Cohen's theory depends upon the view that democratic association is inseparable from the notions of *autonomy* and the *common good*. It provides a better form of collective decision making according to which political action differs from other types of interactions like contracting, bargaining and other market-type interactions (Cohen DIDP 67). The structure of this model is different from other models of deliberative democracy since Cohen considers deliberation at an institutional level (*Ibid*).

Cohen defends the necessity of substantial rights to protect the participants from any kind of internal or external coercion during the deliberations. Therefore, he thinks

that Rawls' three conditions of democracy are relevant to his model. Rawls conditions are as follows:

First, in democratic governments political debate is organized around conceptions of the *public good*. Thus, there has to be a pluralist scheme of policies, i.e. policies should not be group-interested, and the conceptions of the common good should be consistent with the two principles of justice—"which would be chosen in the [hypothetical] original position" (qtd in Cohen DIDP 68):

> (1) each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others
> (2) social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (attached to positions and offices open to all... [The Difference Principle] (Rawls "A Theory of Justice" 64-65).

Second, in a just society, political opportunities and powers must be independent of economic and social position.

Third, democratic politics should provide a ground for the emergence of a sense of political competence and self-respect together with self understanding (Rawls "Theory of Justice" qtd in *Ibid* 69). Cohen combines all of these principles as follows: In order to be "democratic," politics (a) involves methods of public discussions/deliberation "focused on the common good," (b) requires "some form of manifest equality among citizens," (c) urges the generation of a citizen identity, i.e., "shapes the interests of citizens in a way that contributes to the formation of a public conception of common good" (Ibid).

Cohen states that these conditions are attractive to him because

> they comprise elements of an independent and expressly political ideal that is focused on the appropriate conduct of *public affairs*—on, that is, the appropriate ways of arriving at *collective decisions* (*Ibid* 71).

Thus, he thinks that the ideal of fairness can be reached through deliberative democracy. In order to approximate this ideal, Cohen draws a distinction between the Habermasian conception of deliberative democracy and his *ideal deliberative procedure.*

According to the formal conception, a deliberative democracy is an ongoing and independent association expected to continue into an *indefinite time*. In this form of democracy, the basis of legitimacy is "free deliberation among equals" (*Ibid* 73). It is a pluralistic system, i.e., participants have different preferences, views and goals. Moreover, the results of the deliberation are evident to all parties, and members of the society find each other as having the capacity to base their arguments on *reason*, i.e. make rational discourse (*Ibid*).

Cohen's ideal deliberative procedure serves as a model for deliberative *institutions*—especially—and the model itself captures the notions of (a) justification through public discourse, and (b) reasoning among equals. Aspects of Cohen's ideal deliberative procedure are as follows: (i) Ideal deliberation is *free* in that first, only the *results of their own deliberation* binds the participants, and second, participants think that they can act based on the results of their *rational* discussion, i.e. the results are reasonable. (ii) The deliberation process itself is *rational*, that is to say, no other force but rational argumentation and persuasion skills affect the participants' decisions. (iii) In an ideal deliberation, all parties are *equal*. (iv) They are *formally* equal in that each has equal standing at each stage of the deliberation. They are *substantively* equal in that the power relations do not have an influence over their contribution to the deliberation. (v) The aim of the ideal deliberation is to arrive at *rational consensus*. If consensus does not occur, then voting (majority rule) can be used as a method of decision making (Cohen DIDP 74-76).

Nevertheless, the sincerity of members is questionable in that they might be hiding their real aims which are personal or class interested, and do not tend to the public good. Cohen proposes two replies to this objection. First, the members are committed to reason in their argumentation, so they have to rationally persuade the counter parties. This would protect the deliberation from self-interested remarks. Second,

> a consequence of the reasonableness of the deliberative procedure together with the condition of pluralism is that the mere fact of having a preference, conviction, or ideal dos not by itself provide a reason in support of a proposal (76).

The problem with Cohen's account is the parallelism that he sees between his ideal and Rawls' substantive rights. Nevertheless, it should be noted that the liberal

conception of deliberative democracy is not the only model, and there are stronger accounts of public deliberation.

For instance, Habermas's account of procedural democracy—based on the program of discourse ethics—is different from the liberal model of deliberative democracy which has been introduced through Joshua Cohen's essay.

Habermas is in defense of radical democracy and he claims that there is a dialectic relationship between *liberalism* and *radical democracy*. According to his view, liberals legally institutionalize equal liberties of individual subjects believing that "human rights have normative priority over democracy", and the "constitutional separation of powers" over the "will of the democratic legislature" ("Popular Sovereignty as Procedure" 44). In this context, in the liberal conception of deliberative democracy, the principle of autonomy fails. In the discursive model, however, autonomy and the procedural exercise of popular sovereignty are higher concerns, and thus inclusion or consent of each individual is prior over a substantive formulation of individual rights like that of Rawls which is supported by Cohen and other liberal theorists.

5. 3   Jürgen Habermas

In his essay "Popular Sovereignty as Procedure" (PSP), Habermas claims, contrary to some other scholars who believe that the French Revolution has ceased to be relevant, that the Revolution still "stands as a model alongside the Bolshevik revolution," and thus he investigates the promising aspects of the revolution (36). He admits that the French Revolution has ended up with the emergence of the "production-centered capitalist project, and "the global expansion of Western civilization", and thus it is no more the social utopia of the workers. However, Habermas finds a still promising aspect of the Revolution which is "the ideas that inspired constitutional [formal] democracy" (*Ibid* 37).

Furthermore, he argues that the revolutionary consciousness gave birth to a new mentality in politics and brought about the trust in *rational discourse*. The consciousness expresses itself in the conviction that a new beginning could be made. The break with tradition and future oriented action are still promising aspects of the French Revolution too. Habermas states that Hannah Arendt associated these aspects of the Revolution with her notion of "natality" which is, according to Habermas: "the moving affection that is always aroused on seeing a newborn infant and that brings the expectation of a better future" (*Ibid* 40).

He thinks that it is also a result of the emerged revolutionary consciousness that neither a religious nor metaphysical ground for legitimizing political domination can be acceptable. Therefore, he states that "a politics radically situated in this world should be justifiable on the basis of *reason* [only]" (*Ibid* 41). Social-contract theories were depending upon the view that there is a rational natural law which can be theoretically manifested. Nevertheless, the discovery of the fact that political will-formation "can be guided by a prior consensus on moral principles" has caused the emergence of the "authoritarian reason prior to every actual process of *mutual understanding,*" and thus in the consequences that were "unfortunate for [democracy]" (*Ibid* 41-42). This is a general critique that Habermas makes about liberal democracy's legitimacy crisis.

According to his view, there is a *universalistic core of the constitutional state* and this core is formed by democracy and human rights. Nevertheless, today the anniversaries of the French Revolutions must remind the politically powerful groups that "the principles of the Constitution will not take root in our souls until *reason* has assured itself of its orienting future-directed contents" (*Ibid* 43).

On the other hand, he remarks that—thanks to the cultural mobility of the neoliberal age—the idea of a homogenous nation found in the French Revolution has transformed into a culture-society, and hence, now provides a ground for the revitalization of the *public sphere* (*Ibid* 42). The universalistic core of constitutional democracy inevitably leads to the transformation of dissonant identities into a

citizen-identity. Echoing Rousseau's admiration of the civic-virtues of Ancient States, Thadden claims that

> with immigration [...] nations run the risk of changing their identity; soon they will no longer be able to understand themselves as monocultural societies, if they do not provide any points of integration beyond pure ethnic descent. In these circumstances it becomes urgent that we return to the idea of the citizen as the *citoyen,* which is at once more open and less rigid than the traditional idea of ethnic belonging (qtd in Habermas PSP 38).

The plurality of perspectives that arise in multicultural cities of the modern world necessitates that needs, values and interests should be discussed in a process of inter-subjective understanding and agreement. The medium for this open-discourse is, of course a special type of public sphere. As Simon Berdal states in his thesis "Public Deliberation on the Web", "reflexive and dialectic forums of free discourse are...essential ingredients in the cultivation of inter-subjective understanding and decision making" (2).

Public Sphere

In *Media and Society* James Curran states that according to Habermas, the economical liberation acquired through the right to private property in the age of early capitalism, played an important role in the rise of the European Bourgeois as a critical society who were fairly concerned with politics (85).

> Emergent bourgeoisie gradually *replaced* a public sphere in which the ruler's power was merely represented before the people with a sphere in which state authority was publicly monitored through informed and critical discourse by the people (Introduction by Thomas McCarty in Habermas *Structural Transformation of the Public Sphere* (ST) xi).

The cafés in Paris and Britain were good examples of the public sphere where people could come together and discussed the political issues as well as art and literature. Furthermore, together with the European bourgeois, the independent media had reached a rational consensus on the future of the states:

> …salons, and coffee houses may have differed in the size and composition of their publics, the style of their proceedings, the climate of their debates, and their topical orientations, they all organized discussion among private people that tended to be ongoing hence they had a number of *institutional criteria* in common (Habermas ST 36-37):

(1) Disregard or *equality of social status* among all participants of the public discussions.

(2) Domain of a "common concern" for public discussions, i.e. problematization of areas or *agenda setting*.

(3) *Inclusion* of all the people who are concerned with the public discussions.

Later on, Habermas re-formulated these criteria in the name of an Ideal Speech Situation (ISS) which will be specified in the section on "Discourse Ethics."

Nevertheless, in the second half of the 19th century (with the rise of modernity) the public sphere of the bourgeois was dominated by the state and other organized groups of economical interest (Curran 88). Habermas states that the decline of the bourgeois public sphere was a result of the "systemic colonization of the lifeworld" (qtd in Berdal 32):

> While the lifeworld represents the inter-subjective platform of opinion—and will formation (as culture and social relations), the system corresponds to opposing, non-linguistic, and instrumental imperatives of money and power. Hence, the lifeworld carries and maintains traditions of the community, and is the foundation of socialization, whereas the system, in contrast, refers to seemingly "natural" forces within human society. Colonization occurs when elements from the lifeworld get subjected to systemic pressure (represented by governmental administration and capitalist interests), thus weakening its autonomy and ability to preserve itself (*Ibid* 32-33).

Habermas claims that even if the liberal system could successfully undermine the economic crisis, its solution to the legitimacy crisis would be to its own detriment, i.e., "the procurement of legitimation is self-defeating as soon as the mode of procurement is seen through" (*Legitimacy Crisis* (LC) 70). The underlying cause of the legitimacy crisis is the economic class differences: that a "social identity determined indirectly, through the capability of securing-system integration, is constantly vulnerable on the basis of class structures" (Habermas LC 69). He considers that his theory of communicative action indicates a revitalization of the bourgeois public sphere in which the people can gain control over the political processes and develop their communicational competences by discussing the common issues.

As the concretization of his notion of the public sphere, the branches of media which can liberate themselves from the oppressions of the state, and the prevailing majorities (unlike mainstream media) have a significant role in public deliberation on politics (Curran 89). In his short article "The Public Sphere: An Encyclopedia Article (1964)" Habermas himself also states that "today newspapers and magazines, radio and television are the media of the public sphere" and these devices are used for "transmitting information and influencing those who receive it" (49).

In my opinion, for a re-establishment of Habermasian public spheres today, we may recall the European bourgeois of early capitalism, and take advantage of its positive aspects. For instance, NGOs should reinforce public awareness, e-forums and alternative media channels should be used as a medium for public discussions. In addition, panels & conferences should be taken more seriously, and public spaces like civic centers should be rebuilt and used as spaces open to large-scale public discussions.

Moreover, in order to understand the democratic culture—*the agonal spirit*—of the Ancient States we might turn back to review the Roman Republic's *Coliseum* or Athens' *agora*. At present, internet forums can take the place of ancient agoras as a cyber space in which billions of people can discuss public matters.[13]

Deliberative Democracy

Habermas concentrates on the notion of *conscious political will-formation*, and he thinks that both the *subjectivity of the individual* and *the sovereignty of the people* are inseparable parts of *radically this-worldly politics*. Thus, he states that *autonomy* and *self-actualization* are the key concepts of "a life worthy of human beings" (Habermas PSP 41). In liberal (formal) democracy, however, the notion of sovereignty has lost its real meaning as "the people from whom all governmental authority is supposed to

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[13] For an analysis of the use of internet forums as an example to Habermasian rational will-formation see Simon Berdal's thesis: Berdal, S. R. B. *Public deliberation on the Web: A Habermasian inquiry into online discourse*. Hovedfag Thesis. Dept. of Informatics, University of Oslo, 2004.

derive, does not comprise a subject with will and consciousness" (*Ibid*). Therefore, Habermas defends a type of deliberative democracy which Axel Honneth calls "democratic proceduralism." As Honneth explains, Habermas' view of deliberative democracy (proceduralism) is in contrast with Arendtian or classical republicanism (noting that both theories favor a radically democratic notion of popular sovereignty).

Habermas' proceduralism "insists that what is needed to reactivate the process of democratic will-formation is not citizens' virtues but simply morally justified [democratic] procedures" (Honneth 763). In other words, Habermas criticizes substantive arguments on citizen morality ("Discourse Ethics" (DE) 71) or Rousseau—at least his admiration of the culture of the *ancient states* (PSP 40-41)— and instead concentrates on a normative account of moral argumentation: *discourse ethics*. Nevertheless, his theory of communicative action and the program of justification of moral norms are designed adhering to the idea of popular sovereignty in Rousseau and the notion of human-freedom in Arendt.

But it should be noted that Habermas does not defend a republican democracy in Arendt's sense since he thinks that

> state institutions have to form a legally bound but independent subsystem because the widely branching communication structures of the public sphere do not at all possess the kind of political power by which universally binding decisions can be made (Honneth 764).

In short, Habermas views deliberative democracy—public discussions—as a procedure which helps rational and legitimate formation of public opinion, whereas Arendt considers it as an "end" for a self-governing political community.

Honneth underlines that the difference between republican theory of democracy and the proceduralist theory also become explicit in their views of the state and law. Whereas in Habermas' proceduralism "basic rights represent a kind of guarantee" for the continuity of democratic discourse and governance, in Arendt's theory "law is the crystallized expression of the particular self-understanding of a solidary citizenry" (Honneth 764). According to Habermas, "within a politically constituted public

sphere, democratic procedures ensure that each individual can make use of her legally guaranteed autonomy by participating with all others and with equal rights in joint will formation" (*Ibid* 778). What Arendt and Habermas share in common is, on the other hand, with the critique of "the individualist understanding of [human] freedom", a defense of "communicative freedom", i.e. intersubjective speech, and the notion of a politically organized public sphere (*Ibid* 766).

Rationality and Communicative Action

In his major work *The Theory of Communicative Action* (TCA), Habermas claims that when it comes to the relation between rationality and knowledge; the way in which speaking and acting subjects *use* and *acquire* knowledge is more important than whether they posses knowledge or not (8). This is because criteria of rationality are, indeed, criteria of rational speech and act.

Rationality is a central term in Habermas' theory of communicative action since it is an objective standard of argumentation. He uses the term 'rational' in reference to (1) persons and (2) expressions. By (2) Habermas implies both linguistic expressions like an apology, declaration of war, and non-linguistic expressions like a construction plan, conference decisions etc. On the contrary, one cannot call a chair, a plant or an animal rational/irrational; that is to say rationality has some humane characteristics. According to Max Black's list of conditions for rationality, actions are rational if and only if:

> (1)   the agent has some control over the process.
> (2)   the agent has a goal-in-view.
> (3)   there is relevance between both the act and the agent, and the act and the goal.
> (4)   the means are available and efficient.
> (5)   the action can always be supported by reasons (qtd in Habermas TCA 12).

Habermas also states that knowledge is always *fallible*, and all of these criteria above support his view that rationality is found in the type of relation/attitude agents and their expressions can have to the *fallibility* of their knowledge.

Rational action is a process through which the agents show the objectivity of the knowledge they are relying on. Therefore, openness to criticism is a crucial criterion for Habermas, e.g. accepting the fallacy of an agent's own knowledge/argument in a discussion is part of their rational action.

According to Habermas, communicative practice is oriented to reaching mutual understanding and agreement (consensus) and communicative rationality requires a special method of argumentation (critical thinking). That is to say, in order for a communicative practice to be rational, the arguments should be based on *reasons*. Thomas McCarty explains that communicative action is "a reasoned argument among those subject to the norm in question to reconstruct the moral point of view as the perspective from which competing normative claims can be fairly and impartially adjudicated" ("Introduction" in Habermas *Discourse Ethics* viii).

As Habermas states in "Discourse Ethics", well-regulated open discussions have an educative and enlightening role as well. This is enabled by the dialogues (rational conversation) going on in between equal people in the public sphere. Participation in discussions on public matters is an opportunity to check one's reasons to defend a certain perspective: see the fallibility of one's own arguments. The people within a rational discourse have a chance for mutual recognition of each other's arguments through implicit and explicit validity claims. Gaining knowledge and self-reflection are natural results of this process (Habermas DE 72):

> Only an intersubjective process of reaching understanding can produce an agreement that is reflexive in nature; only it can give the participants the knowledge that they have collectively become convinced of something (*Ibid* 72).

Habermas sees the inclusion of all concerned and their acknowledgement to the rationality of the stated arguments as conditions of this collective decision making or *consensus*. These criteria of argumentation are explained in detail in his essay "Discourse Ethics."

Discourse Ethics

In "Discourse Ethics," Habermas makes a contrast between *moral norms* which can be formulated as universal ought sentences and *facts* which are referred in descriptive statements with the following examples:

      (a)   "One ought not to kill anybody," or
      (a')   "It is commanded not to kill anybody" (DE 65).

He explicates that statements like the above are *regulative speech acts* and they make reference to *norms of action*. However,

      (b)   "Iron is magnetic," or
      (b')   "It is the case that iron is magnetic" (*Ibid* 65).

Sentences like (b) and (b') are *descriptive statements* and they have no *assertoric power* unless they are used with speech acts. In other words, descriptive sentences refer to facts, whereas universal ought sentences refer to norms of action.

The distinction between *claims to truth* and *claims to normative validity* is that while the initial is found only in descriptive statements, e.g. (b) and (b'), the latter has an "intrinsic link" to "the social reality which we address in our regulative speech acts" (*Ibid* 65-66).

Habermas is an ethical cognitivist, i.e. he believes that normative claims can be rationally justified, and his discourse ethics is developed on the insight that justification of norms requires discourse (argumentative speech).

According to Habermas a theory of argumentation must be in the form of "informal logic" so that a common ground is found for practical discourse. He claims that "an attempt to ground ethics in the form of a logic of moral argumentation" necessitates

identifiable types of *validity claims* and the "difference between truth and normative rightness" depends upon these identifiable validity claims (DE 62-63).

Habermas distinguishes between the two types of human interactions according their motivations:

a) *Communicative action* is "oriented to reaching understanding", and in the process of communicative action the participants reach rational consensus through "intersubjective recognition of validity claims."

b) In *strategic action* the parties try to influence each other "by means of the threat of *sanctions* or the prospect of *gratifications,*" and through strategic action, the communication tends to the point that the first speaker wants to reach (*Ibid* 63).

In light of these two types of actions, Habermas also differentiates between three types of statements according to their state of objectivity, subjectivity and inter-subjectivity:

(1) Descriptive statements have the world outside as their object. These statements have a propositional truth value, i.e. they are either true or false. (2) Normative statements—about justice and morality for instance—belong to the inter-subjective world of humans. According to Habermas, they can be 'valid' or 'invalid.' (3) Questions about "values and the good life" belong to the pluralistic subjective worlds (Habermas DE 64-65, Gaus Contemporary Theories of Liberalism (CTL) 119-120).

Type (2) statements are the object of rational consensus, i.e. their validity can be decided rationally, whereas type (3) statements are a matter of subjective choice, e.g. cultural values differ from one society to another since this is not a matter of rational decision but individuality (Gaus CTL 120). Therefore, he introduces three types of validity claims found in these statements:

1. Propositional Truth: In constative speech-acts (factual discourse), e.g. in math, physics, we make a truth claim of this type. This is also found in formal logic. Constative speech-acts do not have a binding effect on the speaker or the hearer (Habermas DE 63). Usefulness, as a claim to validity that is made use of when justifying teleological (goal-oriented) actions, can also be considered in this category since such justifications rely on the field of empirical experience-objective world (TCA 23). For example, you know that it is -2°C out, and you decide to wear thick clothes.

2. Normative rightness: In pragmatic-moral argumentation; when we refer to moral norms and values we make a validity-claim depending on normative rightness (*Ibid*). These claims are discursively redeemable and intersubjective, and thus have a binding effect in inter-subjective communication. That is, claims to normative rightness referring to the shared social world is the basis of rational communication oriented to reaching mutual understanding.

3. Truthfulness: This is found in emotional and aesthetic judgments. This validity claim requires consistent behavior for convincing someone. In *dramaturgical action* we make this claim as well. Claims to truthfulness referring to the sphere of interpersonal relations, and residing in consistent behavior are used in strategic action too—it is oriented to persuasion (TCA 23).

The demarcation Habermas makes between individual/social values (3) and rational norms (2) is justified on the basis of how we feel about and react to behaviors that violate the corresponding norms and/or values in the relevant category. For instance, we feel "angry when we are hurt, but *indignant* when treated unjustly" (Lucas qtd in Gaus CTL 120). In other words, Habermas claims that we exhibit a "reactive attitude" such as "resentment and indignation" towards a situation in which we believe to be treated unjustly because we have "good reasons" to claim that someone should "not act in this way" or "morally ought to" act in that way (*Ibid* 121). Therefore, according to Gaus, Habermas defends the view that "only moral norms

that are interpersonally valid in this way can ground" our "reactive attitudes", and "must be publicly justified, i.e. validated" (*Ibid*):

> Moral argumentation ... serves to settle conflicts of action by consensual means. Conflicts in the domain of norm-guided interactions can be traced directly to some disruption of a normative consensus. Repairing a disrupted consensus can mean two things: restoring intersubjective recognition of a validity claim after it has become controversial or assuring intersubjective recognition for a new validity claim that is a substitute for the old one. Agreement of this kind expresses a common will.... What is needed is a 'real' process of argumentation in which the individuals concerned cooperate (Habermas qtd in Gaus 121).

(U) Bridging Principle

Relativity of moral principles which are based on personal experiences, wants and desires poses an obstacle against the universality of moral argumentation (Habermas *DE* 68). Therefore, Habermas defends the necessity of a bridging principle which can save ethical arguments from the limited possibility of finding empirical evidence for *all* concerned. This principle is found in Kantian Ethics: "the principle of universalization" (U).

The principle of universalization enables consensus by eliminating the ethical norms which do not express "a *general will*" (*Ibid*). Habermas, thus, concentrates on the "impersonal or general character of valid universal commands, [i.e.] Kant's categorical imperative" (*Ibid* 68-69).

He draws on other views on "validity of norms" which are derived from the Kantian principle of universalization. For example, Marcus Singer thinks that "norms are valid only if they ensure of equal treatment" (qtd in Habermas DE 70). A participatory view of validity of norms belongs to Kurt Baier and Bernard Gert: "valid norms must be generally teachable and publicly defendable" (*Ibid*). According to Habermas, valid norms must deserve recognition by *all* concerned. It is not sufficient, therefore, for *one person* to test

- Whether he can will the adoption of a contested norm in consideration of the consequences and the indirect effects that would occur if all persons followed that norm; or
- Whether every other person in an identical position could will the adoption of such a norm (*Ibid*).

This distinction between *some* and *all* has major importance in determining whether a norm is a "universal principle" which deserves *intersubjective recognition* or merely a relative norm lacking unconditional validity.

Having found a bridging principle (U) in adapting norms, Habermas makes it more general by referring to G. H. Mead's use of the term "universal discourse." According to this, universally valid norms are such that

> all concerned can accept the consequences and the side effects its universal observance can be anticipated to have for the satisfaction of everyone's interests [and that these consequences are preferred to those of known alternative possibilities for regulation] (qtd in Habermas DE 71).

Habermas' introducing the term "strategic action" is a preliminary step to show that rational consensus is only attainable through *communicative action* and possible in an atmosphere which is isolated from any type of force & pressure, which is generally known as "ideal speech conditions."

Contrary to the cases in strategic action, in communicative action, "owing to the fact that communication oriented to reaching understanding has a validity basis, a speaker can persuade a hearer to accept a speech-act offer by guaranteeing that he will redeem a criticizable validity claim" (Habermas DE 64):

> Normative claims to validity... mediate a mutual dependence of language and the social world... This interlocking of claims to validity that reside in norms and claims to validity raised in regulative speech acts is also connected with the ambiguous nature of normative validity. While there is an unequivocal relation between existing states of affairs and true propositions about them, the 'existence' or social currency of norms says nothing about whether the norms are valid (*Ibid* 66).

Thus, Habermas thinks that normative validity must be distinguished from usefulness (*Ibid* 67). There are two reasons for a norm to be accepted: "convictions and sanctions," or "rational insight and force" (*Ibid*).

"Inclusivity" is a central tenet of Habermas' theory of *discursive democracy*: For this reason, "truth" is defined as "what is agreed upon" by all parties who are involved in the rational communicational medium. The motivating idea behind such an understanding of truth-seeking (criteria of truth indeed) is or should be the *inclusion*

of all sides so that political decisions made in *deliberative democracy* can be saved from the critics made of representative democracy—which have been discussed at the beginning of this chapter: "the problems of formal democracy", e.g. dominion and influence of powerful interest groups over others and tyranny of the majority: social oppression. That's why in Habermas' theory the method of making a public decision (*consensus* or a type of general agreement) is more important than the decision itself. As I see it, in the heart of democracy such an ethical understanding— a discursive culture—lies.

If all parties are *included*, it proves that the procedure is not exclusive (discriminative), and it is *legitimate*. The legitimacy of the democratic procedure— consensus seeking through public discourse—is an assumption based primarily, on Rousseau's notion of the general will, and secondly, on Kantian ethics since *consent* of each individual on the arrived decisions is the basis of legitimacy for both philosophers.

As Berdal puts it, "it is when our arguments meet counter-arguments that we may defy ignorance, self-deception and delusions, and thus claim legitimacy in the light of others' free consent" (2). In this sense, Habermas' Discourse Ethics has much to do with democratic legitimacy, and provides a good model for deliberative democracy.

D (principle of discourse ethics)

According to Habermas' principle of discourse ethics (D), "a norm may claim validity only if all who might be affected by it reach (or would reach), *as participants in a discourse,* agree that this norm is valid"—i.e. truth is what is agreed upon by all (DE 71). So, 'D' "*presupposes* that we *can* justify our choice of a norm" (*Ibid*).

Habermas' conditions of the "ideal speech situation" (ISS) or "universal and necessary communicative presuppositions of argumentative speech" require the two

"strong ethical assumptions" which Benhabib formulates as follows (qtd in Benhabib 337):

(1) "*the principle of universal moral respect*" which depends upon the view that all beings capable of speech and action have a right to participate in the discourse.

(2) "*the principle of egalitarian reciprocity*" which claims that each "has the symmetrical rights to various speech acts: to initiate new topics, to ask for reflection about the presuppositions of the conversation, etc" (*Ibid*).

Benhabib believes that these two principles reflect the modern version of universalistic ethics, and the modern moral community is "coextensive with all beings capable of speech and action, and potentially with *all of humanity*" (*Ibid* 339). She further states that with this model of conversation ethics "the theological and ontological basis of the inequality among humans has been radically placed into question" and the best side of the argument is that even if one considers this egalitarian principle as a modern "dogma" s/he can challenge it "within the conversation itself" (*Ibid* 340):

> The racist, the sexist, or the bigot can challenge the principle of universal moral respect and egalitarian reciprocity within the moral conversation, but if they want to establish that their position is right not simply because it is mighty, they must convince with argument that this is so (*Ibid*).

As I see it, the phrase above reflects the view at the very heart of Habermasian discourse ethics, and for this reason, it is quite a strong theory on ethics of democracy trying to solve the problem of *legitimacy* in formal democratic societies by relying on mutual-understanding and rational agreement.

As Benhabib puts it "to know how to sustain an ongoing human relationship means to know what it means to be an "I" and a "me," to know that I am an "other" to you and that likewise, you are an "I" to yourself but an "other" to me" ("Afterword" 359). The interrelation between the capacity for being a good participant in a public discourse and for personal development is obvious then. Since questioning one's most deeply held values is a part of this democratic capacity and the existence of

others urges us to such inquiries, the value of intersubjective communication is self-evident. This presupposition has been introduced as 'D,' and of course, there must be some regulations on the process:

> In conversation, I must know how to listen, I must know how to understand your point of view, I must learn to represent to myself the world and the other as you see them. If I cannot listen, if I cannot understand, and if I cannot represent, the conversation stops, develops into an argument, or maybe *never gets started* (*Ibid* 359).

To manifest that the "Golden Rule" of antiquity—"Do unto others as you would have others do unto you"—is still present in our modern experiences, and support the claim that it is the same "intuitive idea behind universalistic ethics", Benhabib gives the following examples (*Ibid* 339):

> Each time we say to a child, "But what if other kids pushed you into the sand, how would you feel then?", and each time we say to a mate, or to a relative, "But let me see if I understand your point correctly," we are engaging in moral conversations of justification [...] It is the process of such dialogue...and mutual understanding, and not consensus which is our goal, discourse theory can represent the moral point of view (*Ibid* 358).

In other words, the motto behind the inclusivity of discourse ethics is to "judge from the other's point of view" (*Ibid* 339). Therefore, says, Benhabib "discourse ethics projects such moral conversations, in which reciprocal recognition is exercised, onto a utopian community of humankind" (*Ibid*).

In brief, Benhabib suggests to

> view discourses as a procedural model of conversations in which we exercise reversibility of perspectives either by actually listening to all involved or by representing to ourselves imaginatively the many perspectives of those involved, then this procedure is also an aspect of the skills of moral imagination and moral narrative which good judgment involves whatever else it might involve (363).

She, also states that the "exercise of good judgment" may "mean manipulating people," and thus, "only judgment guided by the principles of universal moral respect and egalitarian reciprocity is *good*" (*Ibid*).

Regulative rules

Beside 'D,' Habermas is concerned with the ethical rules which must be followed in a public discourse. In his formulation of an ideal speech situation he tries to give the

necessary conditions that enable rational deliberation on three levels—logical, dialectical and rhetorical—as follows:

1. Rules on the logical-semantic level of argumentation (minimal logic):

  (1.1)   No speaker may contradict himself (coherence)

  (1.2)   Every speaker who applies predicate F to object A must be prepared to apply F to all objects resembling A in all relevant aspects.

  (1.3)   Different speakers may not use the same expression with different meanings (Alexy qtd in Habermas DE 84).

2. Rules on the dialectical level of procedures:

  (2.1)   Every speaker may assert only what he really believes (rule of truthfulness).

  (2.2)   A person who disputes a proposition or norm not under discussion must provide a reason for wanting to do so (rule of relevance) (Alexy qtd in Habermas DE 85).

3. Rules on the discursive or the rhetorical level:

  (3.1)   Every subject with the competence to speak and act is allowed to take part in a discourse.

  (3.2)   a.   Everyone is allowed to question any assertion whatever.

      b.   Everyone is allowed to introduce any assertion whatever into the discourse.

      c.   Everyone is allowed to express his attitudes, desires and needs.

  (3.3)   No speaker may be prevented, by internal or external coercion, from exercising his rights as laid down in (3.1) and (3.2) (Alexy qtd in Habermas DE 86).

The aim of these regulative rules of intersubjective communication or *public deliberation* is to make sure that everyone understands each-others' reasons to defend an argument. The rules of a "minimal logic", e.g. informal fallacies, helps to catch contradictions or validate our norms (Gaus CTL 122, Habermas DE 84).

Notably, Habermas' division of *strategic action* and *communicative action* resembles Plato's approach to *rhetoric* and *dialectic*. Therefore, I consider a parallelism between Plato's view of conversation and Habermas' *Discourse Ethics*[14] and defend the view that Platonic dialogues may provide a good example to the rational discursive process and reaching consensus among antagonistic parties through critical argumentation as defined by Habermas.

As stating one's opinions through speaking out loudly in the *agora* and challenging each other in public discussions were important elements of Athenian democratic culture, *rhetoric* was of much importance. Therefore, rise of the Sophistic tradition must not be a coincidence for the Greek world. However, for Plato the use of *rhetoric* and rational persuasion skills alone does not necessarily mean to "speak of truth." According to him, knowledge of truth or at least good intention and inclination towards *the Light* should have been the ethical principles for a speaker of truth. That's why Sophistic school and Plato's *Academy* can be seen as two rival schools; the initial concentrates on rhetoric and persuasion, and the latter on *dialectic & logos*. This distinction is either implicitly or explicitly stated in Plato's *Republic*, for instance, through Socrates' critique of Sophists, e.g. *Thrasymachus*, *Simonides* and *Lysias* (336a-336b).

In short, rational communication is "oriented to achieving, sustaining and renewing consensus—and indeed a consensus that rests on the intersubjective recognition of criticizable validity claims" (Habermas TCA 17). Therefore, it is possible to say that discourse ethics sets the ground for a rational debate, and provides regulative rules to secure the reliability and the continuity of the discourse. On the other hand, the principle of universalization (U)—the bridging principle between opposing

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[14] Since this is an area of inquiry on its own, I do not give excerpts from the dialogues here.

arguments—"makes agreement in practical discourse possible whenever matters of concern to all are open to regulation in the equal interest of everyone" (*Ibid*).

But it is not the case that this model has no weak sides which will be investigated in the next section on Benhabib's reply to neo-Aristotelian and neo-Hegelian critiques against discourse ethics

5. 3. 1 Objections

In her "Afterword" to *The Communicative Ethics Controversy*, Seyla Benhabib states that formalist and universalist ethical theories have been continuously challenged by "neo-Aristotelian" and "neo-Hegelian" accounts: As Aristotle criticized Plato for his "theory of the good" and "the ideal state," Hegel criticized Kant for his ethical formalism (Benhabib 332).

Universalization Problem

Hegel's critique of the Kantian principle of universalization or deontological ethics is that

> the formal procedure of universalizability can yield no determinate test of the rightness of maxims; they admit that one must presuppose some minimally shared conception of human *goods* and *desires* as goals of action, and must test principles of action against this background (*Ibid* 335).

Since Habermas is an ethical cognitivist—i.e. he insists that claims to normative validity should be open to rational criticism and justifiable through the bridging principle (U) in order to receive intersubjective recognition—the critique applies to Habermas. However, Benhabib disagrees with this critique and tries to undermine it.

According to Benhabib, among the supporters of the neo-Hegelian challenge to the "universalizability argument," John Rawls' "list of basic goods" is "the best example" of the claim that goals of human action are not dictated by "pure practical reason alone," i.e. there are material reasons behind human desires (*Ibid*).

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Nevertheless, Benhabib states that, "assuming material presuppositions about human nature and desires" causes a weakening of the "distinction between Kantian and other types of utilitarian or Aristotelian moral theories" (*Ibid* 336). Furthermore, if one solely focuses on the "conditions of rational intending or acting" the more comprehensive "sight of the question of *intersubjective moral validity*" disappears (*Ibid*). To put it otherwise (in Karl Otto Apel's and J. Habermas' terms), "the analysis of the rational structure of action for a single agent produces an *egological* moral theory which cannot justify intersubjective moral validity" (*Ibid*).

Benhabib claims that the "communicative ethicist asks: what principles of action can we all recognize or agree to as being valid if we engage in practical discourse or a mutual search for justification?" Thus, she thinks of universalizability as "a test of *communicative agreement*" rather than "a test of *noncontradiction*" (*Ibid* 336).

In order to save communicative ethics from the Hegelian critique and from other critiques against the principle of universalization (U), Benhabib offers to exclude 'U' from the program of discourse ethics. She claims that together with the principle of discourse (D), the principles of egalitarian reciprocity and universal moral respect are sufficient alone, i.e. 'U' is "redundant" in Habermas' theory (*Ibid* 344-345). To remind, "'D' states that only those norms can claim to be valid that meet (or could meet) with the approval of all concerned in their capacity as participants in a practical discourse" (*Ibid* 344).

Benhabib also argues that, in Habermas' theory, "'U' has the effect of guaranteeing consent", however, consent is not a sufficient criterion for "truth" or "moral validity." Indeed, it is "the rationality of the procedure for attaining agreement which is of philosophical interest." Therefore, "we must interpret consent not as an end-goal but as a process for the cooperative generation of truth or validity" (*Ibid* 345). She insists that what makes the modern theories of universalization or moral justification worthy is not an expectation that "everybody would agree to the same set of principles" but that "these principles have been adopted as a result of a procedure, whether of moral reasoning or of public debate, which we are ready to

deem *reasonable and fair*" (*Ibid*). In other words, the stress is not laid upon the "*result*" but on the process and its inclusivity (*Ibid*).

Therefore, Benhabib says, "consent is a misleading term for capturing the core idea behind communicative ethics: namely, the procedural generation of reasonable agreement about moral principles via an open-ended moral conversation" (345). She introduces this novel view that "universalizability is not only a *formal procedure* but involves the utopian projection of a way of life as well" (346). With this assertion, Benhabib shifts the emphasis from "consensus to the idea of an ongoing moral conversation." That is to say, instead of concentrating on "*rational agreement*", she thinks about "sustaining those normative practices and moral relationships within which reasoned agreement *as a way of life* can flourish and continue" (*Ibid*).

Contrary to what Rawls claims, questions about justice are also moral questions since "justice is the social virtue par excellence" (Habermas qtd in Benhabib 349). Therefore, although defending a "*minimal-universalist* ethic"—egalitarian reciprocity, universal moral respect and 'D'—has an innate view of the good ('D' as a way of life), it is such a projection of the good life that in it each can assert their own vision of the good and also questions about justice (Benhabib 347). In this respect, discourse ethics is concerned with both "right" and the "good", i.e., with both "*political legitimacy*" and justification of moral norms—validity (*Ibid* 346-349).

Considering the plurality of perspectives (social positions) Habermas argues that

> under conditions of modernity and subsequent to the differentiation of the value spheres of science, aesthetics, jurisprudence, religion, and morals we can no longer formulate an overarching vision of the human good (qtd in Benhabib 350).

Moreover, Benhabib quotes Alasdair MacIntyre's definition on the good life to support the view that the very fact of the plurality or irreducibility of perspectives on the good replies to the neo-Hegelian critique against communicative ethics: The good life is "the life spent in seeking the good life for man" (MacIntyre qtd in Benhabib 350).

Therefore, Benhabib regards "neither the plurality and variety of goodness with which we have to live...nor the loss of certainty in moral theory to be a cause of distress." On the contrary, she claims that "value differentiation" inevitably urges us to "conceive of reason" in the image of "the light shed by bits and pieces of dispersed crystals whose contours shine out from under the rubble" (*Ibid* 350-351).

Pluralism

Following this tradition of criticism, neo-Aristotelians today, view late-capitalist societies as

> suffering from a loss of moral and almost civilizational orientation, caused by excessive individualism, libertarianism, and the general temerity of liberalism when faced with the task of establishing fundamental values (Benhabib 332).

And instead of blaming "capitalist economic and societal modernization" or the alienating effects of "technological changes" they consider "*moral pluralism*" as the "chief cause" of the democracy crisis (*Ibid*). This criticism also applies to the Habermasian model since there is an emphasis on inclusivity and intersubjectivity in his theory of moral argumentation.

In her essay "Difference as a Resource for Democratic Communication," Iris Marion Young makes a *pluralistic* account of public discourse and deliberative democracy which she calls a "politics of difference" (383). She states that the same emphasis is found in Arendt's view of a public space.

Young thinks that "a conception of publicity that requires its members to put aside their differences in order to uncover their common good destroys the very meaning of publicity because it aims to turn the many into one" (*Ibid* 401):

> The definitive quality of the public space is particularity: that the plurality of perspectives that constitute it is irreducible to a single common denominator. A claim to decisive authority reduces those perspectives to a single one, effectively discrediting the claims of other political actors and closing off public discussion. Meaning is not inherent in an action, but public, which is to say, constituted by the interpretive context among the plurality of perspectives in the public realm that confer plurality on action and thereby make it real (Lisa Disch qtd in Young 401).

Young defends the view that distinguishing between the notions of "identity" and "difference" enables one to see the positive aspects of various "social perspectives" in rational communication since each group encounters a different face of inequality in the complex structure of the modern societies, and thus they develop their own unique identities (*perspectives*) based on these experiences (*Ibid* 385). Social oppression, devaluation, economic inequality or discrimination are some of these "conditions under which we form our identities" (*Ibid* 392). Therefore, a politics of difference should be more concerned with such social factors behind different group identity formations rather than the commonalities that the people in the same group share. Politics of identity, however, is based on the irreconcilable segregations between different groups. This is why, she says, identity politics is, most of the time, criticized for making the situation worse by drawing bold lines between different groups of color, race, sex, economic class and so on (391).

Young does not give credit to the possibility of a "*mythic* neutral state" that some liberal thinkers defend—claiming that "we are all just human, simply individuals, and the social, cultural, economic differences among us should be ignored in politics", and politics is about finding the common good out of the convergent *interests* (*Ibid* 385). People of oppressed groups interpret this "humanist ideology" as a result of ignoring the "real material consequences of social group difference," and "forcing some to devalue their own particular styles and forms of life" as they are in contrast with the pseudo "neutral mainstream" (Young 386).

She argues that such an understanding stems from reversing the "causal story" (*Ibid* 386): The identity movements emerge as a response to "experiences of oppression and disadvantage that are attached to group designation" (*Ibid*).

Young defends the view that inviting different social perspectives to the public discussion enables *first*, the inclusion of everyone into the political process, and hence, provides a legitimate ground for decision making, and *second*, the development of a "more comprehensive and objective account of the social relations,

consequences of action, and relative advantage and disadvantage, than each begins with from their partial social perspective" (*Ibid*).

Young focuses on oppressed groups and tries to understand the formation of group identities from a perspective of intersectionality according to which the vulnerabilities of marginalized or discriminated groups overlap most of the time (*Ibid* 393). Kimberle Crenshaw's concept of "intersectionality" adds a new approach to "the fact that individuals are multiply positioned" and "each person's identity is a product of how he or she deals with his or her intersecting social positions" (Young 393). For example, a woman is vulnerable to paternalistic violence but if she is a person of color, e.g. black, the vulnerability for her is two times more than the white woman's. If she is homosexual the proportion becomes three, and if she is also disabled she is four times more vulnerable. Therefore, it is just impossible to disregard the importance of intersecting identities and perspectives in democratic dialogue, and find solutions out of a "single-angled analysis" ("A primer on intersectionality" 2).

Moreover, a stereotypical understanding of group identity is not enough for democratic communication since within the same group each individual may have his/her own social perspective.

> People who have a similar perspective on social processes and issues—on the norms of heterosexual interaction, for example—nevertheless often have different interests or opinions, because they reason differently from what they experience or have different goals and projects (Young 395).

Thus the more the number of people with different perspectives in a group discussion is, the more successful the dialogue is likely to become in overcoming exclusion and discrimination.

Young agrees with other theorists of deliberative democracy in that democratic process should be in the form of "practical reason for conflict resolution and collective problem solving" (*Ibid* 400). Thus she says, "democracy should be conceived and as far as possible institutionalized as a process of discussion, debate, and criticism that aims to solve collective problems" (*Ibid*).

Depending upon all these groundings, Young states that she sees difference as a resource for "enlarging the understanding of everyone and moving them beyond their own parochial interests" (Bohman qtd in Young 399). According to this view, deliberative democracy is a "process of public discussion and decision making that includes and affirms all particular social group perspectives in the society and draws on their situated knowledge as a resource" (*Ibid*). Young thinks that putting difference as a resource for democratic communication has three functions:

(1) "The presence of a plurality of social perspectives in public discussions helps frame the discourse in terms of legitimate claims of justice," because it "motivates claimants to express their proposals as appeals of justice" without a need to express them "in terms of a common interest" (*Ibid* 402-403).

(2) Similar to what is defended in Mill's argument for freedom of thought, conscience and speech, Young states that "confrontation with different perspectives, interests, and cultural meanings" provides people with a chance to see "the partiality of their own, and reveals to them their own experience as perspectival" (*Ibid* 403):

> Listening to those differently situated than myself and my close associates teaches me how my situation looks to them, what they think I stand to them. Such a contextualizing of perspective is especially important for groups that have power, authority, or privilege (*Ibid*).

(3) This is also an educative process since "expressing, questioning, and challenging differently situated knowledge adds to *social knowledge*." As they listen to others in discourse, people come to understand "the ways that proposals and policies affect others differently situated." So, participants "gain a wider picture of the social processes in which their own partial experience is embedded" (*Ibid* 404).

To sum up, Young admits that her politics of difference is an *ideal*, but according to her view, the ideal of a perspectives-based public discourse pays off even before it is reached—and even if it will never be reached. This is because, it justifies "a principle of the inclusion of different social perspectives," it "serves as a standard against which the inclusiveness of actual public communication can be measured," and "motivates action to bring real politics more into line with the ideal" (*Ibid*).

Institution Problem

Communicative ethics is also criticized for leading to "anti-institutionalist and fundamentally anarchistic" outcomes, since instead of focusing on the "shared ethos" of the society, it invites various perspectives into discourse (Benhabib 351-352). Benhabib replies to this critique as follows:

Although the principles of 'D' or 'U' do not directly provide a "theory of institutions" they have "institutional implications" according to which the discourse theory "develops a normative and critical criterion by which to judge existing institutional arrangements" (*Ibid* 352-353). Benhabib further argues that in modern multicultural societies although "it is doubtful that there could be a specification of the suppressed generalizable interest which would meet with the consent of all," the Habermasian criteria of the institutionalization of the public sphere can be used as a "critical yardstick by which to uncover the underrepresentation, the exclusion and silencing of *certain kinds* of interests" (*Ibid* 353). In other words,

> it is not so much the identification of the "general interests" which is at stake, as the uncovering of those partial interests which represent themselves as if they were general [...] Institutions can function as channels of illegitimate exclusion and silencing, and the task of a critical discourse theory is to develop a moral presumption in favor of the *radical democratization* of such processes (*Ibid*).

Finally, Benhabib sets a bridge between Arendt and Habermas and states that the "counterfactual ideals of reciprocity, equality, and the "gentle force of reason" are [already] implicit structures of speech and action with which the human life unfolds" (*Ibid* 358).

According to Benhabib, there are two domains forming the context of ethical discourse: (1) "Macroinstitutions of a polity, politics, administration, and the market," and (2) "culture..., interpretations of the good life, personality, and socialization patterns" (364). Morality "is always but an aspect" of this larger ethical context (*Ibid*). However, "under conditions of modernity...the moral point of view always judges the institutions of which it is a part," and thus, one should be capable of "distancing him or herself from the given cultural interpretation of social roles, needs, and conceptions of the good life" since this is where the modern individual

experiences "autonomy" (*Ibid*). In other words, one should be capable of questioning one's most deeply held norms and values; this is what the discourse ethics, and deliberative democracy is about.

Other Problems

In his essay "The Market and the Forum," John Elster states that Habermas' theory of deliberative democracy has two strong premises, one of which is the *pre-commitment of participants to rationality* before they join the public discussions, and the other is "the impossibility of expressing selfish arguments in a debate about the public good" (Elster 12). Briefly, Elster criticizes Habermas' theory from two respects; first, that the theory is Utopian to some extent, and second, that it neglects some basic qualities of human psychology. Elster states that he is not against the need for public discussion, but at the same time he defends the view that institutional and constitutional design should be taken more seriously (16).

Habermas states that, before the discourse takes place, "topics and contributions have to be organized, the opening, adjournment, and the resumption of discussions must be arranged" to "neutralize" the internal and external limitations to the discourse (DE 89). For this reason he insists that actual discourses must be made, but participants must assume and try to approximate the "discourse rules (3.1) to (3.3)" (*Ibid*). Since "discourses take place in particular social contexts" that is "their *participants are not Kantian intelligible characters but real human beings* driven by other motives in addition to the one permissible motive of the search for truth," there can be serious differences between *actual discourses* and *counterfactual estimations on discourses* (Habermas DE 89, Gaus CTL 123).

Elster's further objections to Habermas can be discussed as follows:

He states that (1) it would be *paternalistic* to force citizens to participate in public discussions, and expect them to be *rational elites* highly concerned with politics.

I find the first part of this objection strongly opposed to the idea of public participation and to the idea of enhancing public awareness in politics. I reply to this part with a question: "Isn't it more paternalistic to force citizens to obey the laws none of which are passed through their own will?"

Considering the second part of the objection, it can be said that, viewing politics as an end in itself and as an educative process—in the Arendtian sense—and regulating the public sphere as a medium of rational deliberation would develop people's rational argumentation skills and eliminate the need for elites.

(2) "Assuming unlimited time for discussions, unanimous and rational agreement might not necessarily ensue" (Elster 14). Indeed, unanimity rarely emerges, since there is always a time limit in discussions.

Cohen's and Benhabib's accounts of communicative ethics seem to undermine this critique. Because, by either considering the deliberative procedure on a well-organized institutional level or laying the stress upon re-politization of the people step by step—without bothering for the administrative affairs (politics as government) at first—, the considerations about actual consensus and space/time limitations dissolve. Furthermore, realizing the problem that actual consensus is unlikely to happen easily, Habermas himself shifts the emphasis from consensus to legitimacy—and thus to *inclusion*.

(3) It could be a false assumption that "the body politic as a whole is better or wiser than the sum of its parts," as political interaction makes people more selfish and irrational and causes "group-think" (Elster 15).

I think this is a misinterpretation of discourse ethics since Habermas does not claim that the body politic is wiser or better than anything. But he claims that the sum of individual interests always excludes many of the social perspectives—Young—and causes a legitimacy crisis in the formal democracy. Formal democracy is illegitimate

because its principle of action is not *inclusion* of *all*, but aggregating individual interests with methods of the market—bargaining with the people.

Moreover, the strong assumptions that "political interaction makes people more selfish and irrational, and that it causes "group-think" seem to be fals*er* than the so-called fallacy about "body politic." This is because political interaction urges people to see the things from the others' point of view and enables them to realize the fallibility of their own arguments.

Still another problem with Elster's understanding of democracy is that not all the democracies are *capitalistic*. There could be a state where the economical system is not capitalism, and hence individuals are not so egoistic, and the system is not liberal democracy.

(4) Unanimity might come from conformity not from rational agreement.

This objection is clearly another misinterpretation of discourse ethics since conformity rising from the admittance to the "unforced force of the better argument" (Habermas qtd in Berdal 35) cannot be defined as if it is a type of conformity resulting from pressure and fear. On the contrary, rational discussions are formulated to avoid practices of "group-think", "aristocratic disdain of the mass" or social coercion (Elster 16).

There is no problem with agreeing with the most reasonable argument. Besides, in discourse ethics, consensus on unjustified moral norms is not an option, thus unanimity necessarily comes from rational agreement. At least, all the unjustifiable arguments can be eliminated by a rational agreement.

Public discussions tend to provide a space for the unuttered ideas to be freely expressed, and also emancipate radical or marginalized individuals from the social and political oppression. On the contrary, liberal democratic theorists argue that first, the plurality of interests is an obstacle to "come to affirm a common good", and

second, the public is too ignorant to be relied on when charged with *making politics*. Therefore, sociological realists like Max Weber and Joseph Schumpeter believe that only elites can govern the people, and thus democracy should be limited to a negative right to turn the leaders over in the next election (Bohman & Rehg "Introduction" x-xi). Similarly, defenders of the economic view argue that the aggregative model of democracy, is a better option than the deliberative model to deal with *the problem of plurality*.

These considerations indicate that the theorists of formal democracy are more concerned with *managing* diversity by putting emphasis on the choices of the majority and reducing popular sovereignty to the negative rights of voting and vetoing. Meanwhile the needs and interests of minority groups are simply disregarded.

Deliberative democracy is, indeed, an ethical model for living together rather than a political system, whereas formal democracy is more like a political strategy for *managing diversity*.

5. 3. 2 Conclusion

It is true that Habermas sees deliberative democracy as a procedure the rules of which are expressed in his discourse ethics. Through this procedure, our normative claims to validity—normative rightness—are justified discursively. In this context, Habermas' model of deliberative democracy is procedural or "*formal*" since it only "provides a procedure [for] practical discourse" (DE 100). Nevertheless, it is not the case that his procedure is "formal in the sense that *it abstracts from content*" (*Ibid*). On the contrary, the discourse is full of content, and quite open to, i.e. "dependent upon contingent content" coming from outside: from the lifeworld (*Ibid* 101).

> From the perspective of the lifeworld to which the actor belongs, [communicative and strategic] modes of action are not matters of free choice. The symbolic structures of every lifeworld are reproduced through three processes: cultural tradition, social integration, and socialization. As I have shown elsewhere,[15] these

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[15] Habermas, J. The Theory of Communicative Action, vol. 2. Boston: Beacon Press, 1987. 140.

processes operate only in the medium of action oriented to reaching understanding (Habermas DE 99).

Concentrating on the distinction between communicative and strategic actions, Habermas states that processes of identity-gaining are indeed interactions of the first type and that communicative action is already a part of our inter-subjective relations (social life).

> Individuals acquire and sustain their identity by appropriating traditions, by belonging to social groups, and taking part in socializing interactions. That is why they, as individuals, have a choice between communicative and strategic action only in an abstract sense, i.e., in individual cases. They do not have the option of a long-term absence from contexts of action oriented to reaching understanding (*Ibid*).

According to the definition provided by "Civic Practices Network", deliberative democracy

> rests on the core notion of citizens and their representatives deliberating about public problems and solutions under conditions that are conducive to reasoned reflection and refined public judgment; a mutual willingness to understand the values, perspectives, and interests of others; and the possibility of reframing their interests and perspectives in light of a joint search for common interests and mutually acceptable solutions ("Deliberative Democracy").

Considering the given formulation, the best model of deliberative democracy seems to be that of Jürgen Habermas for at least three reasons. First, Habermas follows Arendt's notion of human freedom which is possible only through "publicity" and thus he concentrates on the concept of the public sphere as a medium of participation or political action in an Arendtian sense. Secondly, Habermas emphasizes the importance of the deliberation of all the people who are concerned with the process of democratic will formation, i.e. he does not put the stress on results or decisions that come out of the deliberation—contrary to the formal democratic model—but on the procedure itself. Lastly, his theory of communicative action and program of discourse ethics provide a well-grounded apparatus for *actual* deliberation according to which nobody is excluded from the process and everyone asserts their arguments on a rational basis. For all these reasons, I insist that Habermas presents the best theory of *rational* will-formation so far.

CHAPTER VI
CONCLUSIONS

Referring to the statements in the preliminary section, it can be said that the human condition in our present experience is the sum of problems like estrangement, apathy, worldlessness and depoliticisation—for all of which liberal democracy is (at least) partly responsible. In this system, political decisions are determined through market strategies and the people are considered as a mass. Therefore, decisions do not necessarily tend to the common good of the people. We have also indicated the problem that political systems, which regulate our lives, are created by professionals instead of the people themselves. And in terms of Arendt, this disempowerment is the reason behind the depoliticisation of the people. Hence, these facts urged us to search for a new conception of democracy which would lead us towards a re-politization of the people.

In this context, while criticizing the "liberal system" for causing depoliticisation, it would be contradictory to construct a new "system" in order to solve this problem. Therefore, the aim of this work was not venturing social engineering or creating new political models on behalf of the people. On the contrary, the point was finding a *voluntaristic* philosophical approach which endorses "active citizenship" and "public autonomy" so that the people could choose and determine the social and individual conditions under which they wish to live.

Thus, the second chapter was about the term "democracy" itself. According to the normative definition, the term 'democracy' refers to both a form of government, and a method of collective decision making among equals. After defining the term, we introduced the well-known pro and counter arguments on democracy. And finally, we investigated different forms of democracy, especially focusing on the ones which are relevant to this thesis.

These investigations were made in light of the political (instrumental) and ethical (intrinsic) values that democracy implies. In this respect, we have seen that

"inclusion" and "equality" are found in the essence of democracy and the normative definition of democracy already carries within itself the principle of autonomy. It is clear that the inclusivity and equality of a process of decision-making indicates its "democraticness" too. And the same thing is true for governments. If a form of government provides the people with a variety of opportunities to participate into the decision-making activities, it is *deeply* democratic. On the contrary, if it gives the people only a negative political liberty (right to vote), it is *formally* democratic. In this context, we have seen that deliberative and procedural models—together with the classical republican paradigm—favor deep (radical) democracy, and liberal models like social choice theory and the parliamentary system are formal democracies.

In the third chapter, we dealt with Rousseau's search for a legitimate social order. In the *Second Discourse*, he argues that inequality does not belong to the natural law and that people are independent and peaceful creatures in essence. Nevertheless, with the progress of civilization, the natural states of equality, freedom, and peace dissolve.

In *Of the Social Contract*, he considers the principles of justice upon which a social order—that the people deserve to live in—should be based on. In Rousseau's line of thought we have seen that in the civil state the only way of maintaining freedom is enabling self-rule or self-legislation. In the *Second Discourse* he had introduced man in the state of nature as a "noble" being who has not been enslaved by the laws of civil-society yet, because in the state of nature man was completely free—independent. Rousseau considers freedom as a peculiar aspect of man which distinguishes him from all other beings. Man's dignity comes from his freedom because a free man acts independently—without the influence of anyone. Freedom, at the same time, makes man a *moral being* since the source of morality is free will. In other words, we are responsible for actions that which we freely choose. Rousseau's thought on freedom—especially the concept of self-legislation—has left such a strong influence over Kant that his *Grounding for the Metaphysics of Morals* is based on the principle of freedom. Nevertheless, it should be noted that in Kantian

ethics freedom is transformed into autonomy. Whereas freedom is the transcendental capacity that rational beings can *act only according to their own rules*, autonomy is the principle that these self-imposed rules should never rely on any objects of volition but on pure reason only. And the prescription of self-made rules also requires us to treat each rational being as an end in itself and never as a means only.

Rousseau develops the notion of autonomy as the basis of legitimacy in political society. Contrary to the contractarian philosophers (Hobbes, Locke etc.), Rousseau is in line with contractualism because he claims that legitimacy of the social order does not stem from "the right of the stronger" but from the consent of the people on the political decisions.

Rousseau's autonomy is very different from the liberal conception of liberty as a negative right. Whereas the negative liberty is an imposition indicating the limits of our actions, autonomy is a two-sided concept. On one side, there is a positive principle according to which the people decide their own rules—i.e. perform action—and on the other, we obey only our self-imposed rules. Thus, even the notion autonomy is a sufficient reason to consider Rousseau as a defender of radical democracy.

The general will and sovereignty were the other concepts we examined in chapter three. In the civil state maintenance of freedom is dependent upon the condition that sovereignty is not alienated or represented. When the body politic comes together to decide on issues like the continuity of the social contract, drafting laws, choosing an executive government, evaluation of the government, and turning over the government or allowing its continuance; it is called "the Sovereign." And the activities of the sovereign serve for the determination of the general will which tends to the common good of the State.

While equating consent with legitimacy and claiming that the general will would tend to the common good Rousseau probably had in mind a universalistic idea of law—natural laws, prophets' or God's laws etc. as he emphasized that what is good

for all ought to be willed by all, i.e. rely on universally justifiable premises. At this point, once more we see the interaction between Rousseau and Kant. Nevertheless, what Rousseau could not see is that the laws of prophets or the obedience culture of antiquity—an unquestioned unity—were not examples of consent but obedience. As Riley explains, theories of volition are composed of two parts: First, "a theory of will as a moral agency, and second, a theoretical standard of rights to which will ought to conform" (96). The contradiction in Rousseau's volition theory is that the "standard (ancient perfection)" of morality "is itself non-voluntaristic; and therefore will" and its "standard" is contradictory (ibid). So, the problem of how to compose "free-will" with "rational authority" makes Rousseau's notion of the general will paradoxical (97).

Rousseau's notion of the general will generates further problems like the ambiguity and possibility of a "common good," difficulty of law-drafting—what should be the method?—and determining the general will, i.e. how to distinguish the general will from will of all. These problems indicate the imperfection of Rousseau's theory.

However the idea of active-citizenship and the positive side of his notion of autonomy caused us to see a connection between Rousseau and Arendt.

In the fourth chapter, we investigated Arendt's theory of action and politics which differs from the instrumentalist conception of politics, e.g. the one in liberal democracy. Arendt uses the term *vita activa* to define three activities which correspond to three human conditions. *Labor* is about satisfying our daily necessities and the human condition corresponding to work is *life*. Man has a biological life and he lives on earth with other beings. On the other hand, *Work* is the activity in which man creates the *intersubjicial world* that differs from the earth in its being artificial. Without a common world people cannot make a public appearance and reveal their identity. *Action* corresponds to the *plurality* and *natality* conditions of man. Natality implies that whenever a human being comes to the intersubjective world a miracle happens because human beings are the same only in that they are 'human,' but aside

from this they are all different; capable of creating miracles and pregnant to novelties. Therefore, human actions cannot be predicted—they stem from freedom.

Arendt bases her views on the pre-political period of antiquity. She claims that there people had at least two different lives: private and public. In their private life—which took place in the household—the citizens could satisfy their daily needs; and thus, when they went out of the house and came together with other citizens, they were liberated from necessities. In the public space, they were equal because they did not have a relation of "the ruler and the ruled," i.e., they were among their peers. Absence of rulers, i.e. the fact that all citizens shared the administrative responsibilities and enjoyed a public life, made them active, free and equal citizens who were capable of revealing their differences.

Therefore, Arendt is critical about the understanding of freedom found in the liberal paradigm because in that model the stress is on individual liberty and private life—economical liberty—and it results in a retreat from politics (BPF 149). She disagrees with the views of political philosophers who reduced the meaning of freedom to security (*Ibid* 150). According to her view, these understandings of freedom focus on the continuity of life (the daily routine) without interacting with politics and by putting security at the centre, i.e. by making bare life the highest good. This causes a reversal in the hierarchy of the activities within vita *activa*, and alienation to politics.

According to Arendt, the existence of a public space is the primary condition of being among others. People can only become "human" by being among their peers. In other words, togetherness is a *sine qua non* for being human. In the growing cities of the modern world, however, there is no public square, no bazaar, no agora, no arena and no large parks. And the existing ones where we can come together with others are fading away gradually. For this reason, in the modern world, while the private spaces enlarge, the individuals lose their publicity and become excluded from politics.

Opponents of Arendt's view of politics might claim that changing the world and making it a better place is not possible through political activism since there is always a serious amount of deviation between practices and idealizations of public participation. They might also argue that it is naive to disregard the importance of *economy* since it is the primary determiner of domestic and international affairs. This view regards issues of politics as 'economical matters' and democracy as a form of government the aim of which is to bargain between conflicting interests. Or others could say, "instead of wasting our energy on a communicative understanding of politics we should seek for means of actualizing the dream of revolution and changing the capitalist economic system which is the underlying cause of all inequalities and dilemmas of democracy." It is true to the extent that economic inequality is based on capitalism and power groups dominate the course of events under the guile of popular government. Nevertheless, as Arendt has successfully exposed, the things which are worth serious consideration are not solely economical issues.

Furthermore, is it reasonable to expect that the same people will establish a better world? Can revolution be successful without the support and awareness of all the people, about the necessity of changing the previous one? Or can it succeed in making the new order a more just one, and in preventing the wars and abuses of rights? The need for a deliberative society—or rather re-politization of the people—lies at this point: for us not to be the same persons. Therefore, in Arendt's view, more than being an *administrative art*, politics is—or should be—about being free and being human. Thus, she defines public space as a space of *appearance*, and she claims that people can only reveal themselves—who they really are—by making a public appearance. In this public encounter, we use words and speech to inter-change our self-referential points of view—as a result of which we can change.

In chapter five, we examined the problems generated by the formal/representative model and continued to search for a new conception of democracy. These problems can be summarized as follows:

Formal democracy uses the method of vote counting instead of rational agreement. The rules of voting (e.g. election threshold, majority principle) and the voted content itself are determined through members of the parliament so that unspoken views or options are easily ignored. Whereas public participation demands an interaction of citizens and sets respect for the plurality of ideas and identities as a basic value of democratic citizenship, formal democracy tries to compromise between antagonistic interests and bargains with them. Another problem is that, whether the majority of the people or less than a half elects them, the governors can easily turn out to be tyrants and the people are not given a chance to veto the government *in time*. Moreover, in formal/liberal democracy, the religious or wealthy classes have such a strong political power that ordinary people cannot change the economical system through elections. Precisely, media and other means of propaganda like education system are under the control of these groups and the people are systematically brainwashed. The mainstream view is that public space should be reduced to the territories of the formally organized *parliament*. This view is rather *exclusive* because economic affairs (benefits of the privileged/powerful groups) and the dominant culture (opinions of majorities) determine the agenda of government and minorities remain unrepresented.

As one of the meanings attributed to democracy was the principles of social equality and respect for each individual within the community, no liberal state disregarding social justice and being disrespectful to the individuals can be considered "democratic." In short, formal democracy being under the effect of capitalistic values is inconsistent with the notion of genuine democracy.

In the second section of the fifth chapter we continued our search for new conceptions of democracy. Therefore, first, we examined Cohen's liberal deliberative model and realized that the idea of Rawlsian substantive rights was intrinsic to his model. Finally, we investigated Habermas' procedural theory of democratic will-formation.

Habermas builds his own account of ethical cognitivism and argues that there is a parallelism between political and moral norms because the justification of both depends upon their openness to rational criticism. Unless a moral or political norm is justified through rational discourse with the participation of all concerned, it cannot claim to be legitimate. Therefore, an intersubjective recognition criterion of moral justification needs to be introduced: the principle of universalization.

We have also challenged the neo-Hegelian and neo-Aristotelian objections to the Habermasian model. Benhabib replied to the neo-Hegelian objection by stating that the principle of universalization is a test of inter-subjective recognition of our moral norms, and thus it provides an inclusive model for decision making. And Young's reply to the neo-Aristotelian critique of communicative ethics has shown the value of plurality and different social perspectives in public will-formation processes. Contrary to the formal conception of democracy which sees plurality of interests as a problem and something to manage, Young suggested that difference can be considered as a resource for intersubjective decision-making.

In brief, the individualist structure of present societies is opposed to the notion of political autonomy since autonomy requires the people's awareness and interest in public matters and, above all, participation in the process of making their own laws. We have argued that these notions make Rousseau a defender of deep democracy 'in principle.' Through Arendt's view of politics, we criticized the conception of negative freedom in liberal democracy. And blamed it as a reason behind depoliticisation of the people. Arendt insisted that politics is the field of human-action and it requires publicity to reveal one's identity. In the section on the problems of liberal democracy, the mainstream idea of a formally organized public sphere (the parliament) was rejected, and other problems of the representative model—the problem of open content, idiocy, problem of the tyranny of the majority, problem of representation, technical barriers and the control of wealthy classes—have shown that it is a problem-ridden model and also inconsistent with the intrinsic values of democracy (inclusion, equality, plurality, freedom) all of which have been defended throughout this thesis.

The emphasis on inclusion, legitimacy and rational consent in Habermas' discourse ethics is consistent with the ideal of democratic will-formation. And since, from the beginning, we insisted that democraticness of political processes or forms of governments depend upon the service they provide for the re-politization of the people, Habermas' proceduralism or discursive theory of democracy seems to be the best philosophical approach for this ideal up to now. And the ideal of active citizenship itself is interrelated with inclusive politics and communicative ethics which we consider as 'ethics of democracy' in this thesis.

These are not utopian ideals in the sense that the criteria of rational argumentation are already implicit in the genuine notion of democracy, and familiar to *all* who use critical thinking in their judgments about common matters, i.e. moral and political concerns. However, the point we tried to make is that this ideal should be considered as a 'democracy culture' rather than a political system, according to which differences are seen as resources to enlarge our vision, and in the making of political and moral decisions the people are not excluded from the process of will-formation or limited by a negative right to vote.

REFERENCES

"A primer on intersectionality." *African American Policy Forum*. 10 Jan 2011. URL = <http://aapf.org/wp-content/uploads/2009/03/aapf_intersectionality_primer.pdf>.

Arendt, H. *Between Past and Future*: Six Exercises in Political Thought. "What is Freedom?" New York: Viking Press, 1961. 143-171.

--. *On Revolution*. New York: Viking Press, 1965.

--. *The Human Condition*. London: The University of Chicago Press, 1969.

Benhabib S. "Afterword: Communicative Ethics and Current Controversies in Practical Philosophy." Ed. Benhabib, S. & Dallmayr, F. *The Communicative Ethics Controversy*. Cambridge: MIT Press, 1995.

Berdal, S. R. B. *Public deliberation on the Web*: *A Habermasian inquiry into online discourse*. Hovedfag Thesis. Dept. of Informatics, University of Oslo, 2004.

Bohman, J. & Rehg, W. "Introduction." Ed. Bohman, J. & Rehg, W. *Deliberative Democracy: Essays on Reason and Politics*. Cambridge: MIT Press, 1997. ix-xxx.

Christiano, Tom. "Democracy." *The Stanford Encyclopedia of Philosophy* (fall 2008 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/fall2008/entries/democracy/>.

Cohen, Joshua. "Deliberation and Democratic Legitimacy." Ed. Bohman, J. & Rehg, W. *Deliberative Democracy: Essays on Reason and Politics*. Cambridge: MIT Press, 1997. 67-93.

Copleston, Frederic. *A History of Philosophy Volume VI: Modern Philosophy: From the French Enlightenment to Kant*. Broadway, New York: Bantam Doubleday Dell Publishing Group Inc, 1994. 92.

Curran, James. *Mass Media and Democracy: A Reappraisal*. "Mass Media and Society." Ed. James Curran, Michael Gurevitch. London: Edward Arnold Press, 1992. 82-117.

"Deliberative Democracy." *Civic Practices Network*. 16 Dec. 2010. URL = <http://www.cpn.org/tools/dictionary/deliberate.html>.

"Democracy" URL = <http://www.answers.com/topic/democracy>. Retrieved 17.01.2010.

Elster, John. "The Market and the Forum: Three Varieties of Political Theory." Ed. Bohman, J. & Rehg, W. *Deliberative Democracy: Essays on Reason and Politics.* Cambridge: MIT Press, 1997. 3-34

Gaus, Gerald. F. *Contemporary Theories of Liberalism.* London: SAGE Publications, 2003.

Habermas, J. "Discourse Ethics: Notes on Philosophical Justification." Ed. Benhabib, S. & Dallmayr, F. *The Communicative Ethics Controversy.* Cambridge: MIT Press, 1995.

--. *Legitimation Crisis.* Cambridge: Polity Press, 1992.

--. "Popular Sovereignty as Procedure." Ed. Bohman, J. & Rehg, W. *Deliberative Democracy: Essays on Reason and Politics.* Cambridge: MIT Press, 1997.

--. *Structural Transformation of The Public Sphere.* Cambridge: MIT Press, 1993.

--. "Three Normative Models of Democracy." Ed. Benhabib, Seyla. *Democracy and Difference: Contesting the boundaries of the political.* New Jersey: Princeton University Press, 1996. 21-30.

--. "The Public Sphere: An Encyclopedia Article (1964)." *New German Critique*, No. 3, (Autumn 1974). 49-55.

--. *The Theory of Communicative Action*, v.1. "Reason and the Rationalization of Society." Boston: Beacon Press. 1984.
Honneth, Axel. "Democracy as Reflexive Cooperation: John Dewey and the Theory of Democracy Today." *Political Theory*, Vol. 26, No. 6 (Dec., 1998), 763-783.

Kant, I. *Grounding for the Metaphysics of Morals.* USA: Hackett Publishing Company Inc, 1996.

Lovett, Frank. "Republicanism." *The Stanford Encyclopedia of Philosophy* (Summer 2010 Edition), Edward N. Zalta (ed.), URL =
 <http://plato.stanford.edu/archives/sum2010/entries/republicanism/>.

Montesquieu, *Spirit of the Laws.* Book XI.

Mill, John Stuart. *On Liberty* (1859). Chapter in Ebenstein, William. *Great Political Thinkers: Plato to the Present*. USA: Dryden Press, 1969. 564-601.

Miller, D. *Political Philosophy*: A Very Short Introduction. New York: Oxford University Press, 2003.

Plato. *The Republic*. Middlesex: Penguin Books, 1983.

Rawls, John. *A Theory of Justice*. Cambridge, Mass.: Harvard University Press, 1971. 64-65.

Riley, Patrick. "A Possible Explanation of Rousseau's General Will." *The American Political Science Review*, Vol. 64, No. 1 (Mar., 1970). 86-97.

Rousseau, Jean Jacques. *Discourse on the Origin and Foundations of Inequality among Men or Second Discourse*. UK: Cambridge University Press, 2004.

--. *Of the Social Contract or Principles of Political Right*. UK: Cambridge University Press, 2004.

Schmitt, Carl. *The Crisis of Parliamentary Democracy*. Cambridge: MIT Press, 1992. 22-50.

Sennett, Richard. *The Fall of Public Man*. New York: W. W. Norton & Company, Inc., 1992. 15.

Tocqueville, Alexis de. *Democracy in America* (1835-1840; trans. Henry Reeve, 1835-1840). Chapter in Ebenstein, William. *Great Political Thinkers: Plato to the Present*. USA: Dryden Press, 1969. 547-563.

Young, Iris M. "Difference as a Resource of Democratic Communication." Ed. Bohman, J. & Rehg, W. *Deliberative Democracy: Essays on Reason and Politics*. Cambridge: MIT Press, 1997.