"The history of democratic theory II"

Introduction

Why, and how, does democratic theory revive at the beginning of the nineteenth century? These questions are answered differently by different theories, and the answers have to do with different interpretations of the relation of democracy to modernity. I will first make some general remarks about the late-eighteenth and early nineteenth centuries as a turning point in democratic theory, and then go on to look at four approaches to democratic theory that emerge in the nineteenth (and one early in the 20th century): utilitarianism; de Tocqueville; Marx; and Weber. Each contains a distinctive understanding of the relation of democracy to modernity, as well as a distinctive explanation of why democracy has revived and how the value of democracy can be defended.

First, the American war of independence and the French revolution can be understood as the culmination of the early modern period. As already discussed, theorizing about democracy falls victim to the fragmentation of post-Roman Europe. Until the eighteenth century, democracy remains what it was for the ancient Greeks – a form of government that might have some role to play in a good government, but only as a component. Neither theorists nor political actors considered themselves democrats, and most followed Plato's and Aristotle's concerns that democracy could not promote justice.

During the renaissance the revival of Roman law and the persistence of republicanism, especially in the Italian city-states, made it possible to consider broadening participation in public life. These were emboldened by the growth in commerce, which brought with it increased wealth and greater independence and power to a commercial class whose competitive and individualist senses of virtue became more generally acceptable. Together with the development of humanism and especially scientific rationalism the new commercial ethics made possible the belief that a wider range of people could participate in the public world alongside the traditional nobility and the clergy.

Early modern sovereignty came to reflect this early form of populism, as well as, in certain respects, a juridical system in which sovereignty was embodied in law. As early as the 11th century the Dominican Friar Thomas Aquinas argued that sovereignty depended on the rule of law, not the personal power of the king. The king, Aquinas argued, was the servant of the common good (although Aquinas did see the king as the source of positive law). In the sixteenth century, the French philosopher and legal scholar Jean Bodin, in developing the first full-fledged modern theory of sovereignty, insists that while the king is absolutely sovereign in the sense that there is no earthly power above him, he is bound to follow "the fundamental laws of the kingdom." It was not that large a step from here to the 17th and 18th century view that sovereignty was a representation of the nation and the people, a metaphysical as much as a corporeal entity.
I would suggest that the American war for independence and the French Revolution be seen as a culmination of this early modern theory of sovereignty. Both draw out 'democratic' elements in that view of sovereignty, especially by applying to it a liberal theory of natural rights, and a renewed valorization of the republican ideal of civic virtue (i.e. of an active citizenry). Neither, however, develops a new theory of democracy, although radical liberals in England (a group called 'philosophical radicals' that included Mary Wollstonecraft and Robert Owen) will be inspired by the French Revolution to argue for an egalitarianism that approaches, in turn, feeds activist calls for universal suffrage and political reform, and de Tocqueville will be inspired by his travels in Jacksonian America to develop a distinctly modern theory of democracy. We will begin, then, with de Tocqueville.

**Alexis de Tocqueville**

De Tocqueville situates modern democracy in the historical context of the decline of the feudal aristocracy. Democracy, he says, is becoming the dominant, we might even now say hegemonic, form of government. The United States is in the forefront of a historical movement toward democracy because of its peculiar historical circumstances, especially that it never had a feudal aristocracy. Therefore, Tocqueville believed, the United States can develop the forces of modernity more fully and in a more pure form than the Europeans (he is especially concerned with comparing America to France).

What Tocqueville means by democracy is more expansive than the democracy of the classical theory. **First, to Tocqueville, democracy is a form of society even more than a form of government.** Democracy refers, first and foremost, to a spirit of equality among the people. This equality is material, but it is primarily a social equality. On the material level, Tocqueville accepts that modern society involves more and more people in a 'middling' position, that is, the development of what we would now call a middle class. On the ideological level, the belief in a natural hierarchy of persons that underlay the privileges of the nobility has been largely defeated. The result is a pervasive sense of social equality, that everyone is equally entitled to their own interests, and to pursue their own lives as they choose. No one is naturally any better than anyone else, although some, through their own actions may come to merit more rewards than someone else. While these trends are truer of the United States than of Europe, Tocqueville is convinced that democracy is the wave of the future. This is not, to Tocqueville, an entirely positive development, for it means that society will have a quality of mediocrity. One does not expect greatness from democracies. In Tocqueville’s view, democracy produces a society in which people are comfortable, individuals concerned with their own interests, but largely devoid of extremes and ambition.

Second, and complimenting the idea of democracy as a form of society, is the **inexorable development of individualism.** The spread of rationalism, capitalism, and the belief in individual natural rights creates an inevitable individualism in modern societies. This is to say, Tocqueville is very much a liberal (for a time he was a
representative for the liberal party in the French assembly). Tocqueville's writings have relatively little to say about economics, but he does recognize the social consequences of capitalism, that is, an alienation of individuals from one another and from the community. People will act according to their own self-interests, but he argues through education and participation in the politics of the local community people will recognize their "self-interest properly understood", i.e. they will recognize the ways in which their own self-interest is bound to the interests of and cooperation with others in the community.

A third important component of Tocqueville's expansive account of modern democracy is the rise of civil society, which he understands as a sphere of public action outside of the formal institutions of government, but likewise outside the private family. This 'public sphere' consists of voluntary associations. In modern democracies, most people will not be directly involved in government. Modern democracies are representative democracies. But this does not mean they do not participate in public life. They do so on a voluntary basis, based on their own interests, likes and dislikes. Most of these are local, the real basis of community.

Again, the democratization of modernity is not an entirely beneficial development. Along with Tocqueville's regrets about the passing of the aristocracy and its values and spirit of honor, he was concerned the democratization of society produced new forms of domination. Two were most prominent. Most often noted is his discussion of the 'tyranny of the majority'. This is not only a formal matter of majority rule in government, but also more a matter of the influence of public opinion on people's prejudices. Formal, political rights and social equality did not guarantee freedom if public opinion imposed social and moral conformity on minority opinions. Tocqueville also worried about racial prejudice, especially in America. He worried both that democracy had not prevented the slaughter and expropriation of land from the Indian tribes, and that it offered little that might help to resolve the problem of slavery and prejudice against Blacks in America.

**Utilitarianism**

Utilitarianism is an ethical and moral theory that arises at the end of the 18th and early in the 19th centuries. Its main proponents are Jeremy Bentham and James Mill (the father of John Stuart Mill). They were influential in social and political reform movements in England, and utilitarianism developed a following in other European states as well, especially in France and in the United States. It survives today in several forms, including rational choice theory in the social sciences. The central principle of utilitarianism is to promote "the greatest good of the greatest number."

Just as had Tocqueville, Utilitarians set democracy within an interpretation of the distinctiveness of modernity. While Tocqueville had seen this distinctiveness in its social equality, the utilitairans stressed the decline of the problematic of political sovereignty. They argued that the real problem with modern states was how to ensure the continued progress, rationality, and welfare of the population, not with the
domination of the common people by the nobility and the king. The political problem of modernity, they argued, was to overcome the social impediments to progress and the general welfare. Under conditions of modern capitalism and rational law, only doing this could ensure social order. Social order came about by means of the industriousness of the population. It could no longer be ensured by direct political will. The central problems of government were economic and social: poverty, health, and the food supply. In short, to the utilitarians politics was a matter of governing the population, rather than ruling the people. Politics was about administration, not virtue or the will of the sovereign (utilitarians denied the idea of a 'general will').

Democracy for the utilitarians was the most efficient form of government under the conditions of capitalism. It is seen primarily as a protective mechanism. Democracy is necessary as a protective of liberal (rights based, individualist) civil society. Democracy was the best form of government to administer and protect individual freedom in the sense of economic initiative, private property rights, and technical scientific development. All of these were seen as flourishing only outside of traditional sovereignty. Economics and politics had to be strictly separated, and the latter subordinated to the former.

For the utilitarian argument, democracy arises not as will but as reaction. The theory must eliminate from the concept of democracy all elements of political, public will – hence the hostility to any notion of a general will, or common/public good. The problem with these is not merely epistemological (that the public will cannot be known) but ontological (that a conception of the public will threatens the primacy of the social and individual).

To utilitarians, society is essentially a giant machine in need of management: the state must ensure such management, and protecting individual rights is a crucial part of this because progress comes from individuals. Democracy, then, arises not from will, but as a response to the new structural conditions of a capitalist, rationalist and individualist society. Democracy is necessary not a product of any person's, or sovereign's will. Having isolated economics and politics, and filling the gap between them with social welfare (or what we might call 'life politics' – the regulation of the population in order to ensure progress in health, welfare, and productivity) democracy became both necessary and limited. In a sense, utilitarian politics depoliticizes democracy; democracy becomes not the will of the people, but the management of individual benefits and gains (hence, the belief held by some utilitarians that the state functions best when run be experts).

**Karl Marx**

To Marx, democracy's revival in its modern representative form during the late eighteenth and nineteenth centuries reflected the current form of class struggle between the proletariat and the bourgeoisie. In the *Communist Manifesto* and elsewhere, Marx argued that the distinctiveness of capitalism was that it polarized society between just two classes: the minority that owned the means of industrial production and the
majority that did not and therefore had to 'sell' their labor in the market in order to survive. Essentially, individualist, representative democracy becomes dominant as the form of government in modern states because it reflects the class struggle.

Democracy, in its liberal, bourgeois form, is a symptom of capitalism. It is a governmental form in which people appear to have rational control over their lives, but this is an illusion. Bourgeois democracy is limited because it is a political order that does not get at the real source of domination, which is in the system of production. Therefore, the popular will remains an illusion, a form of false consciousness. Only by taking control of the system of production, rather than relying on the political apparatus will real emancipation result, and will people really be able to govern according to their will (i.e. only with social and economic democracy will popular sovereignty be made real).

Liberal democracy is useful to the bourgeoisie (the ruling class) because it creates the illusion of rule by all of the people, based on their rational will, while, at the same time, cordoning off the economy (as non-political) so that the real sources of domination are never addressed within the political system. The preoccupation with individual rights and procedural justice insulates the real system of oppression in the system of production from political action. (Marx argued that utilitarianism was just such a rationalization of this state of affairs in which democracy was limited to the political sphere making political criticisms of the structure of capitalism illegitimate because they are in the 'private' and economic sphere.)

Democracy, even bourgeois democracy, is useful to the working class because it allows it to organize, promotes education, etc…. But it must be remembered that because liberal democracy leaves the regulation of work life and production to the market, it is not itself real democracy (if we take that to mean popular sovereignty or rule by the people). It is possible to argue, as several commentators on Marx do, that Marx's own politics, as well as his ideals for a communist society, are a form of radical democracy in which everyone will participate equally. This Marxian democracy has been understood in a number of ways: as a democracy of the work place in which workers would control production and work life through direct democracy in the factory; or as some form of social democracy in which workers would directly control industry by democratic means; or in 'revisionist' form as a social democracy in which the state would still be organized according to representative democratic principles, but the state would directly intervene to ensure that the economy worked toward the social good, not the good of individual profit.

Max Weber

Max Weber, early twentieth century German sociologist and social theorist, offers a fourth explanation of the rise of democracy in modernity.

As the modern state consolidates its power, territorial integrity and control become essential to the state's continued existence. Weber defines the modern state as "the
monopoly of the legitimate means of violence" within a particular territory. State power takes two primary forms: the military, and bureaucratic rationalization. This power is the result of several primary forces driving modernity: rationalization (the increasing reliance on science, technology, reason, and law); secularization (the separation in society of the sacred and the profane); and individuation (the radical social division of labor that alienates individuals from one another).

Democracy in a representative, parliamentary form (Weber emphasizes representation and the rule of law as central to democracy) is the most appropriate constitution for ensuring the continued development of modernity and its core social forces. In addition, territoriality is very important (i.e. the fact that the modern state is a nation-state, enclosed within a particular territory and informed by a particular national history and culture. Therefore, modern democracy requires nationalism.

However, democracy is not a guarantee against oppression. Nor is it a guarantee of the continued progress of modernity (this can be seen as a critique of utilitarianism). Democracy cannot, also, guarantee that modernity's forces will not be used for reactionary ends, as they were in Fascism and Nazism, or in the creation of a military-industrial complex of ever-increasing and irrational devastation (as some sociologists following Weber argued in the 1950s and 1960s).

The modern democratic state does not represent an end of domination. Weber is critical of any theory of democracy that explicitly or implicitly suggests that democracy in reality represents the real, popular will of the people. Rather, the modern democratic state is itself a form of domination.

**Conclusion and assignment**

We will hear echoes of all of these theories in the current debates about globalizing democracy. I would like you to respond (in emails to the entire group) to this lecture (and to the first one) in two ways:

1) I have summarized these theories quite quickly and schematically. I also realize that some of you have more background in history and theory than others. So, I would like you to ask questions about elements of the theories about which you are not sure, or about which you would like to know more;

2) Discuss: all of these theories assume that the modern state is defined territorially (except, perhaps, Marx). But how might proponents of each theory extend the theory to cover international relations and globalization?

I will then respond to the group, as should any of you who want to try to answer your fellow students' questions or to comment on their answers. I expect each student to make at least one contribution to this discussion.