

Week 1: Discussion (with reading notes at the end)

What is the most democratic country in the world? Why?

What is democracy? **Brainstorm in groups.**

Are all of these things compatible with each other?

Be sure to bring up:

1. questions about citizenship and suffrage (Shklar)
2. questions about equality (Dworkin, SDS)
 - of resources
 - of power (influence, impact)
 - Dworkin: dimensions of equality (horizontal, vertical)
3. questions about majoritarian and non-majoritarian institutions (Dworkin v. Walzer), with particular attention to the courts
4. questions about direct participation (Walzer, SDS)
5. questions about outcomes vs. inputs (Dworkin, Shklar, Hand re: self-protection, SDS)

What are the advantages of democracy?

1. self-protection (Learned Hand)
2. opportunities to peacefully transform hierarchies of status and power (Hand, Walzer)

What are not advantages inherent in democracy?

1. equality of outcomes (Shklar)
2. individual voice (Shklar, Hand)
3. policies promoting the "common good" (Hand)

IV. Quiz (not for a grade, but to check comprehension)

1. According to Dworkin, why is an equality of influence not desirable in a democracy?
2. According to Shklar, the right to vote serves an intrinsic purpose, but not an instrumental one. What does that mean?
3. According to Walzer, what is the fundamental problem with deliberative democracy?

Notes about the Readings

Sklar: voting not as instrumental (as a factual matter, it has not served this purpose), but as a mark of political equality, dignity, recognition as a full human being in a regime of natural rights. Note that people who get the vote then attempt to prevent its further extension, arguing that they are better people than the excluded groups. Or for the women's movement, arguing that they are better people than the black men who had already been given the right to vote. Another prominent argument for extension of the suffrage: citizen-soldier. A common argument against extending suffrage: you need a stake in the republic to have the right to participate in its management.

Dworkin:

- two conceptions of democracy: dependent and detached
- two modes of political power: impact and influence
- two dimensions of equality: horizontal and vertical

Political goals in an egalitarian society:

- symbolic goals (equality of the vote within districts, equality of impact across districts)
- agency goals (requires liberty and leverage, which probably require an equality of resources)
- distributive goals:
 - accuracy of choice-sensitive decisions
 - institutions for arriving at choice-insensitive decisions

The questions: is judicial review democratic? For dependent conception of democracy, yes.

- Judicial review does not offend any symbolic or agency goals. It does not impair equality of vote, nor does it damage liberty and leverage. Instead it guards those goals by giving special protection to freedom of speech and to the other liberties that nourish moral agency in politics. And it really augments the leverage opportunities of minorities that simple voting does not. Judicial review doesn't harm accuracy of choice-sensitive issues, because they are deciding on choice-insensitive issues.

Learned Hand (1932):

Democracy as deeply flawed with regards to promoting the common good (instead a crass jostling of self-interest); but still a decent system of government in that it provides protection from war, abuse, instability, revolution. "In any society, the aggressive and insistent will have disproportionate power... Though I would prefer the small voice of reason, I do not propose to cry for the moon. In a world where the stronger have always had their way, I am glad if I can keep them from having it without stint [without limits]," (p. 98).

Walzer:

What kinds of activities are desirable in a democracy? Organizing, mobilizing, demonstrating, promoting one's own interests. Legitimate outcomes in a democracy are majoritarian. And that means organizing and mobilizing more people than the opponents. This is in contrast to the theory of deliberative democracy, where citizens (or elected officials, or bureaucrats) get together, set their personal interests aside, and decide what is best for society as a whole.

"Democracy's majoritarianism puts a premium on association and combination. Unions, like armies, are not strong if their members stop to deliberate about every action that the leadership commands. Organizers try to persuade people to act in unison rather than as speculating or deliberating individuals," (p. 93).

"The democratic way to win is to educate, organize, and mobilize more people than the other side does. "More" is what makes the victory legitimate, and while legitimacy is strengthened if good arguments can be made about the substantive issues at stake, the victory is rarely won by making good arguments," (p. 103-104).

"Political considerations are supposed to be ruled out when a civil or criminal trial is in progress because all jurors and judges should be united in their pursuit of justice. No such assumption is possible in political life, which is not merely adversarial but inherently and permanently conflictual," (103).

"Different interests and ideological commitments are often irreconcilable. Parties in conflict do negotiate but they are likely to feel that something has been lost in the negotiating process and reserve the right to reopen the discussion whenever conditions seem propitious. Permanent settlements are rare in political life precisely because we have no way of reaching a verdict on contested issues," (103).

Is deliberative democracy even desirable? Not really. Though certainly there is a place for argument in democracy, and citizens are served best when they remain open-minded and consider all the options, deliberative democracy would likely quash the what is best about democracy, and that is its ability to overturn hierarchies of wealth and power.

" In the real world (where inequality of wealth and power is always present), the theory of deliberative democracy seems to devalue the only kind of politics that could ever establish a practical egalitarianism," (p. 105).

Students for a Democratic Society, Port Huron Statement (1962):

SDS seeks a participatory democracy in which individuals share in those social decisions determining the quality and direction of their lives. Major social institutions should be organized with the well-being and dignity of man as the essential measure of success.

Why don't students participate in public life and protest more? Apathy, and apathy is a product of social institutions, and of the structure and organization of higher education itself. Student-administration and student-professor relationships are infantilizing. Plus academic study de-personalizes worldly experience. With administrators ordering the institutions, and faculty the curriculum, the student learns by his isolation to accept elite rule within the university, which prepares him to accept later forms of minority control. The real function of the educational system is to impart the key information and styles that will help the student get by, modestly but comfortably, in the big society beyond.

And the university mirrors the society beyond. Citizens are separated from power, isolated in their helplessness, and so just accept disastrous policies. A learned helplessness.

Making america more democratic: two distinct parties, not so much overlap. Less toleration of political opponents. Lobbying groups in which individuals can participate. Get rid of institutions that breed fear of speaking freely (eg., House Un-American Activities Committee). Make corporations publicly accountable. More non-military public spending. A program against poverty. A program for civil rights.

Why do they say that economic inequality blocks political equality? Government is too weak to regulate business effectively; where “a minority utterly controls enormous wealth and power,” the rich can exert overwhelming influence on domestic and foreign policy, thereby weakening the relative influence of the vast majority.

SDS says that the university system just reinforces the undemocratic nature of society, churning out graduates that are quiescent in the current system. But SDS also says that universities have the power to change this if they so desired, since they wield such influence on society and are "the only mainstream institutions that are open to participation by individuals of nearly any viewpoint. Thoughts?

These, at least, are facts, no matter how dull the teaching, how paternalistic the rules, how irrelevant the research that goes on. Social relevance, the accessibility to knowledge, and internal openness, these together make the university a potential base and agency in a movement of social change.

Also possible: questions about whether universities should be more democratic (which SDS seems to advocate); if they shouldn't how can they churn out democrats? Or more generally, what parts of society can be undemocratic without undermining democratic politics? Economy, family, school system?