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DEMOCRATIC INSTITUTIONS
AND MORAL RESOURCES*

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I. Modes of Production versus Modes of Participation

It has been observed that "democracy" has become a universal formula of legitimation for a broad range of radically different societies and their respective modes of governance and political participation (Held 1987: 1). By the mid-1970s, there was virtually no regime between Chile and China that did not rest its claim to legitimacy upon being "democratic" in some sense, or at least upon its being in the process of some transition to some version of democracy. Thus the term "democracy" seemed to have lost its distinctiveness for a while. It failed to highlight significant differences between socio-political arrangements. To be sure, one still used to add qualifiers such as "liberal", "authoritarian", or "people's" democracy in order to distinguish specific types and structural particularities of governments; but these, important as they may be, were often considered to be of minor significance compared with other dimensions of comparative analysis.

It has become common in the twentieth century to characterize societies with respect to their socio-economic system and, particularly, to the economic and technological rank they have achieved within the world economy. It has become much more common and respectable to divide the world conceptually into the "First", "Second", Third and sometimes "Fourth" world than to divide it into its "democratic" and its "non-democratic" parts, as the latter categorization basically presupposes an authoritative definition of the contested notion of "democracy". Differences concerning various forms of government and particularly specific variants of "democracy" seemed to belong to the superstructure of societies - and to the arsenal of ideological weapons in the worldwide conflict between "capitalism" and "socialism". What tended to be considered objectively distinctive - and the most basic dimension of which political variables were merely derivatives - were socio-economic and technological characteristics, or "modes of production".

Evidently, or so we wish to argue, this conventional and convenient "materialist" way of portraying societies is currently losing much of its plausibility. There are a number of reasons
for this. First, the notion that national societies can be unequivocally tied as a whole to some clear-cut "mode of production" or "stage of development" is clearly obsolete. There are as many and as diverse varieties of "capitalism" (ranging from Austria to Singapore) as there are of "socialism" (ranging from Norway to North Korea); as far as "underdevelopment" as an umbrella category is concerned, the analogous point has been made by Brazilian intellectuals who refer to their country as "Belgindia", meaning "Belgium within India". It appears to us to be of great and not yet fully perceived significance that it is precisely the "socialist" (Comecon) countries, i.e. those in which Marxist-Leninist party doctrines form the basis of the official self-identification, which now are in the process of undertaking major reforms starting with fundamental changes in the political organization of their societies - an approach which, in terms of the hitherto official party doctrine of these countries, amounts to putting the cart before the horse. President Gorbachev has started the reform of the Soviet economy with a substantial reform of the constitution. Poland strives for a way out of its chronic economic decay by organizing a new social contract in the literal sense of this term, the most important stipulations of which aim at the establishment of democratic representation and of a more responsive government. Hungary has become the first socialist country to introduce a multi-party system, with free elections by the standards of the liberal democracies, and to abolish the "socialist" character of the country as it is laid down in the constitution. And these changes seem indeed to be experienced by the people of these countries as decisive and liberating ones - much in the same way as the people of Greece, Portugal and Spain (to say nothing of those of Argentina, Brazil, and Uruguay) perceived their respective "transitions to democracy" as constituting profound change both more significant than even a major step towards economic development and as a sign of hope that such steps might take place in the future. Clearly, the demand for political democracy is undergoing an unexpected renaissance.

Quite at variance with most versions of Marxist doctrine, it is no longer the "autonomous" development of the forces of production which gives rise to new institutions and new forms of
popular government, on the contrary, democratic institutions and procedures are being discovered as liberating and "productive" forces *sui generis*, considered capable, apart from their political aspects, of energizing the economic system and paving the road towards social and economic progress. Now it is again the political and constitutional axis along which societies are seen - and see themselves - to differ most significantly (both from other societies and from their own past), and not primarily the axis of the forces and/or relations of production. Moreover, the latter are increasingly perceived as being derivative of the former, instead of vice versa.

All this should not be mistaken for the final triumph of the Western model of liberal democracy, whatever that may be, given the widely divergent manifestations of democratic regimes even among the Western countries. After the Second World War the European countries had a fair degree of success in mitigating and taming class conflicts by making capitalism and democratic mass politics compatible with each other through the establishment of the Keynesian Welfare State. However, the paradigm by which democratic capitalism reconciles individual and collective rationalities wears thin. Within this paradigm, military strength, security achieved through bureaucratic control, instrumental knowledge, and economic growth are all considered essential factors in the comprehensive progress of society and in the solution of all major social problems. The rationality of action will eventually contribute to the perfection of the "system". This equation has evidently lost its persuasiveness. It is rightly questioned whether, the more that actors - be they states or individuals - accomplish according to the standards of these sectoral rationalities, the more they will promote their collective well-being (whether or not the "relations of production" happen to be socialist). What is called for under this condition is, as we shall argue, a design of adequate or "appropriate" institutions (March/Olsen) that modifies the rationality of action in ways which make it more compatible with and conducive to the requirements of collective well-being.

One might suspect that the relatively comfortable and so far generally successful experience, that the West European democracies have had with the constitutional arrangements
adopted after the Second World War, now tend to put them in a comparatively disadvantageous position, as the "learning pressure" to renovate institutional arrangements in the face of new conflicts and cleavages\(^1\) has subsided much more than has been the case with many of the "newly democratizing countries".

As a consequence of some of the structural changes taking place within modern societies, the ideal of "progress" — technological, economic, military, social, and cultural — which was the underlying and powerfully energizing force for the democratic optimism of the nineteenth and, notwithstanding the barbarous regression of fascism, of the twentieth century, has faded away. The "limits to growth" refer primarily to physical problems such as ecological damage, changes of climate or overpopulation; but their implication is basically a social and political one. They challenge the inherent rationale of our industrial civilization and its political institutions throwing their basic assumptions and their almost religious certitude into fundamental doubt. The basically "modern" vision that the use individuals make of their rational capabilities will, if mediated through the right kind of economic and political institutions, contribute to their collective progress and well-being, is being contested. At the very least, those political institutions and procedures which supposedly serve the purpose of mediating the rationality of actors and the desirability of outcomes are increasingly open to question.

II. The Theological Foundations of Modern Political Theory

"Democracy" is arguably the only formula in the modern world which is able to legitimize all kinds of political regimes. Theorists as different as Carl Schmitt and Joseph A. Schumpeter

\(^1\) What we have in mind, but cannot elaborate here, are (a) new patterns of cleavage and conflict resulting from a growing "individualistic fragmentation" of social structures which amount to a sometimes large-scale defection from those collective practises and collective actors that are rooted in the social division of labor and (b) the formation of "new" collectivities based upon "ascriptive" or "naturalistic" categories (such as gender, age, ethnicity, region, family and health status). The politics of "new" social movements seem to be related to both of these structural trends.
were probably right in pointing out that the modern creed of democracy is to be understood as a secularized version of the most elementary tenets of Christian theology (Schmitt: 49ff.; Schumpeter: 265; see also Taubes; Merkl/Smart). According to them, the democratic omnipotence of the people and of the legislator has become the substitute for the Almighty Will of God, whose commands are the ultimate sources of order in this world, and the equal value of each and every individual in modern democracy reflects the Christian belief that "the Redeemer died for all: He did not differentiate between individuals of different social status" (Schumpeter: 265). In view of current political conflicts in Ireland, Poland, Latin America, Lebanon, Israel, Iran, the Soviet Union and many other countries, it is plausible to assume that the intimate connection between religion and politics is not an exclusive property of the Christian world and that the striving for political order bears many attributes of a sacred cause throughout the world (Panikkar: 53).

If we realize that the conception of the common good is the secularized version of the "divine order" and hence itself a religious idea, we can understand why the political principle to which it has the closest affinity is democracy: religion is dedicated to the realization of the plenitude of human life by linking it with the divine order, and politics in its most demanding version is committed to making man the creator of his destiny in this world. It is therefore not surprising that the sole alternative to the democratic legitimation of power is the theocratic one. Despite many deep and irreconcilable differences, both theocracy and democracy make the claim that the destiny of mankind requires justification through the will of a creator that binds humankind in a "good" order - whether divine or secular.

This reference to the concept of Political Theology (or, as it were, to the idea of an "immanent transcendence") may help us to understand the tension between the claim of the political order to be "good" and "just" and the omnipotence of its sovereign - a tension which can only arise where we cannot resort to the authority of any external norms and principles of justice; if we ourselves are the creator of the just order, on behalf of what principle could we conceivably oppose it? The history of Christian theology gives much evidence for manifold
doubts as to whether the Will of God must be regarded as omnipotent, because it is inherently just or, conversely, that it cannot but be considered inherently just, because it is omnipotent.

The Rights of Man could not really protect the individual in his or her natural nakedness; they were rather the expression of isolation than its remedy, because they did not tell individuals to which community they belonged. Nor could the people's sovereignty per se save them from the uncertainties of their new status as each an atomistic master of him- or herself, because the individual's participation in the omnipotence of the sovereign does not tell that individual what is right. Hence from the very beginning of democratic theory, theorists had to deal with the question how to secure not only the omnipotence of the new "mortal God" - this could be deduced from the autonomy of individuals and his natural freedom and equality - but at the same time its wisdom and justice. In other words, how can we assure that, since people are not gods, although they have replaced divine commands with their own, their commands are not only the expression of a sovereign will but also of the common good? It was a difficult task to justify popular sovereignty and self-government as the consequence of individual freedom and equality; it is far more difficult and probably impossible to justify popular self-government if it is known to be prone to fall prey to the inherent weakness and wickedness of humans.

III. Interests, Checks, and the General Will

In the history of democracy we find appeals to a variety of moral capabilities in citizens which are deemed to motivate them to fulfil their civic obligations vis-à-vis the body politic and their fellow-citizens. The most prominent among these moral capabilities are virtue, reason and self-interest.

However, the framers of the American constitution did not, in the last analysis, put the decisive weight on either virtue or reason as the solid foundation of the republic (cf. Pangle). And they were positively sceptical about reason as a power to rule the common will of the people. Madison himself was suspi-
cious about the very notion of a common will, he believed it impossible that such a will could freely emanate from within a united civil society, and that it could only be espoused by a hereditary or self-appointed government. Nor did he deplore inability of civil society to generate a united will from within, but rather saw in that fragmented and disunited nature a guarantee of the preservation of individual freedom. In other words, he relied on the fact that "different interests necessarily exist in different classes of citizens" and that, "whilst all authority . . . will be derived from and dependent on the society, the society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority" (Federalist: 51/323, 324). Thus the American democratic model relieved the sovereign people from the heavy burden of a nearly sacred task to define and implement the common good. Instead, the model restricted itself to the task of devising institutions (such as the natural right to private property and the division of powers) which (a) allowed the individuals to pursue their diverse interests and their particular notions of happiness, thereby at the same time (b) avoiding the danger of an omnipotent government imposing its notion of collective happiness upon the people. Instead of "unifying" the people on the basis of some collective will, it seemed more promising to the framers to move in the opposite direction of promoting the diversity and fragmentation of interests. In a way, these institutions were designed to play the role of "congealed" or "sedimented" virtue, which thus made the actual practice of these virtues, such as truthfulness, wisdom, reason, virtue, justice and all kinds exceptional moral qualities, to some extent dispensable - on the part of both the rulers and the ruled. This ingenious machinery is evidently far less demanding in moral terms than what would be required of citizens in a different type of democracy - one which comes close to aspiring to the secular redemption of the people through a more or less permanent revolutionizing of those social conditions which expose the people to social and economic conditions of suffering, poverty, oppression, humiliation, dependence, ignorance, and superstition.
This latter kind of aspiration was in fact what inspired the French Revolution. Above all, it was a sequence of social revolutions - successively the revolutions of the nobility, of the bourgeoisie, of the urban masses, and of the peasants (Lefebvre) - in which the fate of each individual was seen to be inescapably tied to the fate and action of every other individual. It is no accident that this revolution took place in a Catholic country; the conviction, that every soul is equal before God and that salvation is not earned through personal excellence and superiority but is the expression of God's mercy towards the miserable and the unfortunate, if secularized, nourishes the idea of collective liberation through social revolution. (The impact of a Political Theology which is energized by the concept of social revolution, i.e. of collective emancipation, is particularly vigorous in Catholic countries of the so-called Third World, especially in Latin America.) Hence the notion of popular sovereignty was from the very beginning associated with the indivisible will-power of a collective body, be it the nation, the republic, or the united people, while institutional mediations and machineries were considered to be of minor importance. "No matter how a nation will, it is sufficient that she will; all forms are good and her will is always the supreme law" proclaimed Abbé Sieyès, a Catholic theologian, on the eve of the French Revolution.

Undoubtedly Sieyès made the implication that the will-power of the nation is inherently reasonable, because it was inconceivable - particularly in the age of Enlightenment - that an arbitrary will could become the law. No more than God could have an erroneous will could the people err; by virtue of the fact of being the will of the people, this will was "reasonable", "right", "just", "virtuous". This equation was evidently informed by Rousseau's Social Contract and his construction of the general will (volonté générale). When Rousseau stated that "the general will is always right and aims always at the common good" (II/3) he did not imply, as some commentators have argued, any inherent goodness or substantive morality in the empirical will of the people. Actually, he had a better argument, namely a more procedural one. For he radicalized - by inverting it - a prescription that Montesquieu had devised to assure the reasonableness of the law. According to Montesquieu, law-makers
in a democracy should always be subjected to their own laws. Rousseau turned this principle around: instead of saying "the author of the laws must be subjected to them" he reversed the sentence stating that "the people that is subject to the law must be its author" (II/6). What is the implication of this inversion, and what is its significance? According to both of these rules, the law is general in that it applies to both the ruled and the ruler. But Montesquieu's rule does not preclude the possibility that a ruler who is - for instance due to idiosyncratic (masochistic) characteristics or a privileged economic position - incapable of being negatively affected by the content of the law, might impose unjust suffering upon the ruled. Although the law applies to this ruler, it does so with consequences that differ from the way in which it applies to everyone else. This problematic result could only be avoided if the economic conditions, interests, needs, feelings and preferences of the law-giver and the subjects of the law were sufficiently similar as to affect all of them in substantively equal terms. This is precisely the point of Rousseau's rule. As the subject of the law is made its author; as the subject and hence the author are the popular classes; and as each participant in the process of law-making will, in the process of deliberating the content of the law, give primary consideration to the likes of him- or herself (and hence pay little attention to economic or other kinds of "exceptional" conditions in which the law might also apply), the social impact of the law will tend to be of a highly egalitarian nature\(^2\) as a result of the very procedure of law-making. This, in fact, is not just the psychological inclination of ordinary law-makers, but also the normative condition of a substantively just (or "democratic") and hence of an effectively binding law.

We have dealt with Rousseau and the American conception of popular sovereignty at some length in order to explain not only that the relationship between sovereignty and reason has quite distinct roots in the different traditions of the American and the French Revolutions but that its contemporary features are still vigorously affected by this tradition. At a first glance

\(^2\) Rousseau does however, as is well known, display no certitude as to the actual achievability of this egalitarian vision. (Cf. Contrat Social, II,3,6)
it is surprising that precisely that theory of democracy which presupposed the utmost equality of all citizens was to nourish the revolution in a country suffering extreme inequalities, whereas in the American colonies, where social and economic inequalities were rather limited, a theory of popular sovereignty prevailed which bluntly denied the possibility of a common will and interest which would unite the people. Yet this paradox is plausibly explained by the fundamentally different characters of the two revolutions: the French was a social revolution, whereas the American Revolution, apart from being a struggle for national independence, was a purely constitutional revolution which in socio-economic respect was explicitly conservative. A social revolution determines the fate of the people as a whole and hence ties the individual strictly to the destiny of his social category. When Rousseau stated, that nobody could work for himself without working for others, he was not only presenting a secularized version of the Christian command to love one's fellow-creature as oneself, but was unconsciously foreshadowing the social dimension of reciprocity and solidarity. This notion of democracy and the concept of social revolution were mutually reinforcing, because the perception of the people as a united, corporate body underscored the collective character of their destiny and hence their genuine equality, which at the same time directed their hopes towards social emancipation, because this "image of a 'multitude . . . united in one body' and driven by one will was an exact description of what they actually were, for what urged them on was the quest for bread, and the cry for bread will always be uttered with one voice" (Arendt 1963: 89).

IV. The American and French Traditions in Democratic Theory: Balancing Individual Interests and the Common Good

The American tradition views democratic politics and popular power not as an unequivocal ideal, but as something potentially dangerous. Passions must be checked - both the passions of the people (and the irreconcilable "factions" that will of necessity emerge within the people as a whole) and the passions of the political elites who always are tempted to exploit the powers of government for their own profit and advantage. The con-
stitutional construct that is designed to tame the dangers of passions, despotism, and factions is basically one that places strong emphasis on checks and controls. First, interests check interests within a market society based on legal guarantees of private property and the freedom of contract. Second, interests check governmental powers through a dense net of democratic rights, most importantly elections and the freedom of the press. Third, power checks power, i.e. the holders of democratic power check each other through complicated relations of rights and powers extending between the various political institutions such as the States, the Federal Government, the Presidency, the Congress, the Supreme Court and the armed forces.

As a result, a polity emerges that is built around the ideal of the free pursuit of the individual's notion of happiness. Whatever collective notions of happiness, salvation, or the realization of any particular group's destiny or potential may prevail, they are neither defined nor implemented through the political process, but through associative action within civil society. The common good is no more than the secure enjoyment of his or her individual good by each and every citizen. Such a model of democratic politics does evidently not make strong or optimistic assumptions concerning the moral qualities that citizens are capable of displaying in the act of democratic participation, - although it can by no means do without any moral requirements and presuppositions, as citizens must be considered willing and able to respect the common interest in the preservation of civilized and constitutional rules, rather than to engage in an unregulated individualistic struggle of interest. Concerning moral capabilities, the American tradition - and most liberal political thought in general - relies on a realist and empiricist (as opposed to an idealist-rationalist) assumption. This assumption is based on something like the following syllogism: if men have morally "bad" intentions, as must be realistically assumed, the highest priority is to check the potentially dangerous impact of these intentions upon the process of democratic government. If, however, these intentions turn out to be morally desirable, ample room must be left for the manifestation of these intentions within the communities and associations of civil society; hence the political order
itself can afford to be morally undemanding. Consequently, and in order to be on the safe side, it is neither tolerable nor desirable to commit democratic government to any notion of republican virtue or the common good.

In contrast, the French tradition of democratic theory is firmly tied to a collectivist notion of secular salvation through social progress, with the constitution being considered as a machinery for promoting this encompassing vision of the common good. Starting with this premise, the design problem for those engaged in politique politisante is the inverse one from the American case. Theirs is not the problem of how to check and neutralize the dangers of faction, but how to enable citizens to be "good" citizens - i.e. citizens committed to the common good. Given the fallibility of the will of the popular sovereign, the task of the constitution becomes one of overcoming this fallibility, and also of securing the progress that has already been made. As in the previous section, Rousseau was fully aware of the extraordinary difficulty of this task. The Social Contract can be read as a relentless effort to specify the conditions under which the empirical will of the people can be approximated to the reasonable will of the people, the volonté générale. And in an almost tragic case of cyclical reasoning Rousseau seems to conclude that a reliable commitment of each and every citizen to the realization of the common good can be expected to prevail only if the revolutionary task of realizing the common good is already accomplished! Not only does Rousseau fail, as a result of the unavailability of any notion of class conflict and class formation, to sketch the outlines of an objective dynamic of revolutionary processes that would bring people to converge upon a shared conception of what would constitute their common good (a gap later to be filled by Marx' theory of historical materialism); he also failed, as a result of his romanticist and anti-intellectual inclinations, to elaborate a cognitive method by which the transformation of the "crude" into the "refined" version of the will of the people could possibly be accomplished (a gap that today Habermas' theory of communicative action aspires to fill).³

³ "Rousseau considers politics to be essentially a simple matter. That is why the process of the formation of the will,
Nevertheless, Rousseau's clear notion of the fallibility of the will of the people is of great importance. As "God", or the divine order of public life, is replaced by "the people" and "human reason" becomes the ultimate foundation of social order, the result was the paradox of a "mortal god". Hobbes was probably alone in remaining able to ignore the problem implied in this substitution, as he believed that this new secular authority could be construed more geometrico, i.e. by logically compelling deductive reasoning alone and without any reliance upon fallible or contested normative presuppositions. The idea of a "bad government" would have been an oxymoron to him, as he clearly saw that the frightening alternative of society's falling back into the state of nature made any government better than no government, and hence the question of the moral qualities of the government utterly irrelevant. But this rationalist-contractarian confidence in the desirability of government per se did not last for long among his successors in the history of political ideas. The insight dawned upon them that "peace" (such as was supposedly accomplished by the Leviathan) was not enough; the problem was to determine the just peace. With Rousseau writing three generations later, the hiatus between the liberal solution (i.e. the authoritatively safeguarded co-existence of divergent interests within the multitude of individuals) and the republican solution (i.e. the autonomous recognition of the collective interest of all and by all) had appeared on centre stage. This alternative still exhausts the range of conceivable designs in modern political theory.

On the one hand, the proponents of the former solution rest content with the unalterable diversity of the many notions of justice that ineradicably prevail among the members of even the most civilized societies; what remained to be resolved in this case was the problem of how to organize, by the means of constitutional government and the state's authority, the peaceful co-existence of the forces and factions that made up this plurality. That, according to liberal theory, is all that can be achieved on the universalist basis of a unanimous consent of the many to refrain from the use of violence in the pursuit of individual as well as collective, does not concern him." B. Manin, "On Legitimacy and Deliberation", Political Theory 15 (1987), 338-368 (347)
their interests. The portion of the freedom they give up is meant not to serve the common good, but to secure the safe enjoyment of their private goods.

On the other hand, this conclusion of liberal democratic theory is contradicted by the "republican" tradition (later developing in the revolutionary democratic direction) that originated in French political thought. Within this tradition, two objections, one negative, one positive, are raised against the liberal version of democratic theory. The negative objection, later to be elaborated in the classical writings of historical materialism, rests its case upon the compelling observation that, given the original and unequal endowment of individuals with means and resources to engage in their pursuit of happiness, the nominal universalism of the liberal arrangement turns into a de facto particularism. Equal rights (e.g. in property) are not paralleled by the equal distribution of the resources necessary actually to enjoy these rights. Hence the constitutional universalism must be extended into a socio-economic one within a process of revolutionary social transformation. The second, positive counter-argument posits that this is not only necessary, but also possible, as men have the "natural" interest, desire and capability to pursue a shared vision of the common good - if only they can become masters of the economic and social conditions of their life.

As a consequence of these two objections, radical political thought had to secularize the notion of salvation as well. As God was replaced by the people as the ultimate source of order and authority, so the promise of divine justice had to be complemented or replaced by the inner-worldly project of a revolutionary transformation. This alternative seemed to involve a much greater task, the task of bringing about not just peace, but an unequivocally just peace. The revolutionary project requires for its redemption not just the peaceful aggregation of the will of the many, but a rational cognitive process which determines what must rationally be willed by all and what

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4 This distinction is nicely symbolized by political rituals. No parliamentary speaker in any Western democracy would ever join himself in the applause that is offered at the end of his speech by those sharing the demands and opinions he expressed. In contrast, it is common (or at least has been
course the process of human and societal perfection must take as a consequence. In this case, what is required of the citizen is not just rational consent to the ground rules of a peaceful order, but the much greater effort to purify and transcend his or her supposedly selfish and myopic preferences and opinions so as to arrive at a generalizable version of his or her will. The distance that must be travelled in order to accomplish the latter is evidently much greater than that involved in the former. In order to be a rational consenter to the ground rules of a strictly liberal version of democracy, I need to show little more than the prudent pursuit of my interest, whereas to share in some collective will I need to "launder" my preferences much more fundamentally, as the fallibility of my judgement is always in danger not just of obstructing my well-considered self-interest, but of missing the volonté générale itself. The tension between the empirical will and the will to have a "true and reasonable" will was clearly recognized by both Montesquieu and Rousseau.5

common until very recent times) for Communist Party chairmen to applaud themselves after the entire party convention raises for standing ovations. This symbolic practise is not just an act of the self-congratulatory arrogance of the holders of unchecked power, as it must appear to Western observers; rather, its meaning rests on the assumption that what has been expressed in the speech and is now being celebrated by all is not his personal or partisan opinion, but a true insight, the achievement of which is highlighted by the ritual in which the speaker himself, being just the mouthpiece of a collective cognitive process rather than the author of his words, is therefore entitled to join.- The symmetrical opposite of this ritual are, of course, the practises of auto-critique and of brain-washing, both of which can only be defended under the assumption that they consist in the cure to a strictly cognitive error (rather than the crippling of a person's integrity and identity).

5 "And it is fortunate for men to be in a situation in which, though their passions may prompt them to be wicked, they have nevertheless an interest in not being so." (Montesquieu, XXI/20); "Although one wishes always one's best, one does not always recognize it" (Rousseau, Contrat Social,II/3); "People ... are often deceived, and it is ... then that they seem to wish for what is bad." (II/3). "The common will is always right, but the judgement which leads it is not always enlightened" (II/6). All of these quotes can be read as illustrations and examples of the category of "democratic regret".
So in either case, the case of the peaceful pursuit of individual interests as well as in the case of the generalizable will, some moral effort is required - albeit, as we have just argued, a much greater one in the latter case than in the former. Perhaps it is not entirely obvious why liberal theory, too, can be said to require a minimum of moral commitment. Although, according to this theory, the social contract originates in pure self-interest, its duration in time cannot be accounted for in terms of interest alone. For the longer the social contract lasts, the greater the temptation either to break it for one's own self interest (thus free-riding upon the conformity of others) or to break it first in order to pre-empt others. Thus the validity of the axiom pacta sunt servanda cannot be explained in terms of self-interest alone, but only with reference to some morally founded commitment and self-restraint.

Thus both of our theories imply a difference between immediate (or interest-guided) and morally refined preferences. In neither case will my immediate and unrefined impulses and inclinations suffice. From an ex-ante-perspective, the distance between the two sorts of preferences is defined through the active use of practical reason; from an ex-post-perspective, through the passive experience of regret. In either version of our two accounts of democracy, the quality of democratic institutions depends on the extent to which they are capable of activating and cultivating the practice of the former, thus minimizing the experience of the latter.

One might even claim that designing institutional arrangements that favour the refinement of political preferences is the only theoretical problem that the two democratic traditions have in common. How is the "raw material" of the will of the people, with all its blindness, selfishness, and short-sightedness, to be transformed into reasonable and non-regrettable outcomes? There are several aspects of this thorny problem. First if we inquire into what we mean by a "rational" or "enlightened" political will, we will hit upon three qualitative criteria. Such a will would ideally have to be at the same time "fact-regarding" (as opposed to ignorant or doctrinaire), "future-regarding" (as opposed to myopic), and "other-regarding" (as opposed to selfish). To be sure, it is hard to determine when and how this ideal is to be satisfied to an optimal extent. But it suf-
fices here to postulate that whenever "regret" is experienced concerning an earlier expression of individual and collective will, it can be traced back to deficiencies in one or more of these three dimensions. A further dimension of the "reasonable will" problem becomes apparent if we realize that the will of the people plays a significant role at two places in the democratic political process, namely at its origin (where the "inputs" of voters or participants occur) and at its end (where laws and other acts of the democratically constituted authority are executed and compliance is required). Thus the quality of the will of the people is a problem that can be split into two sub-problems: the quality of the will that is being actively expressed and the quality of the will that leads people to comply passively with - or, alternatively, to violate or resist - the law of which they are, at the same time, the collective authors and subjects. It is of course tempting to postulate that the two aspects stand in close interrelation (in that a law derived from unanimously expressed preference carries strong obligatory power and perhaps also that "input"-preferences will easily converge on collective choices that are anticipated to be easily enforceable); but nonetheless, the two aspects deserve to be treated as analytically distinct, namely as those of rational preference formation and rationally motivated compliance.

The rather schematic way in which we have opposed the two democratic traditions - the liberal and the revolutionary - is intended to highlight one underlying analytical dimension of political theory which was first formulated by the French and American political theorists of the second half of the eighteenth century and which still constitutes the arena of the debate at the end of the twentieth century. The polar cases of a pure regime of checks and balances and a pure regime of republican virtue are of little practical significance. But they are of the greatest theoretical significance because they delimit the space within which democratic theorists try to define synthetic solutions which in their turn are also of practical and political significance. Any such synthetic solution consists in a reasoned trade-off within the unavoidable dilemma of democratic theory and its task of designing new institutions or justifying existing ones. The dilemma is this: should demo-
cratic institutions or constitutions be built around the "empirical" or the "reasonable" will of the people? Should constitutional rules and procedures be seen primarily as a mechanism of checks, balances, self-binding or self-paternalist arrangements that impose constraints upon governing elites and citizens alike, or should they be seen as constitutive, self-founding, developmental, formative, and enabling mechanisms which are designed to alter and "de-nature" the empirical will of the people and to approximate it towards some notion of a reasonable will? Is it the objective of constitutions to establish a political order (which supposedly has its value in itself) or do they aim (and to what extent justifiably?) at instrumentally transforming the social and economic order so as to promote some substantive notion of justice and the common good? Is it the values of freedom and liberty or those of equality, solidarity, and justice that provide the ultimate justification for a democratic polity? Is it the people as an existing multitude of individuals that forms the basis and reference-point of a democratic polity, or is it the ultimately-to-be-achieved people as a corporate body with a common history and destiny? Is it the principle of legality that endows a democratic regime with legitimacy, or must legality itself be submitted to some substantive legitimacy test? Is it the institutions (as the "congealed" outcome of experience, reflection and deliberation) which make up a democratic regime, or is it the actual capability of the citizens, as practised by them to pursue the common good? None of these questions - all of which upon closer inspection turn out to be just variants of the single problem originally posed by the contrast of the American and the French traditions - can be answered today in an either-or fashion. Rather, they must be answered through a laborious synthetic effort aiming at a provisionally valid reconciliation of the opposites. Let us look at some examples of how these problems have been dealt with by democratic theorists in the twentieth century.

V. Hybrid Solutions to the Problem of Democratic Theory

The problem of the Rousseauist version of democracy is that it inevitably presupposes highly demanding conditions for the con-
sonance of the people's will and the common good, whereas the democratic theory which places itself in the American tradition may turn out to be too undemanding in reducing the concept of the common good to little more than an aggregation of individual preferences. But even in that less demanding case, it is necessary that the way in which the individual citizen pursues his or her interests and values be "civilized", that is, firmly tied to the rules, disciplines and procedures that permit the pursuit of interest by all to remain fair, equitable, and peaceful. Thus in either of the two traditions, though to widely varying degrees, institutions must be provided that serve the purpose of purifying and refining the "raw" and uncivilized inclinations of actors. In its more demanding version, the aim is to condition citizens to be "good" citizens, that is, citizens able to be active authors of the common will. In the less demanding version, the aim is to bind citizens to respect the law and the constitution in the process of their pursuit of interest. In the history of modern democracy we have seen different institutional strategies designed to achieve this aim of civilizing citizens.

The actual institutions and practices of modern liberal democracies do not correspond to either the French or the American tradition. Rather than solving the problem of how to refine the empirical will of the people, the dominant strategy has been to bracket and ignore the problem and to bypass the solutions that were envisaged by either version of classical democratic theory. This, at least, is what we want to argue in the following discussion of two of the key institutional features of contemporary democracies, namely the franchise and the welfare state.

Voting Rights and Representation

It is a truism that the universal right to vote is the decisive and distinctive quality of democratic regimes. There are three different justifications of the right to vote. The most fundamental and the earliest consists in the notion that, as Rousseau argued, the force of the law is conditional upon the universal franchise. The general will must originate "in all citizens in order to apply to all citizens" (Rousseau: II/4). But, secondly, the influential early American theory of virtual
representation claimed that the binding force of the law does not necessarily rest on every citizen's right to vote, but can be achieved through "just" representation; on the basis of this concession, a different argument for the universalization of the franchise is required, namely one that highlights the value that this right confers on the individual. According to this theory, the right to vote constitutes full citizenship status and defines who counts in the community. (Marshall 1949: 92; Tribe 1985: 14; Goodin 1988: 83ff.).

Thirdly, there has always been current a more or less implicit notion in terms of which the right to vote is justified and defended by reference to the quality of the outcome of the political process. According to this version, the franchise is justified by the fact that it presumably tends to make citizens more aware of their responsibilities towards the common good. Rousseau contended that the general will is directed towards the common good because "everybody necessarily submits himself to the same conditions which he imposes on others" (Rousseau: II/4); in consequence to this mutuality, nobody will be tempted to impose unfair duties and sacrifices upon others which these others then will predictably reciprocate upon him - unless such duties are strictly and intelligibly called for by the common good.

Of course, a glance at the historical reality of democratic developments shows quite clearly that the reverse assumption has prevailed in practice. Rather than relying on the risky hypothesis that the extension of the right to participate would by itself and quasi-automatically elevate the individual to the status of an enlightened and responsible citizen, nineteenth century proponents of democracy held fast to the somewhat safer hypothesis that only those who have been demonstrated to be responsible citizens in the first place (through paying taxes, achieving high educational or professional status, etc.) should be entitled to participation. Accordingly, it was only after the First World War that the universalization of the right to vote was deemed appropriate in most West European democracies.

Apart from these ambiguities in the justification of the right to vote, a well-known dialectic ensues from the extension of this right. The broader the entitlement to participate becomes,
the more it becomes dependent upon the insertion of representa­tive intermediaries (which were anathema to Rousseau), such as political parties and legislative bodies. This insertion has been justified in the theory of party competition and parlia­mentary representation not just as flowing from the necessities of coping with large quantities of participating citizens dis­persed over the territory of national states, but also as as­suring a higher degree of comprehensiveness and far­sighted­ness, or, in a word, of political rationality to be employed in the decision making process.

State Intervention and the Regulation of Production and Distribu­tion

The secular process of the extension of the right to political participation - and at the same time of the increasing indi­rectness and mediation of the forms through which this right could be utilized - has been one of two cumulative structural developments in the historical practice of democracy. The other development has taken place not in the social, but in the sub­stantive dimension: after more and more categories of people were admitted to active citizenship in the first of the two processes, the second consisted in subjecting more and more as­pects of the life of civil society, particularly as it affects issues of production and distribution, to the collective polit­ical will.

The French Constitution of 1791 excluded wage workers and all other categories of dependent individuals from the suffrage be­cause poverty and dependency were thought to be obstacles to the possession of a reasonable will, and hence to participation in the formation of the nation's reasonable collective will. Consequently, the goal of democratization came to include the abolition of material dependency and poverty through the real­ization of social and economic equality, whether by the intro­duction of schemes of co­determination and "industrial democ­racy", or through state regulation, welfare policies, and "economic democracy".

One assumption underlying the extension of democracy into the economic and distributional as well as the educational spheres

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was that this would help to improve the outcomes of the political process by fostering the rational qualities, the sense of material security, the freedom from anxieties and fears, and the self-confidence of citizens enjoying the right to participate not just in properly political but also, through social and economic state policies, in economic affairs. This second extension of democracy was held to follow a logic strictly analogous to that discussed earlier, namely the logic of using "more democracy" for the purpose of making "better citizens". Unfortunately, however, "the evidence is by no means conclusive that increased participation per se will trigger a new renaissance in human development" or that it "leads to consistent and desirable political outcomes" (Held 1987: 280, 281).

In fact, during the course of the development of the welfare state, distributive policies came to be less and less a means to an end - the qualification of all individuals for responsible citizenship - and came rather to be valued for themselves. The welfare state and its policies of social security and redistribution can even come into conflict with the democratic ideal of civic reason if the scheme of income redistribution is uncoupled from the universalistic principle of the promotion of the common good and if it is instead guided by group strategies to appropriate portions of the gross national product at the expense of others. Moreover, the institutions of the welfare state have been rightly criticized for their tendency to foster dependency and clientelistic attitudes on the part of citizens. The over-optimistic hypothesis that the extended participation of citizens must somehow naturally entail an improvement in the moral and cognitive quality of their decision-making capabilities might even be disputed by the opposite contention: namely that participation (and the chances of collective appropriation of material values that go with it) may actually corrupt citizens by appealing to their selfishness. From this strongly pessimistic assumption the reverse suggestion would follow: only the evidence that individuals are responsible citizens would entail and justify their extended participation. The first alternative would presume that Rousseau's doctrine is still valid: the more and more thoroughly the interests of the individuals are politicized by transferring them to the popular sovereign, the less they are vulnerable to particularistic in-
clinations and the more responsible the volitions are which form the collective will (I/6). The other alternative would be a Lockean one; it would claim that only the force of strong individual interests in one's own private affairs can nurture - and helps to maintain over time - a person's sense of responsibility; and that, conversely, the more the sphere of public policies and regulations is extended, the more impoverished the individual's rational civic capacities and virtues will tend to become (cf. Thompson 1987: 44ff.).

As in the case of a more universal and egalitarian distribution of the legal right to participate in politics, so also in the case of a more egalitarian distribution of economic rights and resources as well, the question must be asked whether or not (and if so, as a result of which causal mechanisms) more equality among individual citizens will give rise to the development of their moral and rational capabilities and thus, eventually, to the improvement of the outcomes of collective decision making. Raising this question does not, of course, deny the justifiability of egalitarian social and economic policies on other grounds outside democratic theory proper, such as the abolition of misery and poverty. But from the point of view of democratic theory, careful and sober consideration should be given to the question why - and under what conditions - equality among individuals can be assumed to be a necessary precondition of collective rationality. How can we be equal and excellent, too?

VI. Problems of Democratic Solutions

The conundrum of generating what are assumed to be collectively rational decisions in democratic ways without first generating citizens who are inspired by the desire for promoting the common good (or the common interest in the conditions of the pursuit of private interests) can be compared to the task of generating a desired effect in the absence of its necessary cause. In the absence of "reasonable" citizens, the aggregate outcomes of their individual acts of participation must still be justified as "reasonable". As we have just argued, in the development of modern liberal democracy and its theoretical interpretations, there are two major ways, consecutively adopted, in
which this conundrum is presumably solved. One is representa-
tion, the other is the welfare state.

In the theory of representation, the condition is relaxed that
in order for reasonable decisions to be made, the ultimate au-
thors of the decision must themselves be reasonable\(^6\), and that
there exists a necessary convergence between the will of the
people and the common good; henceforth it suffices that the
members of representative legislative bodies, if properly con-
stituted, proclaim reason on behalf of the people, in the vast
majority of which any degree of reasonableness cannot be as-
sumed. A tradition in democratic theory even more vociferous in
the interwar period began to denounced the hopes, voiced by the
classical tradition from Rousseau to Mill concerning the en-
lightening and civilizing impact of the right to vote, as void
and naive. As the citizen was basically considered incapable of
autonomously refining his will, some vicarious preference-re-
fining mechanism had to be put in place. Conversely, represen-
tative mechanisms were seen as barriers serving to prevent un-
reasonable inputs from interfering with the quality of decision
outputs. Robert Michels, Max Weber, Carl Schmitt and Joseph
Schumpeter, in spite of their vastly different philosophical
and political orientations, all converged upon an increasingly
disillusioned and often manifestly cynical view of the poten-
tial of democratic institutions to transform the empirical will
of the people into something more reasonable and enlightened,
taking this will instead as something inherently irrational
which at best could serve as the sounding board of charismatic
leaders, an object of "caesaristic" manipulation, or a content-
less selection mechanism for political entrepreneurs.

\(^6\) To be sure, this realist revision of the claims for universal
suffrage and representative government asserted itself only
after these major democratic accomplishments were reached in
most of Western Europe after the end of World War I. Before
these accomplishments, socialists, in particular, held the
greatest hopes concerning the civilizing, mobilizing and
eventually progressive impact that the right to vote was to
have - not only for the external conditions of production and
distribution, but equally for the moral and political
formation and the development of the consciousness of the
working class.
A parallel argument applies to the actual implementation of collectively binding decisions; as it cannot be assumed that citizens will normally feel obliged to comply with the decisions that have been made (not by them but) in their name, so the threat of negative sanctions must be applied in order to force them to do what the law requires them to do. Thus the empirical will of the citizens is bracketed and neutralized by means of the insertion of representative mechanisms and the state's monopoly of force, which apply, respectively, to the empirical will in its active (participatory) and its passive (compliance) versions. The stronger the independent force of these two mechanisms, the lesser the requirements that must be made upon the civic spirit, virtue and insight of citizens, while at the same time the potentially dangerous impact of their "passions" remains under effective control.

The same perspective can be applied to the welfare state, defined as the provision of entitlement-based social security for employees and their dependents. Nowhere was the welfare state designed to produce competent citizens by improving individuals' capacity to form responsible and considered judgements, and to transcend the immediacy of their social and economic interests. On the contrary, it was designed to condition workers rationally to accept existing social and economic arrangements and hence to comply, as workers and as citizens, with its daily routines; once they were given a stake in the system and its continued operation, there was within it much more for them to lose than merely their "shackles". In contrast to any revolutionary transformation of the social and economic order along the lines initiated by Rousseau, the welfare state aimed at generating not citizens capable of the autonomous consideration of the common good, but dependable workers. Nor do other institutional patterns aim at or contribute to the development of the moral capacities of the citizens.

The institutions and procedures of liberal democracies can be criticized for involving three cumulative mechanisms of "political alienation". By political alienation we mean the difference and distance that intervene between the subjectivity, motives, and intentions of those who are involved in the decision making process (and in whose name the decisions' validity and legitimacy are vindicated), on the one hand, and the
decision outcomes, on the other. One important consequence of political alienation is the depletion of the moral resources of citizens. Political alienation can be said to occur in the temporal, social, and substantive dimensions. First, political alienation in the temporal dimension results from the tension between elections and decisions. The mandate that voters give to legislative bodies and governments extends over a period within which decisions on issues will be made the nature and content of which are entirely unknown at the moment of voting, and in which for this reason voters can play no role; this problem is exacerbated through the "loss of collective memory" that is conditioned by the media and modern PR strategies. Secondly, in the social dimension, the alienation mechanism results from the apparent paradox that as rights to political participation are extended to broader and more heterogeneous categories of the population, the political class of professional legislators, policy-makers and administrators becomes more homogeneous by training and social background, thus giving rise to a growing separation between people and politicians. Third, and in close connection to the other two modes of political alienation, there is a growing distance between the everyday knowledge, values, and experience of ordinary citizens and the expertise of political professionals. These various forms and aspects of political alienation imply two equally probable effects: Either short-sighted, myopic and opportunistic modes of action on the part of political elites who are no longer effectively called upon to comply to demanding standards of political rationality and responsibility; or a moral and political "de-skilling" of the electorate and the spread of cynical attitudes about public affairs and the notion of a public good. It is easy to see how these two effects, those affecting elites and those affecting the masses, can feed upon each other.

From our brief and critical discussion of the failures of the major institutional components of modern liberal democracy, namely representation and the welfare state, we wish to draw two conclusions which might help to throw new light upon current challenges to democratic theory and democratic practice.

(a) Legislation through representative bodies plus authoritative enforcement of the law are indispensable, but at the same time insufficient mechanisms to cope with collective decision
making problems; for instance, in the areas of environmental protection, resource use, gender relations, health-related behaviour, intergenerational behaviour and a large number of other public policy issues. What are needed for effective implementation of policies, in addition to legal regulation, are enlightened, principled, and refined preferences on the part of citizens. Moreover, there is no built-in guarantee that the decisions of representative bodies will be superior, more responsible or more reasonable than the micro-decisions of enlightened individual actors; on the contrary, most of the new issues and problems concerning the "common good" (ranging from questions of gender relations, the Third World and peace to the natural and the built environment) have been brought up during the 1970s and 1980s not by parties and parliaments, but by new social movements working outside the formally constituted political system, while the representative institutions have often been more myopic, less other-regarding and fact-regarding than parts of their constituencies. Nor is there any guarantee that even the most enlightened and reasonable legislation can be brought to bear, through the authoritative means of law enforcement and legal regulation alone, upon the day-to-day action of the less enlightened citizenry. What this amounts to is the diagnosis of an increasing powerlessness of constituted political powers, in both their legislative and executive capacities. As a result, the role of actors within civil society, both collective and individual, assumes increasing strategic significance for the solution of societal problems. As justice is no longer something that can be implemented through legislation alone, the rule of law must be complemented at the micro-level of the principled action of conscientious citizens.

7 It can be said to be "increasing" to the extent our assumption is warranted that collective decision problems of the type that cannot easily and effectively be dealt with by formal-legal methods of governance do in fact make up an increasing portion of our public agenda.

8 The booming interest, both academic and non-academic, in the field of applied ethics may be interpreted as a reflection of this shifting balance between legal and statist modes of control, on the one hand, and moral and societal ones, on the other.
While many critics of the practices of liberal democracy, particularly on the political left, have tended to believe that the obvious cure for unreasonable and unjust outcomes of government action is the broadening of democratic participation and codetermination, first across categories of the population (women, adolescents, foreign workers, etc.) and then across substantive areas (local governments, industrial enterprises, professional services, schools, universities, etc.), this view has lost much of its compelling power.

The difficulties with this general idea are threefold. First, the approximation of the ideal that "all" should be entitled to participate in a collectively binding decision becomes implausible as soon as the appropriate definition of what we mean by "all" is called into question. Take the case of an airport construction project: is the universe of those affected by the decision, and for that reason the universe of those entitled to participation in making it, "all" inhabitants of the nearby villages, or is it "all" airlines and their clients who qualify as potential users of the new facility? As regionalist and gender issues illustrate, the thorny problem of defining the appropriate universe cannot be resolved by broadening participation; more often, the problem is felt by political activists to be how to keep "outsiders" out. Secondly, and in a similar way, the rationality of broadening the social range of participation becomes manifestly dubious when the issue is, as in fact it is in all questions concerning human and citizen rights, not to "win majorities", but to protect rights from being overruled by even the strongest majorities. Thirdly, and most important in the present context, what we have to confront is the disappointing possibility that the quality of outcomes is not always demonstrably improved through broadening the range of rights to participation and co-determination. Such rights, far from educating actors to make well-considered decisions (which therefore would turn out to be non-regrettable from an ex post perspective), may well work out in the opposite direction by generating a lower level of reasonableness of collective outcomes than that which might be achieved on the level of individual action. In such cases, the whole appears to be less (in quality) than its parts. The reason for the emergence of such sub-optimal outcomes (as viewed by the participants themselves)
might be that the temptation to use the powers of co-determination and participation for short-sighted and particularist purposes is too great to be easily resisted. Many authors seem to shy away from seriously considering this disappointing possibility, as it appears to imply a suggestion of a return to pre-democratic, elitist, authoritarian or paternalist modes of making collectively binding decisions.

Such implications, however, are not the only conceivable way out of the dilemma. It is also possible, as we wish to suggest in conclusion, to respond to the realist recognition of the fact that there is no positive linear relationship between participation and reasonableness by proposing a radicalization of the principle of democratic participation. This radicalization would amount to a third step to follow the two that have already been taken by previous waves of democratic movements and democratic reforms, namely (1) the generalization of the categories of persons that are entitled to participate and (2) the generalization of the substantive areas and institutional sectors to which the right to participate is extended. A further step along this line would consist in (3) enfranchising, as it were, the various preferences that exist within individual citizens/voters so as to organize an orderly social conflict not just between majorities and minorities (or, for that matter, between workers and managers in the case of "economic democracy"), but, in addition, an "inner conflict" between what the individuals themselves experience as their more desirable and their less desirable desires. Such a radicalization of the democratic principle would aim at stimulating deliberation; it would amount to the introduction of procedures that put a premium upon the formulation of carefully considered, consistent, situationally abstract, socially validated and justifiable preferences.

"It is . . . necessary to alter radically the perspective common to both liberal theories and democratic thought: the source of legitimacy is not the predetermined will of individuals, but rather the process of its formation, that is, deliberation itself." (Manin 1987, 351f.) This proposal to bid farewell to the notion of fixed preferences implies a learning process that aims not at some preconceived standard of substantive rationality, but at an open-ended and continuous learning process in
which the roles of both "teacher" and "curriculum" are missing. In other words, what is to be learned is a matter that we must settle in the process of learning itself.

It appears to be a largely novel and largely unexplored task to think about institutional arrangements and procedures which could generate a selective pressure in favour of this type of reflective and open preference-learning - as opposed to fixed preferences that are entirely derivative from situational determinants, rigid beliefs, or self-deception. According to the intuition that we have identified in Montesquieu and Rousseau, all of us prefer to have preferences that enjoy the respect of even our political opponents, which have been refined through the careful consideration of all relevant information, and which are reliable and identity-supporting in the sense that they are capable of surviving the passage of time and changes in the situational context. It is not well understood, however, which institutions and arrangements might help in the development of such preferable preferences, and in screening out the less preferable ones. Rawls' "veil of ignorance" is more a thought experiment than a constitutional arrangement. Habermas' reliance upon the rationality standards that must, in principle, be redeemed in any speech act is all too easily frustrated by the presence of a situational context which relieves the speaker from the rationalizing force of speech, thus letting him or her get away with less than well-considered preferences and propositions.

What positive conclusions, if any, are suggested by the two negative propositions we have just tried to defend? The way in which the problematic of democratic theory has shifted seems obvious. First, there is the shift from the macro-democracy of representative and authoritative political institutions to the micro-level of the formation of the collectively relevant will within the various contexts of civil society, many of which are by their very nature outside the range of operation and control of state institutions, state supervision, and state intervention. Secondly, there is a shift from quantity to quality in the sense that in order to produce more reasonable outcomes it often no longer makes sense to ask for broader participation, but instead to look for a more refined, more deliberative, and
more reflective formation of the motives and demands that enter the process of mass participation already in place.

Neither the liberal-individualist nor the republican-collectivist version of democratic theory appears to be capable today of addressing the typical major collective decision problems of modern society. This verdict applies to liberal theory in that it takes insufficient cognizance of the independent and "social" ("vergesellschaftet") nature of individual action: the individual pursuit of interest generally takes place in the form of strategic, not parametric rationality, and thus it does not permit, if it is to be successful, abstraction from what others are doing. At the same time, the collectivist search for encompassing visions of what the common good might consist in typically does not sufficiently take into account the degree of social differentiation that modern societies have reached - a differentiation that debases notions such as the "collective" (or even "class") interest. Much of recent sociological research has highlighted the fragmented and "individualized" nature of modern social structures that permits at best highly complex and abstract definitions of identity, as well as the prevalence of multiple cleavages in view of which any use of binary codes (such as labour vs. capital, males vs. females, sector vs. sector, domestic vs. foreign, "them" vs. "us" etc.) appears hopelessly inadequate and misleading if employed as a guide to political preference formation. No set of values and no particular point of view can lay claim to correctness and validity by itself, but at best only after it looks upon itself from the outside, thus relativizing it through the insights that are to be gained by taking the "point of view of the other" (or the generalized "moral point of view").

In our view, what remains after both the individualistic and the solidaristic visions have lost much of their persuasiveness is the conclusion that the institutional designs of modern democracy must be based upon the principle of reciprocity. This principle would require that democratic theorists - as well as the everyday practitioners of democracy - place greater emphasis upon the institutional settings and procedures of preference formation and preference learning within civil society. But existing institutions and political practices impose little
challenge and pressure upon us as citizens actually to engage in such effort and to adopt a multi-perspectival mode of forming, defending, and thereby refining our preferences. The social and political world within which we live is much more complex than the attitudes and value judgements that it still permits us to get away with. This imbalance amounts to our being morally "de-skilled" in our capacity as citizens, and it conditions us into being less intelligent and responsible citizens than we might wish to be (or than the risks and dangers of a highly interdependent mode of life in advanced industrial societies do indeed objectively and urgently require us to be).

Constitutional designs that might help to balance this discrepancy are not easy to come by. It is obvious that one might wish the family, the media, the institutions of formal education and training, etc. to perform a better job than they often actually do in strengthening the underpinnings of a civilized civic culture. It is equally obvious that the organization of production (as well as the organization of distribution through social policies and social services, including the spatial organization of social life) can do a great deal either to discourage or encourage reflective and deliberative modes of preference learning and preference-revision. On the other hand, however, the potential contribution to the formation of "good citizens" of "good schools" or egalitarian industrial relations within an arrangement of "economic democracy" seems limited unless it is complemented by new constitutional procedures (cf., for instance, Barber 1984: 261-311) which will help to improve the quality of citizens' involvement in the democratic process.

The design of structurally and functionally "adequate" constitutional procedures is not the task that we have set for ourselves within the confines of this essay. A slightly easier task than describing and justifying what institutions should look like is that of defining what they ideally should be able to accomplish. They should upgrade the quality of citizenship by putting a premium on refined and reflective preferences, rather than "spontaneous" and context-contingent ones. By reflective preferences we mean preferences that are the outcome of a conscious confrontation of one's own point of view with an opposing point of view, or of the multiplicity of points of view that the citizen, upon reflection, is likely to discover.
within his or her own self. Such reflectiveness may be facilitated by arrangements that overcome the monological seclusion of the act of voting in the voting booth by complementing this necessary mode of participation with more dialogical forms of making one's voice heard. It may also be facilitated by introducing a time structure into the practice of political participation that makes preference learning and the revision of one's own previous preferences more affordable and more visible. It may be helped by inserting elements of statistical representation into the established forms of representation mediated through party competition and party bureaucracies. Finally, it may be facilitated by the introduction of mechanisms into the practice of participation that encourage citizens to make better use of available information and theoretical knowledge, instead of relying upon ad hoc evidence and experience.

All of these accomplishments should be achieved within a framework of liberty, within which paternalism is replaced by autonomously adopted self-paternalism, and technocratic elitism by the competent and self-conscious judgement of citizens. To describe these demanding accomplishments as an "ideal" is indeed justified in view of the enormous efforts that are evidently required to achieve them; on the other hand, they might as well be described as the realistic minimum requirement for the preservation of a civilized democratic polity (as well as of a more open and reflective notion of social and economic progress), as the obsolescence of "vicarious" practices of political reason assigns a decisive role to the reason that each and every citizen is capable to develop for himself or herself.
References:


Manin, B. 1987: "On Legitimacy and Deliberation", *Political Theory* 15, 338-368


