

EMPIRICAL AND PARTICIPATORY DEMOCRATIC THEORIES:

THE LIMITS OF THE DEBATE

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ABSTRACT

Democratic theory is currently divided into two opposing schools: the Participatory, whose test of democracy is direct participation in government, unambiguous popular consent, and equality of influence on decisions; and the Empirical, which is satisfied with levels of indirect participation, tacit consent, and majority rule in the Western democracies.

This study seeks to show that the two schools share major assumptions about the definition and the justification of democracy. They assume that democracy subsists purely in a set of decision-making procedures, and that the only justification of the procedure is its pluralist approach to demands. Empirical and Participatory theorists dispute the interpretation of the principles of participation, pluralism, and political equality, but they concur that democracy requires a consensus on these procedural principles only. They also dispute the ideal form of government by consent, but they agree that the legitimacy of democratic decisions rests on the extent of individual consent.

The limits of the debate arise from a confusion

between democratic pluralism and moral relativism. Procedural principles define democracy only where they are part of a set of norms which includes those of authority, rationality, and the common good; a procedural consensus can guarantee democracy only where it is backed by a shared commitment to these non-procedural or substantive norms. Since the legitimacy of political decisions depends on their conformity with rationality and the common good, and not only on their place of origin, an adequate justification of democracy must demonstrate a logical connection between these standards and the democratic system. This study states the case for such a connection, and for a normative interpretation of participation, consent, pluralism, and political equality.

INTRODUCTION

The major empirical democratic theories arise from the findings of the behaviouralist project known as the voting studies. The voting studies challenge the thesis, which they attribute to classical theories, that democracy presupposes widespread participation and a fundamental societal consensus. Lester Milbrath finds that at least one-third of the United States electorate is politically apathetic, while a further 60% are "spectators": "they watch, they cheer, they vote, but they do not do battle."¹ McClosky, Prothro, and Grigg report that there is a low level of agreement among United States citizens on selected democratic principles.² Assuming that the United States is a democracy, the voting studies show the need for a revised theory of democratic presuppositions. As R.A. Dahl states the case,

what we call 'democracy'...does seem to operate with a relatively low level of citizen participation. Hence it is inaccurate to state that one of the necessary conditions for 'democracy' is extensive citizen participation.³

Since the 1960s, the most prominent critics of the empirical theory have been the theorists of participatory democracy. The debate between these schools deals largely with the issue of whether Western democracies, and by extension the empirical theory, are elitist. The Empirical theorists argue that interest-groups can secure for citizens

such benefits of participation as the articulation and the protection of interests.⁴ Although there is no societal consensus on democracy, the Empirical theorists claim, there is a supportive consensus among citizens on the legitimacy of government policy. Dahl finds that the people of New Haven hold "slack" power; they are ready and able to participate, should they be dissatisfied with the goals of government.⁵ Finally, the Empirical theorists argue that Western democracies fulfill the democratic condition that government proceeds by the consent of the governed. Those who vote consent expressly, these theorists claim, while non-participants consent tacitly.⁶

The Participatory theorists deny that the egalitarian norms of democracy can help to justify the empirical theory. The research of the Participatory theorists suggests that those who participate least are not those most satisfied with government, but rather those with a low sense of political efficacy.⁷ The normative theory of this school states that neither a comprehensive system of interest-groups nor a firm societal consensus can guarantee democracy. The representative and the group cannot secure all benefits of participation, since these include the moral development of the citizen. Voting and non-participation do not meet the conditions of government by consent, since the principle requires a continuous and unambiguous act of consent. The Participatory theorists conclude that the empirical theory does not

account for the central justifications of participation, consensus, and consent in classical democratic theory.⁸

Although the debate takes the form of a dispute about classical democratic theory, the two sides agree broadly that the theory stands for a strong or literal interpretation of the egalitarian norms of democracy. The main purpose of their references to classical theory is to portray the dispute between the Empirical and the Participatory theorists as permanent in democratic theory. The form of the debate makes us choose between the egalitarian but utopian democracy of the philosophers, old and new, and the realistic but elitist democracy of the political scientist. The aim of this study is to discredit the view that the Empirical and the Participatory theorists are, respectively, the principal alternatives and successors of classical theorists. The empirical theory is not in any strict sense elitist, I will argue, and the participatory theories do not represent the main philosophical objections to the empirical theory.⁹ The two schools do not subscribe to opposing democratic ideals, but to a set of shared assumptions about the definition and the justification of democracy.

The main shared premise in the debate is the definition of democracy as a set of decision-making procedures. Procedural or formal democratic theory distinguishes between democracies by the place of origin of decisions. The opposing ideal types of democracy are elitism, with restricted participation in the decision-making procedure,

and direct, participatory decision-making. This study shows the need for a normative or substantive theory, which includes criteria of evaluation of the substance of policies. Procedural theory reduces such criteria to the procedural norms of equality and individualism. Thus, for both the Empirical and the Participatory theorists political authority is power combined with consent; sovereignty refers to the ultimate power of the citizenry in a democracy; and the common good is the outcome either of interest-group pluralism and majority rule, or of face-to-face discussions and unanimous consent. Normative democratic theory holds that these classical principles are essential to the definition and the justification of democracy.¹⁰

Chapter One identifies the limits of the distinction between elitism and egalitarianism in an interpretation of the debate. Some early empirical theories respond to the voting studies by calling for restrictions on popular participation, and for an elite consensus on democratic norms. The first section of the chapter shows how the findings of the voting studies have led the Empirical theorists away from elitism, and towards the Participatory theorists' position. Both schools hold that a democratic result requires the participation of contending interests, and that any elite consensus will be conspiratorial. I describe this shared position as relativist, because it does not allow for standards by which to test the legi-

timacy of leadership. The second section considers the argument that the Empirical theorists' "instrumental" concept of participation commits them to an elitist position. I show that both schools explain and justify participation as an instrument to further individual political efficacy or power, and I state the case for a concept of participation as moral self-development. Finally, I argue that the instrumental and developmental concepts correspond not, as the Participatory theorists assert, to elitism and egalitarianism, but to despotism and just or normative leadership.

By means of an analysis of the debate on consensus, the second chapter demonstrates the assumptions underlying the procedural definition of democracy. The Empirical theorists define totalitarianism by its absolutist ideology; they reason that firm conviction about norms is incompatible with the flexibility and tolerance required by democratic pluralism, and they justify democracy by its lack of consensus on ideologies. The Participatory theorists reject consensus theory on the grounds that it justifies representation and a biased form of pluralism.¹¹ Both schools conclude that democracy requires a consensus on the validity of the democratic procedure only, though they dispute the proper form of this procedure. I argue that both positions rest on the false assumption that relativism is the democratic philosophy. I conclude that procedural consensus presupposes a societal consensus on

norms.

The third chapter examines the limits of the procedural definition of democracy as government by the individual consent of the governed. Although they disagree over the ideal form of consent, the Empirical and the Participatory theorists concur that any undisputed sign of consent is also an adequate indicator of democracy. My critique proceeds in three stages. First, the definition cannot help to rank and to justify actual democracies. Second, the authority of all governments, including democracies, must override individual consent. Third, if political legitimacy arises from popular consent, and if legitimacy implies an obligation to obey, the maximization of consent in a participatory democracy undermines the democratic right to dissent. In conclusion, I show that the limits of the debate on consent are a consequence of the procedural view of democracy. For both the right to object to authority and the duty to obey it are contingent on the ends of government.

The debate between the Empirical and the Participatory theorists concerns the interpretation of the procedural norms of pluralism, participation, and consent. The concluding chapter of this study shows that the two schools dispute whether to derive these norms from the principle of "prospective" equality, or from the stronger, "retrospective" equality. I argue that both principles are strong in that they are taken by their proponents to

be sufficient normative principles for democratic decision-making, and that both principles are weak in that they cannot guarantee a democratic result. The procedural norms are adequate to democracy only where they are part of a set of norms which includes those of justice, rationality, consensus, and the common good. If we are to retain them as democratic norms, we must derive the procedural principles from a normative concept of political equality, which both allows for and requires reference to these substantive norms.

FOOTNOTES -- INTRODUCTION

¹Lester Milbrath, Political Participation (Chicago, 1965), 21. See also Paul F. Lazarsfeld, Bernard R. Berelson, and Hazel Gaudit, The People's Choice, third edition (New York, 1944), 43; Angus Campbell, Gerald Gurin, and W.E. Mitchell, The Voter Decides (Evanston, Ill., 1954), 29, 33, 339-40; Bernard R. Berelson, Paul F. Lazarsfeld, and William McPhee, Voting (Chicago, 1954), 307; Angus Campbell, P.E. Converse, W.E. Miller, and D.E. Stokes, The American Voter (New York, 1960), 91, 542; R.A. Dahl, Who Governs? (New Haven, Conn., 1962), 276-7; Sidney Verba and Norman H. Nie, Participation in America (New York, 1972), 11, 27-32, 131, 338. For a summary of the voting studies, see Eugene Burdick, "Political Theory and the Voting Studies," in American Voting Behavior, eds. Eugene Burdick, Arthur J. Brodbeck (Glencoe, Ill., 1959).

²Herbert McClosky, "Consensus and Ideology in American Politics," American Political Science Review. 58 (June 1964), 365; James W. Prothro and Charles M. Grigg, "Fundamental Principles of Democracy: Bases of Agreement and Disagreement," Journal of Politics 22 (May 1960), 288. See also Samuel A. Stouffer, Communism, Conformity and Civil Liberties, second edition (Gloucester, Mass., 1963); Dahl, Who Governs?, op. cit., 319.

³R.A. Dahl, "Hierarchy, Democracy and Bargaining in Politics and Economics," in Political Behavior, eds. Heinz Eulau, Samuel J. Eldersveld, and Morris Janowitz (Glencoe, Ill., 1956), 87. Cited by Graeme Duncan and Steven Lukes, "The New Democracy," in Apolitical Politics, eds. Charles A. McCoy and John Playford (New York, 1967), 168.

⁴For William Kornhauser, The Politics of Mass Society (New York, 1959), direct and individual participation leads to deep ideological divisions in society. Interest-group pluralism is essential to political stability.

⁵Dahl, Who Governs?, op. cit., 305.

⁶Morris Janowitz and Dwaine Marvick, "Competitive Pressure and Democratic Consent," in Political Behavior, eds. Eulau, Eldersveld, and Janowitz, op. cit., 275ff. See also S.M. Lipset, Political Man (Garden City, N.Y., 1963), 185; Milbrath, Political Participation, op. cit., 145.

⁷ Lewis Lipsitz, "On Political Beliefs: The Grievances of the Poor," in Power and Community, eds. Philip Green and Sanford Levinson (New York, 1969), 154; Jack L. Walker, "A Critique of the Elitist Theory of Democracy," American Political Science Review 60 (June 1966), 290; Michael J. Parenti, "Power and Pluralism: A View from the Bottom up," in An End to Political Science, eds. Marvin Surkin and Alan Wolfe (New York, 1970), 130-1; Robert Pranger, The Eclipse of Citizenship (New York, 1968), 27-8, 51-2; Donald Keim, "Participation in Contemporary Democratic Theories," in Political Participation, eds. J.R. Pennock and J.W. Chapman (New York, 1975), 17-18; and Duncan and Lukes, "The New Democracy," op. cit., 175.

⁸ Carole Pateman, Participation and Democratic Theory (Cambridge, 1970), distinguishes between those classical theorists, such as J.S. Mill, Rousseau, and Cole, who recognize the "intrinsic" benefits of participation, and those, such as Bentham and James Mill, who do not. She argues that the empirical theory is successful in revising the position of the latter group only.

⁹ The complementary thesis is that classical democratic theory is not egalitarian. I do not argue this thesis, however, since an analysis of classical theory cannot resolve the substantive issues of the debate. References to classical theory in the debate are rhetorical; with the exception of Pateman's work, they are not central to the arguments of the two sides.

¹⁰ William H. Nelson, On Justifying Democracy (London, 1980), 22.

¹¹ The Participatory theorists do not oppose the system of pluralism, but only the use of the concept in describing Western democracies. As Purcell notes, they have focused their attacks on the accuracy of 'pluralism' as a description of American society...Debate has centered not on the problem of the rational justification of the ideal...but on the issue of its practical interpretation and implementation. Edward A. Purcell, The Crisis of Democratic Theory (Lexington, Ky., 1973), 267-8.

CHAPTER ONE

ELITES, PARTICIPATION, AND EQUALITY:

THE STATE OF THE DEBATE

Part One: Elitism and the Empirical Theory

The voting studies claim that most citizens in Western democracies are politically incompetent. A coherent response to this finding would either restrict participation in politics to the competent, or extend it to all citizens in the expectation that they will acquire political skills. The main task of this section is to discover which of these alternatives the Empirical theorists have chosen.

Walker and Bachrach charge the empirical theory with elitism on two related counts.¹ First, the theory states that political apathy among non-elites is functional to the maintenance of democracy. Second, it stipulates that democracy presupposes an elite consensus. The two theses arise from the finding that those who are least committed to democracy tend to be non-participants.² Berelson concludes that political apathy among these citizens helps to "hold the system together." He states:

extreme interest goes with extreme partisanship... which could destroy democratic processes if generalized throughout the community.³

The thesis of elite consensus follows from the finding that, in McClosky's words,

it is the articulate classes rather than the public who serve as the major repositories of the public conscience, and the carriers of the democratic creed.⁴

David Truman and V.O. Key conclude that a stable democracy presupposes agreement among these classes on the democratic creed. Key states that democracy requires "a sprinkling of persons throughout the population concerned by the public weal, and animated by a faith in the system."⁵ Truman calls for "a broad consensual perception of the threats to the system" among the ranks of this elite.⁶

Walker and Bachrach extend their charge of elitism to such justifications of the empirical theory as Dahl's slack power and Key's supportive consensus. Dahl's Who Governs? holds that non-participants are powerful in that leaders are obliged to anticipate their reactions to policies, and so consider their interests. "The political stratum is easily penetrated," he finds, "by those whose concerns attract them to the distinctive political culture of the stratum."⁷ Milbrath and Lipset argue that, if citizens opt not to articulate grievances, they must be satisfied with the goals of government. As Lipset puts the point,

it is possible that nonvoting is now, at least in the Western democracies, a reflection of the stability of the system, a response to the decline of

major social conflicts.⁸

Key supports this hypothesis by his finding that

most of the major policies and rules
of government are underpinned by
opinion distributions that are function-
ally supportive in the political system.⁹

The Empirical theorists hold that restrictions on participation and elite consensus are compatible with democracy where there is a consensus among non-participants on elite goals.

The Participatory theorists find that non-participants are neither apathetic nor satisfied with government.

Parenti's respondents "had a rather precise notion of what affected them."¹⁰ Their failure to articulate their complaints is, Parenti claims, a result of their ignorance of existing procedures, combined with the perception that their participation will not meet with success.¹¹ Parenti explains non-participation as

a pattern of negative reactions which
attempts to avoid direct exposure to,
and competition against, unresponsive
and unsympathetic authorities.¹²

Even if there were a supportive consensus on government among non-participants, the Participatory theorists argue, it could not justify an elite consensus. Bachrach states that elite consciousness of their power and responsibility "would deepen, not lessen, the crisis of American democracy." He points out that

a democratic and broadly based attack
against privilege could very likely be
interpreted by powerful elites as an

attack against the system.¹³

The main assumption of the participatory position is that a consensus restricted to leaders is a sufficient condition of elitism. Dye and Zeigler define a society as elitist where leaders

share a consensus about the fundamental norms underlying the social system...and [where they] agree on more matters than they disagree on.¹⁴

The Empirical theorists appear to accept this view in as much as they justify elite consensus by showing that it receives popular support. However, if the term "elitism" refers to an undemocratic form of government, its conditions ought to be more stringent than Dye and Zeigler suppose. For it is possible that a widely accepted elite consensus will concern the subversion of the rule of law. In spite of the participatory critique, it is also possible that an unpopular elite consensus will uphold democratic values.

One condition of elitism is cohesion among leaders. Elites should have a homogeneous background, and the means to restrict the circulation of elites. A second condition concerns the content of elite consensus.

Elitism implies that there is a conspiracy among leaders; that there is a "combination of persons for an evil or unlawful purpose...a plot."¹⁵ Leaders should give their own, sectional interests precedence over the common good. An elitist theory is one that justifies elite cohesion

and elite conspiracy.¹⁶ A consideration of elitism in the empirical theory must test the theory in the light of these conditions.

The term "elitist" is used widely to describe the classical elitist school, headed by Pareto, Mosca, and Michels. These theorists are elitist in that they explain and they justify the cohesion of elite groups. The classical elitists distinguish between two sections of society: the majority, who desire security and protection, and the small but dominant minority, who have a will to power. For this school the cohesion of elites arises from a trait of human nature which has the same consequences in every type of polity. Michels concludes from his study of the German S.P.D. that all political organizations are subject to an iron law of oligarchy. The classical elitists imply that elites will be conspiratorial, in the sense that they will pursue power and domination.

The Empirical theorists follow the elitists in positing a possible justification of elite cohesion: elites subscribe to democratic principles, and non-elites to partisan ideologies. However, this position differs from that of the elitists in at least one respect. For the classical elitists the will to power is natural or universal; it is given to, or presupposed by the social theorist. By contrast, the empirical theory relates democratic and authoritarian ideologies to the

citizen's level of participation. In McClosky's words,

why should consensus and support for democratic principles be stronger among the political stratum than among the electorate? The answer plainly has to do with the differences in their political activity and involvement.¹⁷

Lipset and Kornhauser find that those with the lowest levels of participation are those most susceptible to anti-democratic mass movements.

Joseph Femia describes the Empirical theorists' explanation of elite ideology as "institutional."¹⁸ These theorists hold that political arrangements are responsible for the difference of outlook between elites and non-elites. The institutional explanation implies that the thesis of elite consensus is not intended as a universal law of democratic theory. For Truman, Stouffer, and Key, the thesis is a temporary measure; a response to the movement known as McCarthyism.¹⁹ Lipset specifies that elite consensus is essential to democracy where there are sudden increases in participation among those opposed to democracy.²⁰ There is no logical reason why the Empirical theorists should not conclude on the basis of the voting studies that all citizens would come to subscribe to democratic beliefs in a participatory democracy. In the empirical theory, Joseph Femia notes,

there is no suggestion that the political elites are innately superior. The key variable, in this account, is participation in political systems...This line of

reasoning is fairly typical in pluralist literature. Yet its implications are quite radical; recognition of the educative impact of active political involvement enabled theorists like Rousseau, J.S. Mill, and de Tocqueville to justify the extension of popular participation and control. They perceived an intimate relationship between social institutions and individual psychology, and concluded that a stupid, narrow and selfish citizenry, far from being written in human nature, was the inevitable product of a society based on passive acquiescence.²¹

Just as the voting studies do not commit the Empirical theorists to the defence of elite cohesion, the studies do not aid in the justification of a conspiracy among elites. The voting studies report that most citizens claim to subscribe to democratic values; the Empirical theorists discover by means of a cross-examination of their respondents that most do not consistently support these values. For example, a majority of citizens express support for minority rights, but only an educated and active minority demonstrate a commitment to the specific rights of actual minorities. Truman, Stouffer, and Key call for an elite consensus on principles which most citizens respect, or would like to respect, but which few thoroughly understand and follow. The function of elite consensus in the empirical theory can be seen in Stouffer's claim that non-participants are anti-democratic because they

have not been as yet sufficiently motivated by responsible leaders of public opinion to give 'sober second thoughts' to the broader and long-range consequences

of specific limitations of freedom.²²

The Empirical theorists distinguish clearly between elite consensus and elite conspiracy. They demand an elite consensus not "for an evil or unlawful purpose," but in defence of democratic principles.

The empirical theory of elite consensus is not elitist in the sense of being undemocratic. However, I have argued only that a position in support of participatory democracy is compatible with the findings and the theories of the voting studies; I have not shown that the studies entail such a position. I noted that at least some Empirical theorists favour political apathy over participation for non-elites.²³ With the development of the voting studies, it has become clear that they do not support equally an elitist and an egalitarian response to their own findings on political incompetence. In fact, the voting studies of the late 1960s and the 1970s appear to contradict both the empirical theory of apathy, and such justifications of the theory as the theses of slack power and supportive consensus.

The early voting studies, such as Lazarsfeld's The People's Choice and Campbell's The Voter Decides, attempt to predict levels of participation by means of the citizen's opinions and beliefs. These theorists choose to investigate the citizen's identification with

current affairs and political candidates, and his exposure to political influence from others. Those with high levels of identification and exposure will, these theorists hypothesize, participate more frequently than others.²⁴ One assumption of this project is that the citizen freely chooses his level of participation in accordance with his views. Dahl and Key make the same assumption in their theses of slack power and supportive consensus. The assumption is opposed by the Participatory theorists on the grounds that there "institutional constraints" on the participation of the lower socio-economic strata. For the Participatory theorists socio-economic resources can best predict individual political behaviour.²⁵

The findings of The People's Choice and The Voter Decides do not, however, confirm Lazarsfeld's and Campbell's expectations.²⁶ The studies show that demographic and socio-economic variables are the most accurate in predicting levels of participation. Those who participate most are well-educated, highly paid, Caucasian, suburban, male, and so forth.²⁷ Later voting studies, such as Verba and Nie's Participation in America confirm that these are the major correlates of levels of participation.²⁸ These studies support the Participatory theorists' critique of the theses of slack power and supportive consensus.²⁹ Verba and Nie conclude that non-participants do not

have the resources to complain:

The inactives are by no means satisfied; they are more likely to face severe needs in their day-to-day lives. If they are not active, it is not because there is nothing to be active about but, we believe, because of their low socio-economic resources.³⁰

For the later Empirical theorists political apathy and elite participation imply discrimination against underprivileged groups. The voting studies lead these to oppose strongly any justification for cohesion among elites.

Truman, Stouffer, and Key assume that an elite consensus need not be conspiratorial; the later Empirical theorists take the stance that it necessarily will be. A central premise of the thesis of elite consensus is that some citizens will subject private interests to the common good. The voting studies discredit this assumption by their discovery that political behaviour is governed by a will to power. Note that there is a tension between the behaviouralist project to develop universal laws of political behaviour, and Truman, Stouffer, and Key's exclusion of an articulate, active minority from these laws. This tension becomes greater when the studies find that irrationality and the pursuit of private power are the universal norms of political behaviour.

The early voting studies establish that political behaviour is irrational by reference to the findings on political incompetence. As Burdick states, if rationality is given "the minimum definition...of the

information necessary to make a decision...the voter is, by and large, not rational."³¹ One implication of these findings is that those who are politically informed may act according to reason and normative principles.

Later voting studies summon added evidence to indicate that political behaviour is irrational.³² The broad intent of these studies is to deconstruct the rational, willing subject as a factor in social theories; to expose him as the product of social forces beyond his control. The Empirical theorists cannot continue to exempt a minority from the thesis that political behaviour is irrational, since to do so would be to question the scientific value of the thesis.

The voting studies find that citizens participate in order to further their sense of political efficacy. The finding originates in Campbell's The Voter Decides. Campbell takes as one variable in his search for correlates of participation

the feeling that individual political action does have, or can have an impact on the political process, i.e. that it is worthwhile to perform one's civic duties.³³

He reports that "the rate of voting turn-out was found to increase uniformly with the strength of the individual's sense of political efficacy."³⁴ Later voting studies accept as a premise the thesis that citizens participate where they have a high sense of political efficacy. They confirm that citizens participate in order to

further that sense of efficacy.³⁵

The reduction of the citizen's set of norms to the pursuit of power lends support to Bachrach's contention that an elite consensus will concern the maintenance of elite privileges. In one point of explicit agreement between the two schools, Pateman states that "one of the most important correlations to emerge from empirical investigations into political behaviour" is that between the citizen's political involvement and his sense of political efficacy. She announces:

we shall...take the sense of political efficacy...to be an operational interpretation of...the psychological effects referred to by theorists of participatory democracy.³⁶

Similarly, Dennis Thompson argues that the proper response to the voting studies is to extend participatory democracy; he states that "this belief is supported by evidence... that participation may increase citizens' sense of efficacy." Thompson takes the voting studies to be part of the case for participatory democratic theory.³⁷

Truman, Stouffer, and Key differ from the classical elitists in that they impute reason and normative conduct to political leaders where the elitists see only the will to power. The later empirical theories take a third position. They adopt the will to power as an explanation for political behaviour, and they explain the behaviour both of elites and of non-elites by means of the concept. These theories are close to that of the elitists. For the

position implies that citizens in authority will subject private to public interests only where institutional checks or other participating citizens lead him to do so. Verba and Nie state that "the close relationship between social status, participation, and responsiveness is our major conclusion about American politics." They infer from this conclusion that "government responds only to the active."³⁸ Similarly, Milbrath states:

when only part of the people participate, the government is likely to be directed so as to violate the interests of non-participants.³⁹

The later Empirical theorists seem also to imply that an elite consensus is inevitably conspiratorial, and that a democratic result requires the participation of all contending parties. If so, there may be only minor differences of emphasis between them and the Participatory theorists.⁴⁰

Verba, Nie, and Milbrath reject elitism, but they do not provide grounds for calling some elites less democratic than others. They portray all citizens as power-holders, and they distinguish elites only by the fact that they hold more power than other citizens. These theorists overlook the fact that a governing elite holds, or generally holds, a different kind of power to that of private citizens; that is, legitimate power. The later Empirical theorists are therefore bound either to an acceptance or to a rejection of elites, without

the possibility of approval or dismissal contingent on the ends of elite rule. As Sartori argues,

we are precluded by this very definition [of elites as power-holders] from looking into the discrepancy between elite qualities (and/or standards) on the one hand, and power positions (unduly assimilated to elite positions) on the other. Thus the inevitable net implication of this types of definition is...either gratuitously to impute elite value to whatever power structure happens to exist, or to devalue whatever may be of value in such a power structure. From this we can arrive at the sheer sanctification of the status quo or, conversely, at a wholesale desecration.⁴¹

The position of the Empirical theorists is best considered neither as elitist nor as egalitarian, but as procedural or relativist. Sartori takes the opposing, normative position when he concludes that the important question in the evaluation of a democracy is not whether the powerful exist, but whether they "represent authentic or apocryphal elites."⁴²

By the criterion of elite consensus, at least some Empirical theorists are elitist. By other criteria of elitism there is little theoretical difference between the empirical and the participatory schools. Moreover, this difference has lessened with the development of the voting studies. The empirical theory has become more egalitarian; it does not follow, however, that it has become more convincingly so. The texts of Truman, Stouffer, and Key have the merit that they stipulate standards by which we can call some elites undesirable; for them a legitimate elite subscribes to social justice

and to other democratic norms. They also account for the fact that, if the voting studies are correct about the extent of anti-democratic beliefs, it may be impossible to secure an egalitarian result by means of an egalitarian procedure.⁴³ The voting studies direct the Empirical theorists towards a convergence with the Participatory theorists on a thoroughgoing egalitarian position. Yet this position is better described as thoroughgoing relativism: it equates democracy with equality; leadership with elitism; and the democratic theorist's task with the measurement of political efficacy among various social strata.

Part Two: Two Concepts of Political Participation

The Empirical theorists who subscribe to the thesis that democracy requires restrictions on participation replace direct participation with interest-group pluralism. The Participatory theorists reply that group pluralism rests on the false assumption that participation is an instrumental activity only; that the only good reason to participate in politics is to articulate and to protect private interests. In the empirical theory, Pateman points out,

political participation is defined as an instrumental activity through which citizens can influence governmental leaders; it is a technique for setting goals and choosing priorities...a technique for the aggregation of interests.⁴⁴

The non-instrumental, or intrinsic function of

participation cited by Pateman and others is the developmental one. Interest-groups cannot secure for the citizen all the benefits of participation since these accrue to the citizen directly from the experience of participation, and not only from its effects on legislation and policy. For the Participatory theorists the instrumental concept of participation commits the empirical theory to a rejection of individual and direct citizen participation.

It is true that the Empirical theorists subscribe to an instrumental concept of participation. The voting studies find that citizens participate not according to their commitment to such normative principles as the common good, but according to their sense of political efficacy. If, as Almond and Verba state, "a democratic citizen speaks the language of demands," it follows that we should evaluate his participation by its success in securing these demands.⁴⁵ For Verba and Nie political acts "differ in what they can get the citizen." They define participation as

those legal activities by private citizens that are more or less directly aimed at influencing the selection of governmental personnel and/or the actions they take.⁴⁶

Verba and Nie's definition seems to confirm the Participatory theorists' charge that the empirical theory fails to account for the developmental benefits of participation. We should question, however, whether the Participatory theorists offer a genuine alternative to

the instrumental concept. Pateman states that participants in politics tend to have "an active, non-servile character;" that they "feel that they are their own master;" and that they learn to participate more effectively.⁴⁷ For Martin Oppenheimer

the lack of structured leadership...
forces participants to think for
themselves...engage in direct decision-
making, and thus become more self-
determining and less alienated.⁴⁸

Robert Pranger distinguishes between two types of democratic citizen by the criterion of whether their participation furthers the development of their characters. One of Pranger's types "orient themselves upwards towards their government;" their participation is a form of submission to those in power, and it does not aid in the citizen's development. Pranger's other type of participant achieve self-development inasmuch as they "de-emphasize hierarchical structures," and "look to the powerful as equals."⁴⁹ The benefits of participation arise, in the account of these theorists, from the pursuit and the exercise of political power.

The concept of participation used by both sides in the debate is an instrumental one. As Hallowell notes, power is "relational" only, and not substantive. Power is not

substantive and tangible...a possession
that can be accumulated, stored up,
and manipulated... but rather it exists
only in action.⁵⁰

Because action is purposive, or aimed at some apparent

good, it cannot be an end in itself. Likewise, power can be only an instrument or a means to a good; it is not a sufficient end of participation. A non-instrumental concept of participation would refer to that behaviour which transcends self-interest, and which is guided instead by public or political principles. Lawrence Scaff distinguishes between participation as the quest for power, and participation as co-operation and community:

one concept emphasizes the idea of sharing in common life and acting on the basis of reciprocity in order to promote the 'public good.' The other looks upon participation as an act of exchange, as an instrumental means for gaining power in order to increase the probability of realizing private benefits.⁵¹

Scaff's distinction is well illustrated by the development of the work of J.R. Pennock. In his Liberal Democracy (1950), Pennock calls for a "maximum of participation in the development of policy;" he justifies participation by its propensity to secure "that very self-direction which is the essence of liberty." Note, however, that Pennock justifies the participatory principle also by saying that it "follows from the value of the voluntary acceptance of constraints and restrictions." Note, too, that in another part of Liberal Democracy Pennock considers and rejects the claim that "self-government" is a valid democratic ideal.⁵² By 1979, in Democratic Political Theory, Pennock is clearly thinking of the

principle known earlier by him as self-government when he condemns participatory democracy for leading, in extreme cases, to "anarchism, immobilisme, and rule by a self-selected and self-serving minority."⁵³ Because it is justified by ensuing levels of political efficacy, and not by the voluntary acceptance of authority, the concept of participation in the debate between the Empirical and the Participatory theorists corresponds to Pennock's self-government.

The two sides in the debate may dispute the importance of widespread political efficacy as a justification for participation in democracy. For instance, the Participatory theorists demand participatory decision-making even where it might undermine the stability of the state, while the Empirical theorists temper the participatory ideal by considerations of political stability. The two schools may also disagree about the best means to widely dispersed power; for example, they differ in their evaluation of interest-group pluralism. But the fact that the Empirical and the Participatory theorists concur in justifying participation by the power it confers on the citizen does lead to further shared assumptions in the debate. First, both groups of theorists hold that self-development requires the decline of political authority, and the extension of equality. Second, both are committed to the view that that democracy implies decentralization. Third, both

reject the contractual theory of representation as elitist and undemocratic. We can now consider these points in turn. By referring to the implications of the concept of participation as moral self-development, we can also identify the weaknesses of the three assumptions.

The instrumental and the developmental concepts have in common the fact that they are justified by the development of the citizen's character. They differ, however, in their interpretation of self-development. The instrumental concept arises from the Rousseauian ideal of development, which requires the elimination of constraints on behaviour or, in Cochran's phrase, "spontaneity, lack of determination, openness, and self-expression."⁵⁴ This concept of development is found most notably in the works of Henry Kariel. Kariel stipulates that participation must, by taking on the spontaneous character of play or "action for its own sake," transform "hierarchical, goal-oriented administrative systems into equalitarian, process-oriented ones." Kariel admits candidly that it is "not the morality" of his ideal "the greatest diversity of experience" that furthers the development of character, but rather "the likelihood of [its] expanding the political life of those subject to it."⁵⁵

The developmental or normative concept of participation rests on an interpretation of self-development as the subordination of the impulse to the reflection

and the judgement of conscience. For Yves Simon, men acquire moral virtue to the extent that they subject their desires to moral scrutiny before action. Simon argues that self-development requires not the removal of determinants of action, but rather a "superdetermination," which enables one "to choose the proper means to his ends from the variety available to him." Similarly, Simon and Cochran introduce the concept of "terminal liberty,"

which is the power of choosing the good alone and which consists in the interiorization of the moral law.⁵⁶

Terminal liberty requires, in the words of Berdayev, not "formal freedom of choice," but rather a choice which "presupposes a previous choosing of the truth."⁵⁷

Simon and Cochran's approach to the concept of moral development differs from that of the Empirical and the Participatory theorists in one important respect. While the voluntary acceptance of just constraints may be beneficial in any type of polity, an active, non-servile, and politically efficacious personality is well suited only to a participatory democracy. A non-instrumental concept of participation must show that the consequences of political activity are intrinsically desirable. Yet the traits cited by the two sides in the debate are a possible handicap in an army, a school, or a family.⁵⁸ Simon and Cochran provide a more convincing justification of political participation than that favoured in the debate. For if it is guided

by a will to power, the existence of government and a social order must restrict participatory democracy. But if we mean by participation reasoned discussion and co-operation, there is no necessary contradiction between participation and government.

The main implication of the instrumental concept of the concept of self-development underlying it, concerns the legitimacy of political authority. Since the aim of participation is, for the Empirical and the Participatory theorists, self-determination, and since authority is government by external forces, the extension of participatory democracy requires the decline of authority.⁵⁹ For Pateman it follows from the participatory principle that

the authority relationship must be transformed from the usual one of superiority-subordination...to one of co-operation or equality.⁶⁰

One means to an egalitarian authority relationship cited by the Participatory theorists is decentralization. Pateman and Thompson state that decentralization is the "constitutional embodiment" and the "main reconstructive ideal" of participatory democracy; they imply that it can serve to distinguish between their own, participatory theories and competing theories of democracy. However, since participation in politics is most likely to enhance the citizen's sense of efficacy where political units are small and power is accessible, the Empirical theorists are also committed to the democratic ideal of decentral-

lization. Dahl states:

the fundamental axiom in the theory and practice of pluralism is...this: Instead of a single center of sovereign power there must be multiple centers of power, none of which is or can be wholly sovereign.⁶¹

Disputes between the two schools are confined to the empirical question of whether the decentralist ideal is secured in Western democracies. The debate does not, for example, address the question of whether it is desirable, or indeed possible, to have multiple centers of sovereignty in a political system.⁶²

A further implication of the instrumental concept of participation concerns the role of the representative in a democracy. The citizen's sense of efficacy appears to be higher where the representative is a means for the faithful transmission of demands than where he has the authority to evaluate private interests in the light of his interpretation of the common good. The Empirical and the Participatory theorists differ widely over the necessity of representation in democracy, since one school stands for the substitution of direct for representative democracy. Yet both schools are committed by their thesis that the citizen's will to power directs his political activity to the view that representation is a compromise between the democratic ideal and the requirements of the modern state.⁶³ If we must have representatives, both schools assert, they should be "samples, specimens or analogues" of the general population.⁶⁴ There is a

consensus in the debate in favour of descriptive notions of representation over ascriptive or contractual ones. For Verba and Nie the main criterion of democracy is the extent to which the activist population resembles the electorate in its socio-economic origins and in its political preferences.⁶⁵ Similarly, for most theorists in the debate a polity is elitist where initiatives originate with an identifiable minority. There is little practical value in a political theory which considers leadership and authority to be necessarily undemocratic.⁶⁶

The instrumental concept of participation leads the theorist to the thesis that the locus of ultimate power is the distinguishing factor in a political system. If all political action is governed by a will to power, the only guarantee of legitimate government is to disperse power as widely as the system permits. The Empirical and the Participatory theorists allege that a choice between rule by the many and rule by the few faces every student of government. For those who subscribe to the developmental concept, by contrast, our main political choice is that between despotism and the rule of law. Simon, Scaff, Cochran, and Pennock distinguish and judge governments by the ends that the powerful pursue.

The Participatory theorists are correct to distinguish between two concepts of participation in current democratic theories; they are also correct to associate these concepts with paradigms of the ideal democracy.

However, these theorists suppose wrongly that the ideal types corresponding to the instrumental and the developmental concepts are rule by an elite and rule by the people.

The position of the Participatory theorists follows from their relativist assumptions that political interests are limited to material interests, and that the judgement of interests is inevitably a value-judgement.⁶⁶ These assumptions are made also by the Empirical theorists when they develop a normative theory from those characteristics of actual democracies which can be measured by the scientific method. From the view-point both of the democratic procedure and of the theorist, both schools assume, all political values and interests are of equal legitimacy. Although these values and interests may claim to represent the common good, they reflect merely the tastes and the opinions of the citizen or of the critic. For both schools the legitimacy of claims to the common good vary according to the extent of their popular support. Thus, they take the opposing ideal types of democracy to be rule by the many and rule by the few.

FOOTNOTES -- CHAPTER ONE

¹Jack Walker, "A Critique of the Elitist Theory of Democracy," American Political Science Review 60 (June 1966), 287ff; Peter Bachrach, "Elite Consensus and Democracy," Journal of Politics 24 (August 1962), 442ff.

²James W. Prothro and Charles M. Grigg, "Fundamental Principles of Democracy: Bases of Agreement and Disagreement," Journal of Politics 22 (May 1960), 288, find that authoritarian beliefs are closely related to education, occupation, and levels of participation. They conclude that it is "fortunate" that those uncommitted to democracy should not participate. However, S.M. Lipset, Political Man (Garden City, N.Y., 1963), 116, warns that
in 'normal' periods apathy is most frequent among such individuals, but they can be activated by a crisis, especially if it is accompanied by strong millennial appeals.

³Bernard R. Berelson, Paul F. Lazarsfeld, and William McPhee, Voting (Chicago, 1954), 322, 314.

⁴Herbert McClosky, "Consensus and Ideology in American Politics," American Political Science Review 58 (June 1964), 365.

⁵V.O. Key, "Public Opinion and the Decay of Democracy," Virginia Quarterly Review 37 (Autumn 1961), 494.

⁶David Truman, "The American System in Crisis," Political Science Quarterly 74 (December 1959), 493. This article is not typical of Truman's work; normally he is firmly committed to interest-group pluralism, and opposed to elitism. However, the article is typical of many liberal political scientists writing at the time of McCarthyism. Truman and Key distinguish the elite in their theory from a governing elite. Truman mentions leaders of interest-groups, and leaders in industry and the arts; Key numbers them at between five and ten million.

⁷R.A. Dahl, Who Governs? (New Haven, Conn., 1962), 91.

⁸Lipset, Political Man, op. cit., 185. Lester Milbrath, Political Participation (Chicago, 1965), 145, states with regard to non-participants: "Their passive role has the consequence of accepting things as they are."

⁹V.O. Key, Public Opinion and Western Democracy (New York, 1961), 30.

¹⁰Michael J. Parenti, "Power and Pluralism: A View from the Bottom up," in An End to Political Science, eds. Marvin Surkin and Alan Wolfe (New York, 1970), 131. See also Michael J. Parenti, Democracy for the Few (New York, 1974), 277.

¹¹Parenti, "Power and Pluralism," op. cit., 130. Pateman argues that non-participation cannot be a sign of satisfaction with government because in this case non-participants would be distributed evenly among the sections of the population. The fact that they come largely from lower socio-economic strata makes her suspect that non-participation may be a sign of dissatisfaction with societal goals. Carole Pateman, The Problem of Political Obligation (New York, 1979), 86-7.

¹²Parenti, "Power and Pluralism," op. cit., 130.

¹³Bachrach, "Elite Consensus," op. cit., 443.

¹⁴Thomas R. Dye and L. Harmon Zeigler, The Irony of Democracy (Belmont, Calif., 1967), 4-5.

¹⁵Oxford English Dictionary, third ed. (London, 1933). The second sense of conspiracy, which does not specify that the common purpose is evil, is not meant here.

¹⁶In his Political Elites (London, 1969), Geraint Parry uses these criteria of elitism throughout. See, for example, p. 151: "J.S. Mill is not an elitist in the sense that he expects his elite to form a conscious, cohesive, and conspiratorial group."

¹⁷McClosky, "Consensus and Ideology," op. cit., 374. See also Dahl, Who Governs?, op. cit., 320.; Joseph Femia,

"Elites, Participation, and the Democratic Creed," Political Studies 27 (March 1979), 18n. Lipset, Political Man, op. cit., 90, and William Kornhauser, The Politics of Mass Society (New York, 1959), e.g., 223, stress the corollary: apathy is related closely to authoritarianism. Of course, empirical research does not establish a causal relationship.

¹⁸Femia, "Democratic Creed," op. cit. 18.

¹⁹Samuel Stouffer, Communism, Conformity and Civil Liberties, second ed. (Gloucester, Mass., 1963) differs from Truman, "American System," op. cit., 493, and Key "Decay of Democracy," op. cit., 492-3, in that he finds one aspect of authoritarianism -- anti-communism -- to be widespread and deeply held. He holds that a consensus among political and intellectual elites is essential to the defence of democratic liberties in the United States. Kornhauser, "Mass Society," op. cit., 181, is closer to Truman and Key in seeing McCarthyism as an exception to the rule that citizen participation is a democratic good.

²⁰Lipset, Political Man, op. cit., 219.

²¹Femia, "Democratic Creed," op. cit., 18.

²²Stouffer, Civil Liberties, op. cit., 223. In support of the argument here we should note that Stouffer, McClosky, and Prothro and Grigg choose egalitarian principles as indicators of democracy in their research. Stouffer's principles concern only the rights of communists on Western democracies; McClosky, Prothro and Grigg also focus on the rights of political extremists, and they include principles of majority rule, due process, and socio-economic equality. In Stouffer's case, it is unclear that anti-communism at the time of the Cold War is the clearest possible sign of an anti-democratic world-view.

²³The texts cited, Berelson, Voting, op. cit., 322; Lipset, Political Man, op. cit., 116; and Prothro and Grigg, "Fundamental Principles," op. cit., 288, date from before the mid-1960s. As Margolis notes, empirical political scientists rarely took this point of view in the next decade. Michael Margolis, "The New American Textbooks," American Journal of Political Studies 17 (May 1973), 461.

²⁴Paul F. Lazarsfeld, Bernard R. Berelson, and Hazel Gaudit, The People's Choice, third. ed. (New York, 1944), e.g. 28-30, 121ff., 145-148; Angus Campbell, Gerald Gurin, and Warren E. Miller, The Voter Decides (Evanston, Ill., 1954), 4, 182. These studies deal both with the genesis of attitudes, perceptions and groups loyalties, and with their effects on political action. Lazarsfeld's special interest is the influence of the mass media on opinion; Campbell is concerned with contradictions and "reinforcement effects" between beliefs.

²⁵For example, Walker, "The Elitist Theory," op. cit., 290.

²⁶In order to test the relationship between political beliefs and behaviour it was necessary to have a large "cross-over" sample; that is, a large number of respondents who changed their allegiance during the course of the study. The few who did so did not lead Lazarsfeld and Campbell to significant conclusions: most were politically apathetic, and their motives for changing seemed irrational or arbitrary. As Campbell remarks in a later work, he did not find coherent patterns of belief among this group. See Angus Campbell, P.E. Converse, W.E. Miller, and D.E. Stokes, The American Voter (New York, 1960), 543.

²⁷Lazarsfeld et. al., The People's Choice, op. cit., 43-51; Campbell et. al., The Voter Decides, op. cit., 70-73. Lazarsfeld states that "a person thinks, politically, as he is, socially." He cites socio-economic status, place of residence and religion as the social factors with the greatest predictive value. See pp. 25-7.

²⁸Sidney Verba, Norman H. Nie, and Jae-on Kim, Participation in America: Political Democracy and Social Equality (New York, 1972); Gabriel Almond and Sidney Verba, The Civic Culture (Boston, 1965), e.g., 134-5.

²⁹As Carole Pateman notes approvingly in "To Them That Hath Shall Be Given," Politics 9 (May 1947), 143.

³⁰Sidney Verba, Norman H. Nie, and Jae-on Kim, Participation and Political Equality (Cambridge, 1978), 307.

³¹Eugene Burdick, "Political Theory and the Voting Studies," in American Voting Behaviour, ed. Eugene Burdick and Arthur J. Brodbeck (Glencoe, Ill., 1959), 139. See also Berelson et al., Voting, op. cit., 310.

³²In their search for correlates of levels of participation, the studies adopt the citizen's sense of political efficacy as a substitute for political beliefs. For example, see Milbrath, Political Participation, op. cit., 56; Verba and Nie, Participation and Political Equality, op. cit., 160-2; Almond and Verba, The Civic Culture, op. cit., 137, 164, 188, and 204-9.

³³Campbell, The Voter Decides, op. cit., 187ff.

³⁴Ibid. See also Lazarsfeld, The People's Choice, op. cit., 32-4. His concept of political extroversion is similar to Campbell's sense of efficacy. In neither work is the concept central to the argument.

³⁵See note 32 above.

³⁶Pateman, Participation and Democratic Theory op. cit., 46. See also Geraint Parry, Participation in Politics (Manchester, 1972):

The developmental approach can be regarded as the normative side of the coin to the data in the behavioural literature which suggests that political interest, knowledge, and a sense of efficacy go hand-in-hand with political participation.

Donald Keim, "Participation in Contemporary Democratic Theories," in Political Participation, eds. J.R. Pennock and J.W. Chapman (New York, 1975), 11, points out that participatory theories should stipulate that participants in a democracy should have high objective efficacy.

³⁷Dennis Thompson, The Democratic Citizen (Cambridge, 1970), 70. The point that the empirical findings on the sense of efficacy lend weight to participatory theories is made also by Lewis Lipsitz, "On Political Beliefs," op. cit., 155.

³⁸Verba and Nie, Participation and Political Equality,

op. cit., 295; Sidney Verba, Norman H. Nie, and Jae-on Kim, Participation in America: Political Democracy and Social Equality (New York, 1972), 339.

³⁹Milbrath, Political Participation, op. cit., 142.

⁴⁰These differences would concern both the added justification of participation that it develops character, and the relationship between participation and other democratic requirements, such as stability.

⁴¹Giovanni Sartori, "Anti-Elitism Revisited," Government and Opposition 13 (Winter 1978), 64-5.

⁴²Ibid.

⁴³Once the two sides in the debate agree that political ideologies are a function of political resources there is no further need to address this problem.

⁴⁴Pateman, "To Them that Hath," op. cit., 141. See also Peter Bachrach, The Theory of Democratic Elitism (Boston, 1967), 4; Keim "Contemporary Democratic Theories," op. cit., 25-6; Walker, "The Elitist Theory," op. cit., 289; Duncan and Lukes, "The New Democracy," op. cit., 175; Thompson, Democratic Citizen, op. cit., 70; Arnold S. Kaufman, "Human Nature and Participatory Democracy," in The Bias of Pluralism, ed. William E. Connolly (New York, 1969), 192.

⁴⁵Almond and Verba, Civic Culture, op. cit., 138.

⁴⁶Verba and Nie, Participation and Political Equality, op. cit., 45, 46, 47.

⁴⁷Pateman, Democratic Theory, op. cit., 24-5, 29, 45-6. See also William H. Nelson, On Justifying Democracy, (London, 1980), 49.

⁴⁸Martin Oppenheimer, "The Limitations of Socialism," in The Case for Participatory Democracy, eds. C. George Benello and D. Roussopoulos (New York, 1971), 279.

⁴⁹Robert Pranger, The Eclipse of Citizenship (New York, 1968), 10-13, 69, 91-2, 115, 262. Jules

Steinberg, Locke, Rousseau, and the Idea of Consent (Westport, Conn., 1978), 128, also distinguishes between participation as the exercise of power, and participation as submission to power-holders.

⁵⁰ John H. Hallowell, "Compromise as a Political Ideal," Ethics 54 (April 1944), 652.

⁵¹ Lawrence Scaff, "Two Concepts of Participation," Western Political Quarterly 28 (September 1975), 449.

⁵² J.R. Pennock, Liberal Democracy (New York, 1950), 105, 238-9, 231. Pennock's normative concept develops in the citizen

sentiments of loyalty and the realization not only of the necessity of compromise, but also of the individual's long-run interest in the discovery of solutions to problems that are compatible with the interests of the majority.

⁵³ J.R. Pennock, Democratic Political Theory (Princeton, N.J., 1979), 462.

⁵⁴ Clarke E. Cochran, "Authority and Freedom," Interpretation 6 (May 1977), 111. See also W.J. Stankiewicz, Aspects of Political Theory (London, 1976), 142.

⁵⁵ Henry Kariel, "Possibilities," in The Post-Behavioral Era, eds. George J. Graham Jr., and George W. Carey (New York, 1972), 138.

⁵⁶ Cochran, "Authority and Freedom," op. cit., 111. Cochran's article includes a summary of the position of Yves Simon.

⁵⁷ Cited by John H. Hallowell, The Decline of Liberalism as an Ideology (New York, 1971), 55.

⁵⁸ Nelson argues similarly in On Justifying Democracy, op. cit., 49.

⁵⁹ Cochran, "Authority and Freedom," op. cit., 109.

⁶⁰ Pateman, Democratic Theory, op. cit., 34.

⁶¹R.A. Dahl, Pluralist Democracy in the United States (Chicago, 1967), 24. Cited by John H. Schaar, "Legitimacy in the Modern State," in Power and Community, eds. Philip Green and Sanford Levinson (New York, 1969), 325, footnote 45.

⁶²Introduction, footnote 11, above; Chapter Four, footnote 1, below.

⁶³Two findings of the voting studies are relevant here. First, findings about irrationality in political behaviour suggest that the mandate theory rests on a false assumption about the possibility of normative behaviour. See Duncan and Lukes, "The New Democracy," op. cit., 172. Second, the findings about the relationship between the will to power and levels of participation imply that citizens will not be satisfied where there are intermediaries between themselves and government.

⁶⁴The phrase is Griffiths'. A. Phillips Griffiths, "How Can One Person Represent Another?" In Proceedings of the Aristotelian Society, supplementary vol. 34, 188.

⁶⁵Verba and Nie, Participation in America, op. cit., 131; Participation and Political Equality, op. cit., 291.

⁶⁶This is so because, as Griffiths states in "How Can One Person Represent Another?" op. cit., "direct democracy is impossible for us so we cannot choose it."

⁶⁷Ibid., 196, 209.

CHAPTER TWO

NORMATIVE AND PROCEDURAL CONSENSUS IN DEMOCRACY

Part One: The Empirical Theory

The empirical theory of consensus arises from the research of the voting studies on commitment to democratic principles among United States citizens. The studies find that there is widespread disagreement about such principles as equal representation and the right to free speech. The Empirical theorists claim that their findings discredit the classical theory of consensus. The main classical thesis is stated by Prothro and Grigg as follows:

a necessary condition for the existence of a democratic government is widespread consensus (approaching 100%)...on at least the basic questions about how political power is won.¹

In its weaker form the empirical theory holds that democracy is compatible with normative dissension. For instance, McClosky concludes that "consensus is not required...its absence in an otherwise stable society need not be fatal or even particularly damaging."²

A stronger thesis states that, in the words of T.V. Smith, "democracy does not require, or permit, agreement on fundamentals."³

The stronger empirical thesis is supported by those who equate the democratic philosophy with that of

relativism. Hans Kelsen claims:

there exists...not only an external parallelism but an inner relationship between the antagonism of autocracy and democracy, on the one hand, and philosophical absolutism and relativism, on the other...⁴

Similarly, C.J. Friedrich and John Dewey describe the ideologies of the democrat and the totalitarian as relativist and absolutist respectively.⁵ For these theorists the term "relativism" refers to that position for which the superiority of one normative system over another can be neither demonstrated nor known.⁶

If the ideal democratic citizen is a relativist, in the sense of being morally unconvinced, there can be no shared normative conviction in the ideal democracy. If democracy presupposes relativism as a world-view, it must also require normative disagreement or dissension.

The thesis that relativism is the democratic philosophy follows from the thesis that commitment to an absolutist ideology defines totalitarianism.⁷

Friedrich and Dewey argue that ideological commitment in a democracy implies elitism or authoritarianism. For Friedrich "all insistence upon agreement on fundamentals is basically related to the idea...that some persons know what is right." This idea, he continues, "is historically associated with a belief in an elite."⁸ Dewey argues that if one believes in a single right course of action, one is likely also to support the claim of a

group or institution to interpret and to apply this course of action.⁹

The Empirical theorists define the ideal democrat by his approach to values and norms. For Almond and Powell the totalitarian has an "ideological style of politics" in the sense that he "fails to develop the open, bargaining attitudes associated with full secularization."¹⁰ By contrast, the democrat is multi-valued, experimental, flexible, and secular.¹¹ The logic supporting this view is that to reject ideologies and normative commitment is to embrace tolerance, compromise, and egalitarian pluralism. It is unlikely, the Empirical theorists assume, that the ardour of the relativist's beliefs will lead him to subvert the democratic procedure. Kelsen states:

he who holds that absolute truth and absolute values are beyond human understanding is forced to look upon a rival alien opinion as possible at the very least. Relativism is therefore the philosophy which the democratic conception presupposes.¹²

The empirical theory holds that the relativist tends to tolerate diverse views. The theory does not state, however, what it is that leads him to accept the results of the democratic procedure over competing claims to truth. If the empirical theory is to explain the basis of peaceful agreement in pluralism, it must identify the limits of relativism; the theory must show that the democratic citizen is not multi-valued and flexible about the outcome of democratic decision-making. The Empirical theorists

argue, therefore, that democracy does presuppose a consensus on the validity of the democratic procedure. As Prothro and Grigg note, "the general position is that consensus is required only on the procedures for winning political power."¹³ For Almond and Verba democratic consensus consists of "an adherence to a broad compromise on political procedures."¹⁴ McClosky distinguishes between procedural and substantive democratic principles, and he finds that there is a high level of societal consensus on procedural principles only.¹⁵

The Participatory theorists take the thesis of procedural consensus to be exhaustive of the empirical theory of consensus. This view is misleading, however, because the implications of the thesis can be understood only in the context of the thesis of normative dissension. Procedural consensus and normative dissension are complementary democratic conditions because the outcome of decision-making cannot be the highest political good where there is a firm commitment to norms. If there is a societal consensus on justice and rationality, there is no assurance that all will respect the results of the procedure unless they perceive that the results are just and rational, in which case procedural consensus is an unnecessary stipulation. The thesis of normative dissension requires the thesis of procedural consensus in order to explain why the elimination of opponents is not commonplace in democracies; to explain, in short, how pluralism

endures.

The Participatory theorists consider the empirical theory to be elitist because it is concerned more with the stability of existing procedures than with radical change. However, there is no necessary connection between a stable procedure and an elitist one. In fact, the empirical theory implies that we must define democracy as an egalitarian decision-making procedure. From the thesis of normative dissension it follows that there are no interests common to society, but only interests pursued by individuals and by groups.¹⁶ The thesis that relativism is the democratic philosophy implies that there is no hierarchy of interests and values in democracy. For the purposes of the democratic procedure all interests are equally legitimate. The one criterion of evaluation of interests allowed by the empirical theory is the procedural one of popular acclaim. Far from legitimizing elite rule, the Empirical theorists implicitly accept T.D. Weldon's relativistic definition of authority as a "force exercised or capable of being exercised with the general approval of those concerned."¹⁷

The empirical theory is best described not as a theory of consensus, but as one of consent. Consensus denotes agreement or accord on matters of opinion or belief; consent, as a type of action, may occur independently of any given belief on the part of the citizen. For Friedrich

what binds a free people together is not

an agreement on fundamentals, but a common way of acting in spite of a disagreement on fundamentals.¹⁸

The Empirical theorists substitute a theory of consent for one of consensus when they adopt a procedural definition of democracy. The next section shows that the Participatory theorists also proceed from a rejection of consensus as a democratic presupposition to a procedural definition of democracy as government by consent. The final section examines the assumptions which are common to the two positions.

Part Two: The Participatory Critique

Bachrach and Keim claim that the Participatory theorists supercede the procedural theory of democracy; for Bachrach participatory democracy is "both political method and ethical end."¹⁹ These theorists appear to take a normative position in that they appeal to the transcendent value of democratic principles to counter the descriptivism of the empirical method. However, the principles cited in the participatory critique of the empirical theory are derived from political equality; they are thus compatible with the procedural view of democracy.

The only normative consensus compatible with the empirical theory is one on compromise and tolerance. A normative critique of the theory might stipulate that a democratic compromise is just, rational, and in the public

interest. The Participatory theorists do not identify the limits of these principles as a guide to rational decision-making. Instead they argue that the precondition of compromise and procedural consensus is an egalitarian, unbiased form of pluralism. R.P. Wolff and H. Marcuse are concerned with the "covert ideological consequences" of the empirical thesis of procedural consensus. For them the thesis legitimizes the "already established machinery of discrimination," which hinders "groups in the process of formation."²⁰

Marcuse states that the "basic requirement for decision-making" in a democracy is "impartiality to the utmost" and "equal treatment of competing...issues."²¹ He concludes that the function and value of procedural principles depend on the equality prevalent in the society.²² The main implication of A Critique of Pure Tolerance is that democracy requires a consistently relativist or pluralist consideration of the validity and the legitimacy of interests and groups.

In the account of the Participatory theorists the bias of Western pluralism arises from a prior elite consensus on certain established interests. A consensus among non-elites on existing procedures is undemocratic, these theorists claim, in that it undermines change towards greater equality. The Participatory theorists oppose the partial societal consensus required by the empirical theory, but they are silent on the thesis of normative dissension. From their standpoint the weakness of the empirical theory

lies in an indiscriminate acceptance of consensus as a democratic ideal rather than in an irresponsible approval of dissension.

The symposium Apolitical Politics states the participatory critique of the empirical theory. The contributors to this work describe the empirical theory as conservative, in the tradition of Edmund Burke's conservatism.²³ The theory follows Burke, they explain, in supposing that consensus and stability are essential to democracy even where they are based on successful socialization, behavioural inertia, and authoritarianism. Consensus theory is conservative to the Participatory theorists because consensus is the main justification of the trustee relationship, and hence of representative democracy. Where there is a measure of societal consensus the faithful transmission of interests is at least feasible; if a society is marked instead by widespread dissension, a democratic result is more likely to require the participation of contending interests.²⁴ Thus, Darryl Baskin rejects consensus theory because it rests on the assumption of general interests where only particular interests exist. In a class society, Baskin argues, interests are not only heterogeneous, but also antagonistic. Citizens subscribe to "opposing ideological visions," some of which question the legitimacy of pluralist politics.²⁵

Although the Participatory theorists direct their critique of the empirical theory at the thesis of procedural

consensus, their position on that thesis is ambivalent. They imply that procedural consensus is too strong as a descriptive or empirical theory because it overestimates the level of agreement between leaders and led in Western democracies. They also imply that procedural consensus is too weak as a normative theory because it does not stipulate an egalitarian procedure as a complementary democratic presupposition. Wolff combines these positions as follows:

unanimous direct democracy...is perfectly consistent with...sharp, even violent, oppositions within the community, perhaps of an economic kind. The only necessity is that, when the citizens come together to deliberate on the means for resolving conflicts, they agree unanimously on the laws to be adopted.²⁶

It is clear that unanimity and violent conflicts may be combined in a totalitarian state, since the regime can compel its critics to consent, but how is this combination possible in a democracy? Wolff's position is coherent only if one accepts a logical distinction between the norms and the procedures of democracy. Wolff's unanimous consent corresponds to Friedrich's common patterns of behaviour in that both arise from the procedural view of democracy. Further, both rest on the relativist premise that, because there is no good reason to insist on any given set of norms, compromise is the highest political good. The Empirical and the

Participatory theorists are united in the attempt to substitute consent for consensus in the catalogue of democratic requirements. The main point of dispute between them is the empirical one of whether the principles of procedural consensus and government by consent are satisfied in Western democracies.

Partridge notes that "to ask what government by consent means has become synonymous with asking what democracy means."²⁷ Most contemporary theorists are concerned more with discovering how democracy can meet the conditions of government by consent than with showing why consent is a democratic priority.²⁸ The most usual position among these theorists is stated by Baskin:

any legitimate effort to control the conflict of interests can proceed only with the consent of the interested parties, and in a manner that does not dispute the validity of their purposes.²⁹

Chapter three examines in detail the limitations of the procedural definition of democracy as government by the individual consent of the governed. By way of a preliminary task, the next section identifies the main assumptions upon which the definition rests.

Part Three: Relativism in the Debate

The essential premise of the procedural definition of democracy is that there are no standards by which to call some authority intrinsically legitimate. The rejection of such concepts as the common good presupposes

in turn that the democratic citizen is a relativist. John H. Schaar states:

Historically, the notion of the common good has often played about the same role in domestic politics as 'reasons of state' or 'national interest': it releases officials from the restrictions imposed by the democratic principle of popular sovereignty. But if officials can claim authority, usually on grounds of superior knowledge, to determine the public good, then democracy...is nothing³⁰ more than a method for selecting rulers.

Schaar implies that we must define democracy either as a method for selecting rulers or as a method for measuring popular support for authority. The third possible position -- that democracy is primarily a set of norms -- is precluded by Schaar's assumption that both leaders and citizens are relativists. Schaar's claim that notions of the common good reflect the interests of "officials" follows from his premise that leaders invoke their authority only in order to evade accountability for their actions. His implication that "the restrictions imposed by popular sovereignty" must include restrictions on the freedom of leaders to interpret and to pursue the common good assumes that citizens will consent to notions of the common good only where their private interests prevail.

The Empirical and the Participatory theorists hold that, since political behaviour is not governed by norms which are held by the citizen to be absolute, it must be governed by relativism and self-interest. The

Empirical theorists find that political behaviour is inconsistent with the citizen's professed normative beliefs, and the Participatory theorists show that there is less than absolute commitment, especially among the poor to the dominant societal consensus in Western democracies. The two schools portray a choice between absolute commitment to a particular set of norms on the one hand, and a flexible, compromising relativism on the other. They show empirically that the former alternative does not correspond to reality, and they accept the latter alternative as a premise for their theories. However, there are several reasons to suppose that the distinction between relativism and absolutism is invalid. First, relativism is itself an absolutist ideology. Second, a flexible and tolerant democratic outlook presupposes conviction about certain norms. Finally, neither relativism nor absolutism are of help in explaining actual political behaviour. We can consider these three points in turn.

In their defence of relativism as a democratic philosophy, Kelsen and Friedrich state that a belief in the transcendent value of norms entails dogmatism and intolerance. However, there is no good reason to believe that those who are firmly committed to normative beliefs will oppose a democratic compromise. They might, for instance, be convinced of the value of rationality, yet feel that irrationality in others is not so offensive that

they can neither tolerate it nor compromise with it.³¹
 Even if they do set out to convince another of his error,
 they may do so in a tolerant and respectful manner. As
 John Morley notes,

the certainty of the truth of your own
 opinions is independent of any special
 idea as to the means by which others
 might best be brought to share them.³²

The decision to compromise with others is more likely
 to arise from a commitment to such principles as self-
 determination and respect for opposing viewpoints than
 from the view that all normative principles are of equal
 legitimacy. J.R. Lucas argues that tolerance requires
 compromise "in spite of conviction," or perhaps because
 of the conviction that intolerance would show insufficient
 respect for rival points of view.³³ Democratic tolerance
 does require doubt, as Bernard Crick argues, but these
 doubts are confined to the question of how far our beliefs
 justify intolerance.³⁴ To return to the terms of the
 debate, procedural consensus or consensus on compromise is
 not a satisfactory alternative to normative consensus
 because procedural consensus presupposes conviction about
 the worth and dignity of other participants in the procedure,
 and about the value of rational persuasion. Partridge is
 correct to argue that procedural consensus "needs to be
 underpinned by other types of consensus," and that "it
 is likely to crumble if these are removed."³⁵

It is true that democracy is incompatible with an

absolutist philosophy, since the latter precludes disagreement, variety, and change. It is also true that the democratic attitude, being "compelled to question, analyze and 're-order' their norms," requires a certain skepticism.³⁶

For, as Preston King puts it, a set of beliefs is valid only if it withstands all tests, and tests are in principle infinite in number.³⁷ However, the skeptic differs from the relativist in that, while the former doubts claims to truth and reason, the latter equates truth and reason with subjective opinions and demands. As Harrison notes,

For the relativist's purposes, all moral systems can be treated as if they were morally equal. This does not mean that they have all been tested against some moral standard and come out with equal scores, but that no such test is relevant.³⁸

The thesis that democracy presupposes relativism rejects criteria by which to rank demands according to their legitimacy and rationality. The thesis is therefore compatible with the view that all interests and values are equally legitimate, and with the view that they are equally illegitimate and unworthy of toleration.

In fact there are at least two reasons why the relativist is more likely to be dogmatic than flexible. First, the relativist's doubts are limited, as Stankiewicz puts it, to "the possibility of rationally analysing norms and defending them." For the relativist there is no point in changing, debating, or compromising his immediate desires; his desires become his norms.³⁹ Second, the relativist cannot abide a decision-making procedure

which is designed to embody reason; he will not be tolerant and flexible about a substantive or non-procedural definition of democracy.⁴⁰

The debate between the Empirical and the Participatory theorists rests on the empirical assumption that citizens in a democracy will act consistently as relativists. But the fact that democracies endure suggests that citizens consent to government not only where their sectional interests prevail, but also where they perceive that policies are just.⁴¹ Political behaviour is neither relativist nor absolutist, but rather normative in character. Normative beliefs resemble desires in being, as the relativist supposes, subjective and evaluative. However, most do distinguish between norms and desires: norms have a certain universality; they are connected to the idea of a standard in a way in which desires are not. Normative behaviour may be defined as the ordering of ends in the light of a notion of the common good. The main problem with the procedural definition of democracy is that it reduces all normative ends to the pursuit of political power.⁴²

One weakness of democracy is that it lacks a self-evident justifying ideology. As MacIver points out,

since democracy admits all factions it is easily conceived as being itself a purely negative thing, a form without content, a mere bracket to enclose diversity...Since it does not stand

for the faith of any particular
group it seems to stand for none
of its own.⁴³

The Empirical and the Participatory theorists do little to develop a democratic faith. In fact, the Empirical theorists take the lack of a justifying ideology to be a justification of Western democracies. The Participatory theorists reject existing ideologies as elitist or authoritarian. Yet both schools adopt an ideology of relativism which is, as this section has shown, unjustifiable.

FOOTNOTES -- CHAPTER TWO

¹James W. Prothro, Charles M. Grigg, "Fundamental Principles of Democracy: Bases of Agreement and Disagreement," Journal of Politics 22 (May 1960), 276-7. See also Herbert McClosky, "Consensus and Ideology in American Politics," American Political Science Review 58 (June 1964), 361-83. In his Public Opinion and Western Democracy (New York, 1961), 550, V.O. Key states that the notion of consensus as a democratic precondition has sprung from the inventive minds of theorists untainted by...knowledge of the relevant mass attitudes... This knowledge does not give much comfort to those who suppose that most people carry around in their heads the elements of democratic theory in even its most attenuated form.

²McClosky, "Consensus and Ideology," op. cit., 377.

³T.V. Smith, Discipline for Democracy (Chapel Hill, N.C., 1942), 124. Cited by E.A. Purcell Jr., in The Crisis of Democratic Theory (Lexington, Ky., 1973), 209. Smith's position receives empirical support from Prothro and Grigg, "Principles of Democracy," op. cit., 286. They note that those sharing a commitment to selected principles number between 25% and 75% of the electorate, which implies that, in their words, "the electorate is closer to perfect discord than to perfect concord."

⁴Hans Kelsen, "Foundations of Democracy," in Political Thought Since World War II, ed. W.J. Stankiewicz (New York, 1964), 74.

⁵C.J. Friedrich, The New Belief in the Common Man (Boston, 1942), 173, 186. A useful summary of Dewey's position is given in Purcell, Democratic Theory, op. cit., 200-1. Purcell notes that
the more clearly the concept of totalitarianism emerged, the more firmly Dewey insisted on its absolutist foundations.

⁶For the empiricist relativism is also the philosophy of the theorist. The social theorist must distinguish between statements of fact and statements of value, and he must deal only with the former. The relativism of empirical

theory states that value propositions express simply the emotions of the valuing subject. As claims to truth they are neither valid nor invalid, but undemonstrable.

⁷See, for example, Gabriel Almond and Sidney Verba, The Civic Culture (Boston 1965); Bernard Berelson; Paul F. Lazarsfeld; and William McPhee, Voting (Chicago, 1954), 323.

⁸Friedrich, The New Belief in the Common Man, op. cit., 173, 186.

⁹Purcell, Democratic Theory, op. cit., 200.

¹⁰Gabriel Almond and G.B. Powell Jr., Comparative Politics (Boston, 1966), 61. Cited by Bernard Susser, "The Behavioural Ideology: A Review and a Retrospect," Political Studies 22 (September 1974), 282.

¹¹Friedrich argues in his The New Belief in the Common Man, op. cit., 186 that the democratic personality is open or unconvinced because shared agreement on norms cannot be reached democratically. Given the fact the citizens disagree widely, he claims, only coercion can secure a societal consensus on norms. See also Berelson et al., Voting, op. cit. 323.

¹²Hans Kelsen, Allgemeine Staatslehre (Berlin, 1925), 370. Cited by Rene de Visme Williamson, "The Challenge of Political Relativism," The Journal of Politics 9 (May 1947), 150.

¹³Prothro and Grigg, "Fundamental Principles," op. cit., 279.

¹⁴Almond and Verba, The Civic Culture, op. cit., 492; The important assumption underlying the thesis of procedural consensus is, of course, that democracy is a set of procedures. David Truman, "The American System in Crisis," Political Science Quarterly 74 (December 1959), 490, states:

Risk does not lie in the conflict as such...but in the possibility that the means by which it is carried on may violate the requirements of the system.

For other procedural definition, see Purcell, Democratic Theory, 215. In some empirical texts the definition is implicit. When Eugene Burdick states that the very low affect of most voters,

their lack of ideological commitment...
makes political concord relatively easy
to achieve,

he is clearly not thinking of a normative concord, but a procedural one. "Political Theory and The Voting Studies," in American Voting Behavior, pp. 136-150. Edited by Eugene Burdick, Arthur J. Brodbeck (Glenco, Ill., 1959), 145. Burdick's position is taken by McClosky, "Consensus and Ideology," op. cit., 362; Angus Campbell; P.E. Converse; W.E. Miller; and D.E. Stokes, The American Voter (New York, 1960), 543; Sidney Verba and Norman H. Nie, Participation in America (New York, 1972), 339.

¹⁵McClosky, "Consensus and Ideology," op. cit., 364.

¹⁶The phrase is Cochran's. Clarke E. Cochran, "Political Science and the Public Interest," Journal of Politics 36 (May 1974), 328.

¹⁷T.D. Weldon, The Vocabulary of Politics (London, 1953), 56.

¹⁸Friedrich, The New Belief in the Common Man, op. cit., 181.

¹⁹Donald Keim, "Participation in Contemporary Democratic Theories," in Political Participation, eds. J.R. Pennock, J.W. Chapman (New York, 1975), 29-30; Peter Bachrach, The Theory of Democratic Elitism (Boston, 1967), 53; Jack Walker, "A Critique of the Elitist Theory of Democracy," American Political Science Review 60 (June, 1966), 286; Graeme Duncan, Steven Lukes, "The New Democracy," in Apolitical Politics, eds. Charles A. McCoy, John Playford (New York, 1967), 174.

²⁰Robert P. Wolff; Herbert Marcuse; and Barrington Moore Jr., A Critique of Pure Tolerance (Boston, 1965), 43-4; 84.

²¹*Ibid.*, 97.

²²*Ibid.*, 97, 109.

²³McCoy and Playford, Apolitical Politics, op. cit., 77, 226, 221. See also Bachrach, Democratic Elitism, op. cit., 8; Lewis Lipsitz, "On Political Beliefs: The Grievances of the Poor," in Power and Community, eds. Philip Green and Sanford Levinson (New York, 1969), 144ff.

²⁴A democratic result necessarily requires the participation of contending interests only if one assumes that decision-makers are relativists.

²⁵Darryl Baskin, "American Pluralism: Theory, Practice and Ideology," Journal of Politics 32 (February 1970), 81, 82.

²⁶R.P. Wolff, In Defence of Anarchism (New York, 1970), 24.

²⁷P.H. Partridge, Consent and Consensus (London, 1971), 59.

²⁸Ibid., 31.

²⁹Baskin, "American Pluralism," op. cit., 91.

³⁰John H. Schaar, "Legitimacy in the Modern State," in Power and Community, eds. Philip Green, Sanford Levinson (New York, 1969), 320n.

³¹Elias Berg, Democracy and the Majority Principle (Goteberg, Sweden, 1965), 33.

³²John Morley, On Compromise (London, 1928), 202. See also his p. 201:

The cry 'Be my brother or I slay thee'
was the sign of a very weak, though
terribly fiery, faith in the sacred worth
of fraternity.

³³J.R. Lucas, The Principles of Politics (Oxford, 1966), 296.

³⁴Bernard Crick, Political Theory and Political Practice (London, 1964), 93.

³⁵Partridge, Consent and Consensus, op. cit., 94. See also John H. Hallowell, "Compromise as a Political Ideal," Ethics 54 (April 1944), 172. See also Hallowell's p. 164:

if there is no agreement on fundamentals,
there can be no discussion worthy of the
name, no common policy, no compromise that
is anything but the extraction of concessions

by force...in short, nothing that cannot
tomorrow turn into the most ruthless...
tyranny.

³⁶W.J. Stankiewicz, Aspects of Political Theory
(London, 1976), 130.

³⁷Preston King, Tolerance (London, 1976), 136.

³⁸Geoffrey Harrison, "Relativism and Tolerance,"
Ethics 86 (October, 1975), 133.

³⁹Stankiewicz, Aspects, op. cit., 45.

⁴⁰See Stankiewicz, Approaches to Democracy, op. cit.,
99-100.

⁴¹Hallöwell, "Compromise," op. cit., 164. See also
his p. 161.

⁴²See Stankiewicz, Approaches to Democracy, op. cit.,
205.

⁴³R. MacIver, The Ramparts We Gaurd (New York, 1950),
112.

CHAPTER THREE

DEMOCRACY AS GOVERNMENT BY CONSENT

Part One: Participation and Consent

The Empirical and the Participatory theorists agree that the democratic principle of government by consent requires citizen participation. The debate between the two schools concerns the level and the type of participation required by the principle.¹ The Empirical theorists argue that the procedures of Western democracies are a process of consent by citizens to government. Morris Janowitz and Dwaine Marvick portray the United States Presidential elections of 1952 as a satisfactory form of popular consent. They point to the fact that there were both high levels of participation and a meaningful choice of candidates.² Where there are free elections, the Empirical theorists hold, the act of voting may be a sign that the citizen bestows legitimacy on government. For

each citizen knows, or is presumed to know, that to vote is to create in another a right he would not otherwise have...So the voter³ 'consents' to the existence of this right.

Carole Pateman takes issue with the Empirical theorists by comparing the vote of an underprivileged citizen to the promise of a starving man to a wealthy man: neither the vote nor the promise is morally binding.

For Pateman voting is a form of consent only where there is an equality of political resources, and where the citizen votes directly or through instructed delegates on every issue of importance.⁴ Pateman points to similarities between the theory of voting as consent and John Locke's theory of tacit consent. According to Locke, the fact that a citizen resides in a particular state implies that he consents tacitly to the authority of that state. Neither Locke nor the Empirical theorists stipulate for democracy a continuous and express form of consent. Further, both allow that consent to individual policies can be mediated through representatives. Pateman states:

citizens collectively must create their political obligation and political authority through participatory voting in a democratic community; there can be no alienation of political authority to representatives.⁵

If we define democracy as government by consent, Pateman is correct to deny that tacit consent is adequate to democracy. In its normal usage consent refers to the act of giving permission; it implies that there is some expression of permission. As Cassinelli points out, the term does not denote the intention or attitude behind the act of deferring to authority, but rather the act itself.⁶ Cassinelli and Partridge specify further that the act of consent must be voluntary; the citizen must have the right and the power to withhold consent, but grant it nonetheless.⁷ The Participatory theorists

cite these arguments in favour of a strong or literal concept of consent as evidence that, in Parry's words,

if there is anything meaningful in the notion of consent it is better translated into the language of participation.⁸

Although voting is a form of participation, the Empirical theorists' position is hardly more acceptable to the Participatory theorists than is Locke's simple presumption of consent. As Steinberg argues,

electoral participation does not provide a context of personal involvement and interaction that is necessary to any relationship based on consent.

Voting does not meet the conditions of the principle of government by consent. First, the voter has no choice but to be represented by the successful candidate. Since candidates may be elected by a minority of the electorate, they do not receive the individual consent of the governed. Second, the obligation of the citizen to the state is the same whether or not he votes. Thus, Pateman concludes that voting cannot be "the political counterpart of the social practice of promising."¹⁰

There are three possible types of citizen consent in the debate: residence in a state; the exercise of the suffrage; and participatory democracy. Of these the least useful for defining democracy is the first, since if all citizens consent to their government there can be no way of distinguishing between governments by the criterion of popular consent. Every regime must enjoy unanimous consent, and so be counted as democratic. The second

form of consent, which requires participation in elections, is more discriminating than the first in that it restricts the title "democratic" to governments elected by universal suffrage. However, the principle of one man, one vote is not a sufficient criterion by which to rank democracies, since almost all governments claim to satisfy the conditions of the principle. If it is to be of practical value to democratic theory, the concept of government by consent needs stronger or more exacting conditions than those associated with universal suffrage. It might then appear that the third, participatory interpretation of consent, being the strongest or the most discriminating, is also the best differentia of democracies.

It is true that universal suffrage is a weak or inclusive criterion of democracy. For it implies that those Communist regimes which are supported in elections by approximately 95% of voters are the most democratic form of government. However, we might also consider universal suffrage to be a strong or exclusive criterion since it follows from the principle that all Western governments were undemocratic until the final extensions of the suffrage in this century.¹¹ The criterion of one man, one vote is both too strong and too weak; it is a useless indicator of democracy.

The weakness of the empirical theory arises not only from the thesis that voting signifies consent, but

also from the assumption that the presence of widespread consent guarantees democracy. The Empirical and the Participatory theorists share the assumption that any clear manifestation of consent is also an undisputed sign of democracy. However, even if we can be sure that the citizen wishes to bestow legitimacy on his government, we cannot say that it is thereby democratic. There are governments, as Williamson points out, that no amount of consent could make democratic.¹² We call Hitler's Reich undemocratic, in spite of mass rallies which implied popular consent, because Hitler did not respect the universal rights of man and the public interest. Whatever conditions are attached to the free expression of consent, they cannot define democracy unless they include stipulations about the nature of government. It is only by considering political ends that we can speak of democracy existing at any time between the direct democracy of ancient Athens and the recent advent of universal suffrage.

The Participatory theorists retain the Empirical theorists' concern with the procedures of democracy. Although the participatory theory of consent is exacting or stringent, it cannot help to distinguish and to rank existing forms of government. For example, the level of participation may be higher in a Soviet state farm than it is in any rural area in the Western societies; it may have been higher in a feudal European city than in most cities today. We can distinguish between these and any

other forms of government only by reference to non-procedural or substantive criteria, such as that of the common good.

If democracy is indeed government by popular consent we must prefer the participatory theory over the empirical position. For continuous participation is a clearer sign of commitment to government than infrequent voting can be. However, if we reject the premise that government by consent is a sufficient democratic principle the participatory case is not necessarily the stronger. In this case we might accept arguments in favour of a literal interpretation of consent, yet deny that they have major implications about the need for a participatory democracy. We might conclude from the position of Cassinelli and Partridge that government by consent is not a democratic presupposition because no society can fulfill its conditions. The following section states the case for this conclusion.

Part Two: Authority and Consent

Yves Simon distinguishes between three types of legitimate authority, and he shows that two of these do not depend on the consent of the governed. Simon considers firstly a type of authority described by him as "paternal", "pedagogical", or "substitutional".¹³ This category consists of cases where the authority relationship is temporary, and contingent on the underdevelopment of the

citizen. Paternal authority is compatible with the view that legitimate political authority is subject to the consent of the governed. For it restricts the duty of unquestioning obedience to those, such as children, the insane, and prisoners, who are excluded from most electorates. The Empirical theorists imply that all authority is of the paternal type when they deny the possibility of an objective common good.¹⁴ They view society as a form of partnership in which every sane and responsible adult has the right to govern. By contrast, Simon considers his remaining types of authority to be both essential to democracy and above the consent of the governed.

Simon names his second category "essential". Essential authority is required, he argues, in order to unify actions where there is a consensus on the nature of the common good combined with a plurality of means of achieving this good.¹⁵ Essential authority differs from the paternal variety in that it originates not in the defects or the immaturity of citizens, but in the nature of society. For example, it is in the public interest that all motorists drive on the same side of the road, but there is no obvious reason why we should choose either the right or the left-hand side. Where reason alone cannot produce a compromise, the authority of leaders must. "Faced with a choice of means," Simon comments, "even

angels would have to resort to authority." In the case of traffic laws, authority is powerless to save lives if it is subject to individual consent. All theories of government must account for essential authority.

Simon asserts not only that his second category of authority is essential to all governments, but also that it is required especially by democracies. In contrast to paternal authority, he argues, instances of essential authority multiply as men mature, and as societies grow more complex.¹⁶ For instance, a young family with little savings may not require authority when planning its first major vacation. The number of destinations possible on a small budget is so low that a family vote might well settle the issue. But the great choice of vacations facing a wealthy family is likely to require a single authoritative voice even where there is agreement on the criteria of a desirable holiday. Those who define democracy as government by consent imply that as the liberty of citizens grows the need for authority declines. Simon suggests instead that authority is a complement of liberty. It allows for individual diversity while guaranteeing the possibility of common action. For Simon essential authority does not restrict but it creates the conditions that make possible a measure of self-determination.

Simon's final category of authority, which he calls "political", is required in order to choose among ends

where there is a consensus on the proper means to a given end. Simon describes two professors, each a master of one type of teaching. One conducts his lectures as discussion groups in order to promote self-expression and interest among students. The other limits student participation in an attempt to produce disciplined learned scholars. Assuming that each professor provides the best possible means to his preferred end, all members of the University will choose between the ends of knowledge and interest when assessing the professors. To illustrate his third category of authority, Simon points to differences between the assessment made by the students and that made by the Chairman of the department. In selecting his courses the student's commitment to the common good is a formal one only. Even if he admits to the possibility and desirability of choosing on the basis of the common good, the content of the good willed by him is actually his private good, derived from his views on liberalism in teaching. The Chairman differs in that, when forced to choose between his members of staff, his interpretation of the common good is a political one, for which he bears ultimate responsibility. Therefore, Simon concludes, he

is defined by the duty of willing and intending the common good considered both in its form and in its matter.¹

Since the exercise of political authority requires the

renunciation of private interests, the political leader must have authority which transcends the consent of the governed.

Simon's political authority is necessary where there is no consensus on the content of the common good; his essential authority belongs where there are disputes over the means to a generally accepted good. The thesis that authority must transcend consent may be refuted, therefore, only by hypothesizing a society in which consensus on both means and ends is high. The Participatory theorists have devoted the bulk of their work, not to the politics of the national state, but to what Bachrach calls "sub-systems of the body politic."¹⁸ Pateman, Bachrach, and others attempt to arrive at a theory of government by means of analogies with non-governmental bodies such as the capitalist enterprise, the University, and so forth. The method of these theorists is to wage a war of attrition against the theory of government: if all social organizations can be egalitarian, why not government too?

Bachrach's sub-systems differ from the state in that they are specialized groups which may dispense with a strict hierarchy. The state is an unselective community; dissenters cannot retire or be excluded, as from a club.¹⁹ Stankiewicz states:

The same committee members who are capable of making policy decisions through participation are liable to disintegrate into quarreling factions when discussing matters outside

their committee's frame of reference. The reason is plain: the committee can function as a committee because it has been selected on the basis of the qualities necessary -- common interest, knowledge, ability. The farther we move from that situation, the smaller is the possibility of genuine participation.²⁰

Political demands differ from those in other organizations in that they are unlikely to have a self-evident order of priority. Criteria are needed to rank demands in the state, and this requires in turn political authorities to interpret and to apply these criteria. Finally, only government can legitimately coerce members of all organizations.²¹ The egalitarian possibilities of non-governmental bodies have no serious implications for democratic theory.

The thesis that the legitimacy of government arises from popular consent is best described not as a theory of government, but as one of anarchy. A.D. Lindsay calls the thesis the "silly" democratic argument because it implies that the citizen is under an obligation to obey government only where he is part of the consenting majority.²² The thesis also suggests that, should one citizen fail to consent, none is obliged to obey. Lindsay argues that few actually believe that a minority can be justified in holding a society to ransom. He concludes:

Men will not in practice consent to government by consent. For government by individual consent is...anarchy, and men will not consent to anarchy.²³

Since government by individual consent is logically impossible, the attempts of the Empirical and the Parti-

cipatory theorists to select a suitable form of consent by which to define democracy is based on a false assumption about the nature of democracy.

One possible conclusion to this chapter is that authority and consensus are preferable to the egalitarian norms of participation and consent for the purpose of defining democracy. However, there are dangers in defining democracy by authority and consensus alone. For instance, the definition may be unacceptably broad in the sense that one may succeed in defining not democracy as the term is generally used, but mixed government or the good society. As MacIver warns, a definition of democracy ought not to eschew procedural criteria:

we must beware of defining democracy as a 'spirit', a creed, a way of living.... If we do so we play into the hands of those who claim that their systems of government express 'true' democracy or 'real' democracy or a 'higher' democracy.²⁴

A non-procedural or substantive definition is too broad or inclusive when it perceives the right to a choice of representatives as being unnecessary. Kelsen argues:

There is...no better means to obstruct the movement for democracy, to pave the way for autocracy... than to make the people believe that their desire for democracy is fulfilled if the government acts in their interest, that they have...democracy is they have a government for the people.²⁵

In the next section we see how the principle of consent can be retained in a substantive definition of democracy. The final chapter then shows that we can interpret the

egalitarian norms of democracy in a non-procedural way.

Part Three: Two Types of Democratic Consent

The Empirical and the Participatory theorists are united in the search for a stronger or more literal concept of consent than that of Locke's tacit consent. The two schools imply that the tacit consent of citizens to government is a necessary but insufficient condition of democracy. For them Locke errs in understating the importance of consent in a democracy. The debate creates the impression of a continuum of consent theories ranging from the weakest, which imputes consent to all residents in the state, to the strongest, which demands a participatory democracy. In this section we see, however, that there is a fundamental difference between tacit and literal concepts of consent. Literal concepts derive from the principle of popular sovereignty, while the concept of tacit consent is part of a theory of the unlimited rights of government. I argue that the definition of democracy must address both the rights and the duties of the citizen; that it must refer to both classical and egalitarian concepts of government by consent.

The principle of government by consent is generally discussed either in the context of political obligation or in that of popular sovereignty. For instance, the thesis that legitimate government proceeds by the consent of the governed is one possible answer to the questions,

"what obliges citizens to obey government?" and "what binds government to the will of the people?" Simmons defines consent as the "personal performance of a voluntary act which is the deliberate undertaking of an obligation." He implies by this definition that a theory of consent should consider both the right to withhold consent and the duty to obey government.²⁶ However, the two branches of consent theory have not always been developed in tandem. The Empirical and the Participatory theorists address themselves chiefly to the right of the citizen to approve authority, and to the duty of government to embody the popular will. By contrast, the theory of tacit consent is an attempt to explain the obligations of the citizen, following his decision to reside in a particular state.

We can distinguish between the two types of consent theory by their relationship to the principle of political equality. The Social Contract theorists view government as the limitation of natural equality; their consent theory justifies the political inequalities of civil society.²⁷ These theorists cannot mean that the legitimacy of government arises from the consent of the governed, for this view would discredit the theory's distinction between society and the state of nature. Following the rise of the modern democracies, the ideal government is portrayed widely as a manifestation of popular sovereignty; today the principle of government by consent is almost

identical to that of political equality. For most modern theorists consent and equality are the criteria of distinction between despotic and democratic types of government. These theorists cannot conceive that the consenting citizen is bound unconditionally to government since this view would invalidate the distinction between despotism and democracy.

Modern consent theory concerns the retention of the right to govern; classical theories define consent as the renunciation of political power. The citizen waives the right to withhold consent from government when he consents, tacitly or otherwise, to the founding contract of the state. As Crosby puts it, Locke considers that legitimate authority flows from the consent of the governed, which implies that it is no longer situated among the governed.²⁸ The Empirical and the Participatory theorists hold that democracy requires the maximization of individual consent to government; they agree further that some form of participation must fulfill this requirement. If these theorists mean by consent something similar to that which is meant by the Social Contract theorists, it follows that the citizen is trapped by participatory democracy. The more he participates the more he is a part of the system, and his dissenting judgements are of no consequence.²⁹ Even the citizen who is skeptical about the existence of a moral obligation to obey authority, finding himself commanded (in effect) by himself, will be psychologically

trapped by the system.

It is true that the Empirical and the Participatory theorists do not intend to imply that the participant is under a moral obligation to obey government. In a sense these theorists are at fault only in failing to consider the issue of political obligation, and not in depriving the democratic citizen of the right to protest. However, there are at least two reasons why we must take the classical and the egalitarian types of consent not as alternatives, but as complementary principles. First, it is impossible to develop the one without making untested assumptions about the other. Thus, the egalitarian concept suggests that the citizen has no obligations towards government, save those which he chooses to assume. Locke's tacit consent appears to deny the citizen the right to protest in the face of malevolent authority. Second, neither concept suffices to distinguish between forms of government. The egalitarian concept confuses democracy with anarchy; and the concept of tacit consent cannot help to differentiate between democracy and other forms of legitimate government. An adequate theory of democratic consent must explain simultaneously the rights and the duties of the governed.

The debate between the Empirical and the Participatory theorists ignores that which is truly radical about consent theory. Consent to leaders is common to all legitimate governments. Democracy differs not in the extent of

popular consent, but in that the citizen always retains some sovereignty for himself. This sovereignty he may use, at stipulated times and places, as a weapon against absolute power.³⁰ As Simon argues,

what is unique about democracy is...
the fact that not all authority is
transmitted to the governing personnel.³¹

Friedrich's common patterns of behaviour and Wolff's unanimous consent resemble Locke's tacit consent in that for each dissent is deviant. A theory of democratic consent must retain the radical notion that consent is never total, while identifying the limits of the right to withhold consent. The theory must divert attention from the locus of absolute authority, and consider instead the ends to which authority is committed.

An example of such a theory is that of Hannah Pitkin.³² Pitkin distinguishes between consent to the individual directives of government and consent to the original contract of the state. She follows Locke in arguing that only the latter type is essential to democracy, but she does not accept his implication that all citizens necessarily consent to their government.³³ For the concept of an original contract is taken metaphorically by Pitkin to refer to a set of principles which are "logically deduced from the laws of nature," and which are defined by the public interest.³⁴ According to Pitkin, the right to withhold consent and the duty to obey government are both contingent on the adherence of

government to such objective standards as respect for the natural rights of man. Legitimate government is defined as government which pursues rational ends.

At one point in The Problem of Political Obligation Pateman argues that the act of voting cannot oblige the citizen to obey government. She asks whether we would consider that those who voted against Hitler in 1933 were morally obliged to obey him in subsequent years. Pitkin would differ from Pateman in insisting that not even Hitler's early supporters were bound to obey him once the nature of his rule became apparent. As Rogowski argues,

even the most participant trade unionist
may have no obligation to respect a blacklist,
and even the most participant citizen no
obligation to support an imperialist war.³⁵

Similarly, the obligation to obey a parent is independent of levels of participation in family life. That is, one may be obliged unconditionally to obey an upstanding parent, but morally excused from any obligation towards a drunken, violent parent.

The distinction between classical and egalitarian concepts of consent may be of use in the analysis of particular theories, but it is an artificial distinction. This chapter has shown that the two concepts are incoherent in isolation from each other. The first section argued that neither concept can suffice unaided to distinguish and to rank existing forms of government. The second section showed that the egalitarian concept leads to

a confusion between democracy and anarchy. In this section I have argued that it is possible to arrive at a theory of consent which can explain both the rights and the obligations of the democratic citizen. However, I have noted only the form and not the content of such a theory. That is, the argument stated that the theory must be normative or teleological, but it did not identify the telos that a legitimate democracy must pursue. For it is sufficient, when discussing the limits of the Empirical and the Participatory theorists, to show the necessity of a non-procedural democratic theory.

FOOTNOTES -- CHAPTER THREE

¹For a summary of the debate see Carole Pateman, The Problem of Political Obligation (New York, 1979), chapter five.

²Morris Janowitz and Dwaine Marvick, "Competitive Pressure and Democratic Consent," in Political Behavior, eds. Heinz Eulau, Samuel J. Eldersveld, Morris Janowitz (Glencoe, Ill., 1956), 275-6, 284.

³Pateman, Political Obligation, op. cit., 89.

⁴Ibid., 87, 149, 154, 170.

⁵Ibid., 174.

⁶C.W. Cassinelli, The Politics of Freedom (Seattle, 1961), 86.

⁷Ibid.; P.H. Partridge, Consent and Consensus (London, 1971), 34-6.

⁸Geraint Parry, Participation in Politics (Manchester, 1972), 37.

⁹Jules Steinberg, Locke, Rousseau and the Idea of Consent (Westport, Conn., 1978), 117.

¹⁰Pateman, Political Obligation, op. cit., 17. See also A. Phillips Griffiths, "How Can One Person Represent Another?" In Proceedings of the Aristotelian Society, supplementary vol. 34 (London, 1960), 202.

¹¹See W.J. Stankiewicz, Approaches to Democracy (London, 1980), 120.

¹²Rene de Visme Williamson, "The Challenge of Political Relativism," Journal of Politics, 9 (May 1947), 150.

¹³Simon's theory of authority is not systematically presented in any one work. Useful summaries may be found in Clarke E. Cochran's articles: "Authority and Community,"

American Political Science Review 71 (June 1977), 546-558; "Authority and Freedom," Interpretation 6 (May 1977), 107-124.

¹⁴See Cochran, "Authority and Freedom," op. cit., 110.

¹⁵Cochran, "Authority and Community," op. cit., 551.

¹⁶Cochran, "Authority and Freedom," op. cit., 109.

¹⁷Yves Simon, Philosophy of Democratic Government, Second edition (Chicago, 1961), 41-2. Cited by Cochran, "Authority and Community," op. cit., 552.

¹⁸In his The Theory of Democratic Elitism (Boston, 1967), 102, Bachrach extends the theory of democratic participation to non-governmental bodies:

Obviously General Motors is not the United States government. However, there is a basic similarity between the two: they both authoritatively allocate values for the society.

Similarly, Pateman defends participatory democracy by referring to the achievements of worker-managed enterprises in Yugoslavia. See her Participation and Democratic Theory (Cambridge 1970).

¹⁹J.R. Lucas, Principles of Politics (Oxford, 1966), 58. See also his p. 289.

²⁰Stankiewicz, Approaches to Democracy, op. cit., 13.

²¹See Robert MacIver, The Ramparts We Gaurd (New York, 1950), 37:

There is one conclusive difference between private organizations and the great state. The state alone has direct coercive power over men, including the members of all other organizations.

²²A.D. Lindsay, The Modern Democratic State (Oxford 1943), 232-4. See also A. John Simmons, Moral Principles and Political Obligation (Princeton, N.J., 1979), 79:

Most of us have never been faced with a situation where express consent to a government's authority was appropriate, let alone actually performed such an act.

²³Lindsay, Modern Democratic State, op. cit., 233.

²⁴MacIver, The Ramparts We Gaurd, op. cit., 48.
MacIver's emphasis.

²⁵Hans Kelsen, "Foundations of Democracy," in Political Thought Since World War II, ed. W.J. Stankiewicz (New York, 1964), 68. See also Griffiths, "How Can One Person Represent Another," op. cit., 205.

²⁶Simmons, Moral Principles, op. cit., 57.

²⁷Steinberg notes in The Idea of Consent, op. cit., 134, that classical consent theory is egalitarian in that it is concerned with limiting the power of a monarch, but not in that it posits an equal right for all citizens to withhold consent from a monarch. As Steinberg also points out, the essential difference between classical and modern consent theories is that the latter presupposes universal suffrage while the former does not.

²⁸For the Social Contract theorists, he states, "far from being a title to rule, consent is a renunciation of the claim to rule." In The New Egalitarianism, ed. David L. Schaefer (Port Washington, N.Y., 1979), 65-6.

²⁹See William H. Nelson, On Justifying Democracy (London, 1980), 44-5. Stankiewicz notes, in Approaches to Democracy, op. cit., 165, that participatory democracy means that all citizens become members of the establishment "in fact and spirit, by acting as the existing members do."

³⁰Cochran, "Authority and Freedom," op. cit., 119.

³¹Cited by Cochran, *ibid.*

³²Hannah Pitkin, "Obligation and Consent," American Political Science Review 54 (December 1965), 990-999.

³³*Ibid.*, 996.

³⁴*Ibid.*

³⁵Ronald Rogowski, "The Obligations of Liberalism: Pateman on Participating and Promising," Ethics 91 (January 1981), 301.

CHAPTER FOUR

DEMOCRACY AND POLITICAL EQUALITY

Part One: Equality in the Debate

The dispute between the Empirical and the Participatory theorists concerns the extent to which Western democracies realize egalitarian political ideals. The two schools agree that the ideal democracy is pluralist, in the sense that the procedure accords all interests equal legitimacy.¹ They agree further that the democratic procedure requires the participation and the consent of all interests. However, empirical research on Western political procedures cannot succeed fully in resolving the debate. A theoretical commentary on the debate is essential insofar as the two schools differ in their understanding of the egalitarian norms of democracy. Because they disagree about the level and the type of equality required by pluralism, participation, and consent, the means to the resolution of the debate lies in the analysis of the principle of political equality.

The Empirical theorists consider a system to be pluralist when all interests face a roughly equal chance of articulation and satisfaction; when, in Dahl's phrase, there is potential if not actual equal representation of interests. The Participatory theorists reply that the

formal right of participation satisfies the conditions of pluralism only where all citizens have the power to promote their interests successfully. Parenti states that "the ability to convert potentiality into actuality" must be equally distributed.² Similarly, Bachrach criticizes Lasswell for his view that access to power in a democracy must be equal for all citizens; Bachrach proposes that power itself must be equal for all.³ For these theorists democracy requires both equal political rights and equal political power.

One way to distinguish between these interpretations of pluralism is by means of Jack Lively's concepts of prospective and retrospective equality.⁴ The right to equal participation may appear to be egalitarian when one looks forward at the prospects of particular interests in decision-making. However, the right may seem quite inadequate by the criterion of the results of the procedure. The Participatory theorists find that some interests remain consistently unresolved in Western societies. The finding leads them to broaden the egalitarian principle; to include the stipulation of equal political efficacy. Without power, they argue, the principle of equal opportunity is a "useless formality" or a "hollow mockery," like the beggar's freedom to enter the Ritz.⁵ The Participatory theorists reject the principle of prospective equality on the grounds that it is of no value to him who is unable to compete.

The two types of equality correspond to distinct forms of democratic decision-making. From the principle of prospective equality the Empirical theorists derive the principle of majority rule. The majority principle is egalitarian in that rule by either less or more than 50% plus one of the electorate may imply an unequal weighting of votes.⁶ Majority rule guarantees to each citizen the opportunity to vote with the ruling majority; it does not, however, ensure that all votes will influence decisions equally. In order to present an egalitarian critique of the majority principle, the Participatory theorists must alter the egalitarian principle by which the Empirical theorists justify it. Retrospective equality or equality of outcome demands equal sharing in the rule; this requires in turn the direct and continuous participation and consent of the governed.

The Empirical and the Participatory theorists agree that a political procedure is democratic if it is egalitarian. For them equality is a sufficient normative principle for democratic decision-making. This view has two main implications: it implies that egalitarian principles override competing democratic principles, and it implies that pluralism, participation, and consent are sufficiently justified by the fact that they are egalitarian. An example of a democratic principle overridden by these principles is, as J.R. Lucas notes, the right to dissent:

if everyone is to participate fully in

the political process, everyone must be of one mind, and nobody may dissent from the prevailing opinion. If people are to be free to be out of sympathy with prevailing opinion, they must be able to opt out of the higher levels of involvement, and settle for a low minimum of external conformity.⁷

Examples of alleged justifications for the egalitarian principles have been seen in earlier chapters. For instance, the Participatory theorists justify participation by the principle of equal political power. For Pateman

the experience of participation...leaves the individual better psychologically equipped to undertake further participation in the future.⁸

Lipset justifies the principle of participation by that of government by consent:

those who believe that democracy is best served by a high level of participation point to the fact that a democratic state, unlike...oligarchy, must depend on the consent of its citizenry.

The two schools in the debate justify one egalitarian principle by referring to another. The main assumption of this exercise is that political equality is a sufficient justification for any democratic principle.

The Empirical theorists differ from the Participatory theorists in that they subscribe to a weaker principle of political equality. However, John Charvet argues that both prospective and retrospective types of equality are properly regarded as strong. For political prospects are equal only where the conditions that determine the

ability of citizens to exploit their opportunities are equal.¹⁰ When it is taken literally, in fact, the principle of prospective equality is incompatible with any form of society. Because citizens vary in their influence over others, Charvet points out, prospective equality cannot permit dependence between citizens.¹¹ The principles of equality in the debate have in common the fact that they override other democratic norms. Further, neither is self-evidently justifiable as a principle of decision-making.

Part Two: Political Equality as a Norm

One problem of political equality is that egalitarian means may well lead to a non-egalitarian end. The Participatory theorists assume that pluralism, participation, and consent will secure individual political efficacy, or control over government. However, there are many instances where individual efficacy is high to the extent that there are restrictions on participation. For instance, in any large organization some specialization is needed to achieve control by members over higher levels.¹²

A.D. Lindsay points out that the efficacy of citizens is low where power is devolved from government to the armed forces, and where the latter are run as participatory democracies. It is control over armies that is desired by most citizens, Lindsay argues, and to this end one

must limit both the participation of the soldier in military command, and that of armies in government.¹³ Lindsay's point is relevant to the most common form of participatory democratic theory: it is control over the unrestricted pursuit of profit that the Participatory theorists demand in their critiques of capitalist hierarchies, but it is unclear how they expect to secure this control by maximizing the norms of self-government. As Stankiewicz notes,

the real danger in the notion of participatory democracy is that it is an indirect attack on the controls we have evolved to prevent the abuse of power.¹⁴

Clearly, the Participatory theorists mean to exempt the soldier, the capitalist, and all abusers of power when they call for equality, participation, and consent.

There is thus a confusion in their theories between the demand for a strong, interventionist government, and the desire to subject this power to localized popular control.¹⁵

The tension between the egalitarian principles and individual political efficacy is well illustrated by Jane Mansbridge's research on small town democracies in New England. Mansbridge establishes, firstly, that many citizens of Selby, Vermont choose not to attend their town assembly.¹⁶ As the Participatory theorists would predict, Mansbridge's subjects attribute their political apathy to a low sense of efficacy: they do not take part in meetings because they feel that they cannot influence them. However, the citizens do not, as the Participatory

theorists might also predict, blame the hierarchical structure of the assembly for their low political efficacy. Rather, they point to such personal traits as poor speaking ability, or a simple distaste for politics. Further, the non-participants of Selby lack political efficacy because they have no choice but to be represented by the more politically eager, and because the latter are not accountable for their decisions. As one citizen notes,

you can't vote the rascals out if they don't hold elective office; indeed you can't take any form of reprisal if you don't know who the rascals are. As an outsider, if you go to town meeting you feel manipulated by 'those in the know'; if you don't go you seem to have forfeited your right to gripe.¹⁷

Just as they assume that equality is the means to widespread political efficacy, the Empirical and the Participatory theorists believe that egalitarian measures lead to a consensual, cohesive society. However, equality can be a cause of social division. In order to achieve retrospective equality government must favour those who prove consistently unable to benefit from prospective equality. The policy known as reverse discrimination or affirmative action may be just and equitable, but it does tend to isolate and to antagonize groups where there is no prior societal consensus on the policy. As Benn states, equality "can be effective in public policy-making... only to the extent that agreement can be reached on the proper order of priority of human interests."¹⁸ Without

such a consensus the democratic rule of law is replaced by the law of bargaining, and ultimately by anarchy.¹⁹

Egalitarian norms are divisive in that they lead the citizen to view civil disobedience as an assertion of his own authority, rather than as a rebellion against the legitimate authority of others. The definition of democracy in terms of participation and consent implies that the role of the citizen is to accept or to reject government on the basis of whether it promotes his own, sectional interests. Samuel Huntingdon finds that the authority of government declines as its activity increases. In the late 1950s three-quarters of the United States electorate believed that government was "run for the benefit of the people." By 1972 the percentage agreeing with this proposition had fallen by almost half.²⁰ For Huntingdon the crisis of modern democracy arises from an ideology of egalitarianism.

The weakness of the Empirical and the Participatory theorists does not lie in their ideal of compromise and unanimity, but rather in their proposed egalitarian means to these ends. In Berlin's term, the two schools have "fortressed" the egalitarian principle with principles, such as individual control over government and social harmony, which are incidental to equality.²¹ J.R. Lucas argues that the principle of equality is often assimilated to the principle of universal respect for humanity, which commands us to treat all men as ends rather than as means.²²

For Berlin and Lucas equality cannot be a sufficient democratic principle because it presupposes other norms, such as respect for all individuals and societal consensus.

Sartori, Benn, and Peters describe equality as a "negative" norm.²³ Although equality is a valid democratic norm, Sartori argues, it is "not designed, as such, to be converted into reality."²⁴ It is true of all norms that they may become less desirable at high levels of achievement, either because of the claims of competing norms, or because of our familiarity with them. Negative norms differ in that, if they are taken literally, the outcome does not correspond to the aim. Sartori's example is "all power to the people", which becomes transformed from a weapon against absolute power into its antithesis, a new absolutist principle. Further examples have been noted in this chapter: the participatory democracy in Selby leads to a form of elitism, and government by individual consent undermines societal control over armed forces and capitalist enterprises.

A democratic principle of equality must allow for and require reference to other democratic norms. For one theorist democracy requires "the equality of men in their natural possession of certain inalienable rights."²⁵ Here equality is desired only insofar as it guarantees the universal rights of man; the principle presupposes a theory of natural law. A second example states that only relevant differences between citizens can justify

unequal political treatment.²⁶ This principle is insufficient, in the sense meant by Flatham, because it has no political implications without a catalogue of relevant differences. It differs from the principles of prospective and retrospective equality in that it demands consideration of citizens as individuals. In Pennock's phrase, it implies that citizens in a democracy are equal "as subjects-of-ends," or in that each is an end in himself.²⁷ Similarly, Dorothy Lee states that democratic equality requires "the right of each to develop inner potentiality and uniqueness."²⁸

The literal interpretation of political equality implies that representative democracy must make way for a system of direct participation and individual consent. However, if we exclude participation and consent from the hierarchy of democratic norms, we have no criteria by which to distinguish democracy from other forms of legitimate government. As Williamson argues, we must take egalitarian principles to be "secondary and derivative" among democratic norms. For if they are "primary and original" they will undermine other norms.²⁹ The egalitarian principles can be democratic

only because there is an overriding constitution -- a contract, in effect, written or unwritten -- that prevents their being the only principles.³⁰

The Empirical and the Participatory theorists differ over the interpretation of political equality.

They also differ over the empirical question of whether Western democracies fulfill the conditions of the egalitarian principles of pluralism, participation, and consent. However, they agree that a society which does meet these conditions is democratic; for both schools political equality is a sufficient democratic principle. This chapter has shown that democracy is defined as a set of norms which includes both egalitarian and substantive or non-procedural norms.

FOOTNOTES -- CHAPTER FOUR

¹See Giovanni Sartori, Democratic Theory (Detroit, 1962), 270, footnote 13:

By 'pluralism' is generally meant that trend of thought which opposes the theory of the sovereignty of the state in order to indicate the equal right of all associations and organizations of the body politic.

As Jacques Maritain and others have shown, however, 'pluralism' does not have to be used in this sense.

²Michael J. Parenti, "Power and Pluralism: A View from the Bottom up," in An End to Political Science, eds. Marvin Surkin, Alan Wolfe (New York, 1970), 132.

³Peter Bachrach, The Theory of Democratic Elitism (Boston, 1967), 84.

⁴Jack Lively, Democracy (Oxford, 1975), 16.

⁵Colin Welch, "Intellectuals Have Consequences," in The New Egalitarianism, ed. David L. Schaefer (New York, 1979), 118.

⁶Minority rule necessarily implies an unequal weighting of votes only if one assumes that political leaders are relativists.

⁷J.R. Lucas, The Principles of Politics (Oxford, 1966), 321.

⁸Carole Pateman, Participation and Democratic Theory (Cambridge, 1970), 45. See also, however, p. 107, where she admits that "the vast majority of workers" might well choose not to take part in a participatory system.

⁹S.M. Lipset, Political Man (Garden City, N.Y., 1963), 226.

¹⁰John Charvet, "Equality as a Substantive Principle of Society," Political Studies 17 (March 1969), 3-4.

¹¹Ibid.

¹²As William H. Nelson argues in On Justifying Democracy (London, 1980), p. 47, it may be preferable to have complete control over some levels in a hierarchy than to have some control over many higher levels.

¹³A.D. Lindsay, The Modern Democratic State (Oxford, 1943), 283-4.

¹⁴W.J. Stankiewicz, Approaches to Democracy (London, 1980), 14n.

¹⁵T.H. Lowi, The Politics of Disorder (New York, 1971), 67.

¹⁶Jane Mansbridge, "Town Meeting Democracy," in Dilemmas of Democracy, ed. Peter Collier (New York, 1976), 157. In Selby only 25% of the electorate attend town meetings, while almost 75% vote in state elections.

¹⁷Ibid., 160.

¹⁸Stanley I. Benn, "Egalitarianism and the Equal Consideration of Interests," In Equality, eds. J.R. Pennock, J.W. Chapman (New York, 1967), 62.

¹⁹Lowi, Politics of Disorder, op. cit., 78.

²⁰Samuel J. Huntingdon, "The United States," in The Crisis of Democracy, eds. Michael Crozier; Samuel P. Huntingdon; and Joji Watanuki (New York, 1975), 78.

²¹Isaiah Berlin, "Equality," in Proceedings of the Aristotelian Society, vol. 56 (London, 1956), p. 304:
Some inequalities (say, those based on birth) are condemned as arbitrary and irrational, others (say, those based on efficiency) are not, which seems to indicate that values other than equality for its own sake affect the ideals even of passionate egalitarians.

²²J.R. Lucas, "Against Equality," Philosophy 40 (October, 1965), 298.

²³For Sartori in Democratic Theory, op. cit., 327, equality is negative in that it is a "protest-ideal." Stanley I. Benn and R.S. Peters, Social Principles and the Democratic State (London, 1959), p. 114, claim that the democratic principle of equality is "always negative, denying

the propriety of certain existing inequalities." See also their p. 126. See also Dorothy Lee, "Equality of Opportunity as a Cultural Value," in Aspects of Equality, ed. Lymon Bryson (New York, 1956), 256: "Equality is a necessary step in the abolition of the ills of inequality...it cannot go beyond this."

²⁴Sartori, Democratic Theory, op. cit., 64.

²⁵Robert F. Sasseen, "'Remedies' for Inequality," in The New Egalitarianism, ed. David L. Schaefer (New York, 1979), 189.

²⁶Benn, "Egalitarianism," op. cit., 67, states: "Where there is a relevant difference" between two cases "there is a reasonable ground for treating them differently." See also Benn and Peters, Social Principles, op. cit., 111: "none shall be held to have a claim to better treatment than another, in advance of good reasons being produced."

²⁷J.R. Pennock, Liberal Democracy (New York, 1950), 85.

²⁸Lee, "Equality of Opportunity," op. cit., 262. For J.R. Lucas, "Against Equality," op. cit., 301, "we must replace controversy about Equality by detailed arguments about criteria of relevance." His emphasis. Without such criteria the egalitarian principle is, as Berlin puts it in "Equality," op. cit., 303, no more than a trivial tautology.

²⁹Rene de Visme Williamson, "The Challenge of Political Relativism," Journal of Politics 9 (May 1947), 158.

³⁰W.J. Stankiewicz, Approaches to Democracy, op. cit., 173.

CONCLUSION

The Empirical and the Participatory theorists both define democracy as a set of decision-making procedures. For both schools the task of the democratic theorist is to describe behaviour and to make recommendations in terms of procedural norms. Democratic citizens pursue a sense of political efficacy or power, and the theorist calls for pluralism, participation, and consent. One implication of procedural theory is that the normative principles of the common good, natural law and political sovereignty are of interest to the historian of ideas only, and not to the student of modern democracies. A defence of classical principles presupposes a critique of the shared assumptions of the Empirical and the Participatory schools. This study has identified the main shared assumption as relativism.

The Empirical theorists subscribe to a customary relativism. For them what is, is right. Thus, the voting studies take the characteristics of existing democracies to be those of the ideal democracy. The Participatory theorists reject empirical theory for its logical error in assuming that facts (e.g. citizens do not participate widely in democracies) can contradict a normative theory (citizens ought to participate in democracy).¹ However, it does not follow that the participatory theory is a normative one. Normative theory deals with the relationship between norms; the participatory theory attempts to maximize the

egalitarian norms without considering their compatibility with other norms. Participatory theories do not even demonstrate that their system is compatible with a social order. The theories belong to the desire school of relativism; they equate the right with that which is desired. Theirs is a "misbegotten and unrealistic normativism."²

The debate between the two schools concerns the implications of equality and the will to power as democratic norms. The Empirical theorists infer from these norms that a democratic result is possible only where society is wholly organized into interest-groups. The Participatory theorists show that there are inequalities between and within interest-groups, and that certain interests are not represented by existing groups. These theorists interpret the norms of equality and the will to power to imply that democracy requires face-to-face decision-making based on the principle of unanimity. Although this procedure is very different to interest-group pluralism, both follow from the same set of relativist premises. For both the Empirical and the Participatory theorists government responds only to the active, and citizens consent only where their private interests prevail. Both schools agree further that democracies are either elitist or egalitarian, depending on whether power is restricted or dispersed.

The critique of the debate must identify points of tension between the norms of equality and the will to power.

We have seen that participation as a form of decision-making in Selby excludes both the dissenters and those unsuited to politics. Similarly, we have seen that the principles of procedural consensus and government by individual consent bind the citizen to government, precluding individual dissent. Since egalitarian measures may undermine the individual's sense of efficacy, equality and the pursuit of political efficacy cannot be a "conceptual framework into which all the norms within the society must fit."³

Reference to non-procedural or substantive norms is required for the coherence of the empirical and the participatory theories. The principle of participation in decision-making presupposes the stipulation that only rational and legitimate groups and individuals have equal rights of participation. Procedural consensus is an adequate condition of democracy only where there is an underlying normative consensus, and where the procedure is just. The principles of pluralism and government by consent must be supplemented by those of social order and the public good. For without substantive considerations, the procedural principles imply that democracy is identical to anarchy.

This study has noted some possible areas of a debate between relativist and normativist theorists. For example, Friedrich and Kelsen argue that the content of normative concepts cannot be decided democratically; for them the

common good must be the outcome of democratic decision-making. The problem with the normative approach is that there is a special relationship between democracy and the principles of equality and individualism, but no such relationship between democracy and the substantive concepts of the common good and natural law. However, any serious attempt to distinguish, to rank, and to justify existing democracies must show that there is some logical connection between the two. Despite their commitment to democracy, neither the Empirical nor the Participatory theorists offer a convincing justification of the system.

FOOTNOTES -- CONCLUSION

¹Many participatory critiques make the point. See, for example, Graeme Duncan and Steven Lukes, "The New Democracy," in Apolitical Politics, eds. Charles A. McCoy, John Playford (New York, 1967), 169.

²W.J. Stankiewicz, Approaches to Democracy (London, 1980), 20, 97.

³Ibid., 11.

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