

IS DEMOCRACY THE BEST EXPRESSION OF JUSTICE, VIRTUES AND CITIZENSHIP?

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Introduction and context of issue

Like so many other things, the legacy of democracy is the outcome of the Greek spirit and endeavour. The first definite form of democracy is to be found in Greece, and the *polis* or city state of Athens at that. After the political reforms of Solon, the *ekklesia* and *areopagus*, as well as an open judicial court system was part of Athenian political life. It was sometimes replaced by tyranny and aristocratic forms of government. Democracy also occurred in Samos and Corinth. Before the Greeks first gave it a definite foundation, democratic procedures occurred even in pre-historical times and among several primitive communities. There is a hypothesis that the Phoenicians in Western Asia first came forward with the idea of a city state with a measure of democratic government.

Athenian democracy was a direct participatory democracy and not the representative democracy we know today. This is why political scientists regard Athenian democracy as the norm and standard of what is to be regarded as democratic to this day. At its height the Athenian voters were about 40, 000 (Farrar: 6). They could all fit into Loftus or Ellis Park, so that direct decision making could be possible. There were no political parties and the legislative and executive as well as judicial powers were not separated.

After the Greeks there was a gap of about 2000 years before democracy reappeared (apart from the Italian city states like Milan, Padua etc) in the thinking of John Locke (Dunn:57). The idea of natural and eventually human rights became connected with democracy, as well as with the division of powers, e.g. the judicial, legislative and executive.

In what sense can the question be answered for example whether democracy is the best expression of virtue, justice and

citizenship? This issue is explored in this article in the light of Aristotle's ethical and political philosophy. Aristotle is then employed to see whether he has something important to say for our contemporary times. Although the time and situation of Aristotle is not the same as that of today, I think there is much continuity between him and us. Aristotle cannot be merely transferred to our situation and times, but in the light of the continuity that I presuppose, I think that Aristotle can become quite relevant. I also think that Plato and Aristotle are right in saying that politics is largely a moral issue. I would claim that this is still the case today. In this paper, I shall focus mostly upon Aristotle's understanding of politics and use his analysis as a criterion, and key for understanding. The reason is that Aristotle's explanation of politics is objective. Plato downright condemns democracy as morally wrong, because he was shocked that Athens could murder someone like Socrates. Aristotle does not necessarily choose democracy. It largely depends on the people and situation. In some cases a good aristocracy, and in others, democracy may be good. Both democracy and aristocracy can devolve into something bad, such as tyranny. Actually, he leaves it open for us to decide what is to be the best. Aristotle did not experience and discuss our problems and situations of today, like multicultural or multi religious states. For the Greeks, political life and expression is limited to the *polis*. Outside the *polis* political life is non-existent. However, the Greek Macedonian general Alexander the Great, associated with Aristotle and their families, did experience diverse cultures, especially where it now formed part of an empire. Alexander at this early stage even discussed the issue of the "unity of mankind"! From this unity however, it still does not yet follow that democracy is the best or perfect. This is the problem I investigate here. Is it the best expression?

Aristotelian virtue, justice and happiness

For Aristotle, citizenship means a happy rational life in the *polis*. Life outside the *polis*, whether democratic or not, is not fully human at all and unthinkable. Justice is singled out as important, but is itself a virtue amongst others. A virtuous life for Aristotle is a rational life. Virtue is an ethical morally good life. There is however a higher end than virtue and that is happiness, *eudaimonia*.

The balanced approach, in my view, of Aristotle is the fact that even though he places *eudamonia* as most important, he does not thereby regard all other human needs and values as of no importance. According to Aristotle, such things as virtue, are not ends in themselves, but ends for the higher end i.e. *eudamonia*. Virtue is a means to this major end. Material things like possessions, health, richness and social position are also good, but are necessary aids on the way to *eudamonia*. Pleasure and food are also means to an end, but they are on par with animal existence. Rational existence is totally absent in animals (something with which I disagree) and is uniquely human.

A necessary condition for a virtuous life is *freedom*. Animals, as Aristotle still sees it, also have freedom, e.g. when and what to eat, but human freedom is informed by rationality. This is the freedom to foresee a situation in the future, to evaluate it, and to act accordingly. The individual is therefore responsible for his/her actions. This responsibility can be hampered by ignorance, force, coercion or absence of insight. Virtue however, cannot only be understood only in terms a single or two deeds, but by the inner disposition or attitude. It links up with character, *hexis*, as something more permanent. It can only be realised by education. The focus is on doing the good and avoiding the bad. This does not depend on what is inside you like tendencies, drives or instincts, but that which has been formed inside you, i.e. through education. This forming is the task of reason. The role of the state here is important.

The morally good for Aristotle lies in the middle way, i.e. between the extremes of cowardliness and over-courage. The middle position is courage. Aristotle, however, does not come with mathematically styled ethical rules: It largely depends upon the concrete person and his/her situation. Not all persons would apply the middle way in exactly the same manner. There are however some evils which cannot be treated in terms of a middle way, e.g. murder and theft. I am sure he would nowadays also have included drug abuse, if he had lived in our time.

Justice as a virtue has to do with inter-human relationships. Fairness links up with justice. It is a manifestation of justice to treat

other persons in a fair way. Sometimes laws in a *polis* may have shortcomings, and this can be covered by treating people fairly.

Non-democratic regimes. Why so much democracy?

Today we can ask the following questions: Why would democracy be valuable or more valuable than autocratic states like dictatorships? If so, why could it be justified as better and more acceptable than others? If there are assumptions which justify democratic procedures than others, how then would these assumptions be justified? How can democratic procedures be evaluated? Why would certain forms and features of democracy be superior above others? In other political forms decisions are also being made. Why would decision making in democratic forms be more acceptable? When Aristotle refers to freedom as a necessary condition for virtue, how would this relate to democratic procedure?

I would like to argue, using Aristotle's analysis, that democracy is the better option and that virtue and justice are manifested in democracy in a better way with regards to the well-being of citizens, than in non-democratic institutions. In a contemporary kind of non-democratic regime like an autocracy, a particular group in society can paternalistically further their interests at random. They, and only they have the key to truth and reality. The adversary can be eliminated. Opposing views are experienced as a threat. They have the power to enforce their ideas. In contemporary times, freedom in a political context is largely understood as the absence of constraint, and the exercise of self government (Farrar:8,11).

Aristotle says fairness is part of justice and that citizens ought not to be treated improperly. This is possible in representative democracies. Although it could and does sometimes happen, no one is denied the opportunity to exercise their interests. Unlike autocratic rule, no one is, in principle, regarded as especially competent to make political decisions. Each citizen is regarded as the best judge of his/her decisions. Taken together, these citizens in democracies accept that majority decision making should decide most issues of political decision. What is accepted in democracies, and this is one of the fundamental differences to totalitarian regimes, is the existence of minorities. They are of course also accepted as real in non-democratic

regimes, but in democracies, minorities play a meaningful role and their dignity is not wronged. Minorities are and should not be deprived of the opportunity to eventually become the majority, or in other cases be protected from being overlooked.

Virtue, justice and a happy life are best realised in a democracy. Happiness, *eudamonia*, is seen by Aristotle as especially a rational activity. This could largely be maintained in contemporary societies; it would also include science, technology, and practical rationality. However, the content of happiness may differ depending on a citizen's value system. Even so, in one or other way the highest value in practically all value systems is in one or other way connected with happiness.

What I would argue, is that these values or moral principles of democracy, ought to be coherent. I do not think they need be perfectly consistent, because human beings are themselves rather dialectical unities than simplistic, rigid and tight unities. This is part of human transcendence, open-endedness and freedom. Among citizens of a democratic state there may be divergences and even conflict between parts of morality, or between majority rule and minority rights. There may be moral principles internally quite coherent in themselves, but nevertheless internally inconsistent with each other in some respects. Sidgwick, Feinberg, Rawls, Scaegan and Veale call this a reflective balance: The crux of the body of moral values like justice and virtue to which citizens subscribe, should be coherent with our most deeply held conviction about what is regarded as right or wrong. If citizens regard slavery as morally wrong, some may see poverty as a form of slavery, as these citizens may be made working at unreasonably low rates of pay. Is this coherent?

Weale is of the opinion that we are to be moving constantly and iteratively between moral values, principles, judgements and institutional applications towards established conclusions. Then citizens come to a point of reflective balance. Citizens then feel they have attained a reasonable comprehensive and coherent point of view. It does not follow that everything goes, because any set of ethical virtues and values are bounded by a set of what is feasible. These act as constraints. On the other hand, they also do not come to conclusions which are entirely empirical in nature and which may well turn to be false (Weale: 6,7).

All these expressions and manifestations of democratic thinking, are practically impossible under a non-democratic totalitarian style of government. The dictator or aristocratic group decides what is morally good for all and iterative movements, as described, are futile. This is especially noticeable in a multi-cultural state where for example, ethnic groups do not always stay in definite geographical areas of a state, or where you have several value systems and religions. In an autocratic state, suppression of all but your own, as many examples in world history show, lead to rebellion and violence. A rather recent example is Kosovo and Yugoslavia.

Democracy and finitude

Even if democracy is the best expression of virtue and justice, it is not perfect. Peoples' tolerance and generosity is constrained.

Aristotle evaluates rationality highly. In a contemporary democratic state rationality and reasonableness are still just as important and relevant. However, as finite human beings our rationality is bounded and finite. In multi-cultural and heterogeneous states especially, this would imply that different institutional arrangements will bestow different types of political experience to a variety of people. The allocation of rights and the distribution of benefits are seldom rigidly fixed. In any institutional arrangement, conflict can arise over the basis upon which alternative allocation or distributions can be made. Citizens' capability to acquire knowledge to lead their lives in a satisfactory way to attain happiness, are finite and thus limited. No citizen is able to understand all the issues that are involved (In a non-democratic state the dictator even less!). Taken with this the sophistication of knowledge, information and the complexities of the world and society. Bounded rationality would say that there are pervasive and rather subtle asymmetries with regard to knowledge in a society.

This finitude may and does lead to differences of political perspective in various situations. Examples are extensive division of labour, in that one occupational group is simply unable to know what is involved in some other occupational group. It can be a difference in language, in that not all are functional or conversant in all the languages in a state. Difference in religions can sometimes lead to the preclusion of mutual understanding, because of limited information

processes. It could be ethnic differences, where different formative experiences may be very strange and alien to peoples of other and different backgrounds. Other possible sources of mutual incomprehension could be age or gender, but democratic societies are increasingly characterised by differences in the values, traditions and cultural attitudes of its citizens (Weale:10,11). This diversity has an impact upon the ideal of rational deliberation and coming to decisions. These differences lead to differences in the assessments of such issues such as euthanasia, abortion, capital punishment, and the environment. Habermas believes that these differences can come to the ideal of moral agreement. In consensus, Thomas McCarthy states that Habermas does not take the persistence of evaluative and interpretative differences on justice and virtue seriously enough. He thinks that in a democracy we must also allow for unresolvable differences on the substantive level of laws and policies, because we will have consensus on valid democratic procedures. If this is the case, democracy is a better expression because in non-democratic forms, the result would be tyranny and revolt.

Democracy as enrichment and wisdom

Habermas' idea of rational consensus on norms and virtues does not involve a mere aggregation of each citizens' particular interests, but rather looks to the transformation of individual interests to a common or general one. Citizens as participants must both understand the interests and situations of others and weigh these interests and situations equally with their own. Ethical matters for Habermas, and here he follows Charles Taylor, are concerned with the question "Who am I and who would I like to be?" This connects with citizens' conception of the good and the just, but these in turn are connected with cultural values and traditions. It depends on how you see yourself and simultaneously on how one would like to see oneself, by what one finds oneself to be and the ideals with reference to which one fashions oneself and one's life. But such concepts in a democracy are open to assessment and appropriation through reflection on one's life history, culture and traditions. Illusions and self deception in this, can be raised to critical level by discussions with others. So it seems to Habermas that ethical discourse can promote a shared understanding of values and interests and that it can therefore resolve any interpretative and evaluative differences that impede consensual

resolution of conflicts. Habermas strongly sees this in terms of the individual's authentic self-realisation (Warnke:64).

McCarthy rejects this. In multicultural democratic societies, the participants in conversations who are now to agree on shared interpretations must do so from very different starting points. There seems for him to be no reason why these different starting points lend themselves to a collective self-understanding. Habermas would respond by saying that the idea of rationally motivated consensus must be reserved for a level of abstraction higher than that of concrete laws and policies, on which we may well disagree, because of our differing ethical and value commitments and heritages (Ibid:69,70).

In democracy which is multi-cultural, multi-religious, with various value systems, like those of South Africa or Singapore, citizens can differ on such issues as euthanasia and abortion, where the value of life comes to the fore. Ironically the yes and no groups, which can span through the multi-cultural and religious groupings, are on how best to respect a sacred value that both sides share. The groups and ways these groups respect life, may differ and are evaluative.

If we should look at a concrete example, I think that Singapore is worthwhile mentioning. That is without overidealizing Singapore. Singapore is a stable and prosperous multi-cultural and multi-religious state. In a population of 3,736,700 citizens and permanent residents there are a majority and minorities: 77.2% of the people are of Chinese origin and nowadays mostly speak Mandarin; Malays are 14.1%, Indians 7.4% which speaks Telegu, Tamil, Hindi: Other ethnic groups are 1.3%. Islam, Hinduism, Christianity and others exist mostly in peace and tolerance towards each other.

McCarthy, however, says many deliberations and disputes might normally be shot through with ethical disputes that could not be resolved consensually at the level at which they arose.

Dworkin, who largely follows Habermas, would claim that rational consensus is not misleading, because democratic societies operate with less stringent requirements with regards to their laws and policies. Although the validity of norms and virtues such as justice, depend on their rational acceptability to all, the laws and policies are

not acceptable to all concerned, but to most concerned. The idea of the majority applies on condition that majority rule is viewed in fallibilistic terms. Minorities can accept decisions that are not acceptable to them, in their substance, because and to the extent that they take the decision and policy as a temporary one, to be revised in the course of public debate and rationality based consensus of all affected. If we should follow Habermas here, I would again claim that this would not be possible in a dictatorial or totalitarian state, because dictators usually do not see themselves as fallible (Ibid:71,72).

McCarthy, however, does not think that laws and policies can only be debated in terms of their moral dimensions, looking for those elements that can be debated in terms of rational acceptability to all concerned, or to focus on their ethical dimensions, considering them as expressions of who we are and who we would like to be. McCarthy does not see possible differences as far as these are concerned as temporary obstruction to the eventual rational recognition of a common view. These approaches mistake the depth of differences. Different people's views of euthanasia and abortion may be partially accessible to rational argumentation, but they are at the same time so rooted in upbringing, interpretative orientation and ethical response, that participants might all understand one another's arguments and still, and for quite some time disagree.

Instead, he proposes an alternative conception of majority rule. If we accept certain decisions even when they conflict with our values and self-understanding, we do so because in a democracy we have a fair chance to convince others under democratic procedures, the legitimacy of which we continue to accept despite our differences on more substantive issues. We can argue the merits of our different positions, and we will try to both convince others of the force of our reasons and to show the inadequacy of their own. But we must also recognise that our arguments may be no more cogent to them, than theirs to us, and that our weighing of the competing orders of reason may not be theirs. Yet, we can rely upon an agreement over the legitimate procedures for the enactment of laws and policies in the societies of which we are part. So, if we no longer look to a rational consensus in the long run over substantive issues, we might anticipate the possibility of eventually convincing enough of the other side to compose a majority ourselves (Ibid:75).

Undemocratic societies with minority opinions have not simply succumbed to the force of the better argument, nor do they need to anticipate that what they consider to be the better argument will some day convince them all. As reflective participants they know that even rational discourse may not lead to substantive consensus concerning what is in the best interest of all of us, as socially and culturally diverse as we are. They can still live together in peace, if they continue to agree on what are fair procedures for dealing with irresolvable differences. But the outcome of such procedures will not always be directly justifiable in everyone's eyes. According to McCarthy, good willed parties to a dispute over the general interest have given up on achieving complete consensus. But at the same time they realise they must come to some sort of reasoned agreement if the decision reached is to be considered legitimate by all the parties concerned. So, they turn to rationally motivated agreements that involve elements of conciliation, compromise, consent, accommodation, etc. Arguments play an important role here, and indeed the idea that the force of the better argument will play a role in the final decision supports its legitimacy. Important to note is that the decision cannot be conceived of as a synthesis of all the participants interests, values, and assessments of consequences in all their force (ibid:75,76).

One can sometimes accept that a more rational consensus will not emerge in the long run, because we want to continue with a common life, that desire may override our interest in the opposing issues.

Some even argue that our differences concerning art and literature are more irreconcilable than the "serious" issues of politics like abortion, euthanasia, capital punishment, and over right and wrong in general.

I think it is important in the case of alternative interpretations, not to find points in which they break down, but to see what alternative interpretations we might see in a text or work, and to use their insights to expand and enrich our own. If instead we should dismiss all interpretations other than our own, or agree for once and for all on the canonical meaning of a work, this could signal a dogmatic and self destructing cutting off of possibilities for insight. If our interpretation of the value of human life or the meaning of freedom and liberty, is an interpretation, we might treat other interpretations of these same ideas

and principles as interpretations from which we may learn, as interpretations that can enrich our understanding, even if we continue to disagree (Ibid:78).

If our understanding of meaning is just an interpretation, then its strength depends upon its capacity to situate itself in relation to others' understanding of meaning. For the sake of the continuing force of our own interpretations, we must encourage a rich plurality of interpretative voices. But, any interpretation of meaning that depends upon the exclusion of other interpretations, must be rejected. *The reason is that we can strengthen and deepen our own interpretations only against such voices.* Any interpretation that would prevent the possibility of listening to any other, by excluding this particular voice from public debate, whether through intimidation, arrogance, or explicit coercion, limits the alternatives from which we can learn and thereby weakens its and our own position. We can at least keep the dialogue of understanding open to future sorts of compromise and reconciliation.

It is especially this enrichment and strengthening of the own which I think is *eudamonia*. This enrichment is a contemporary expression of virtue and justice. The enrichment is a new enlarged version of rationality. Weale would add that it is a democracy and only in a democracy does it make sense to claim that impartiality is a virtue closely connected with autonomy. This involves the gaining of a core mature sense of responsibility of one own actions, a broader awareness of the others affected by one's actions, a greater willingness to reflect on and take into account the consequences of one's own actions for others, to weigh interests other than their own (Weale:76). If this could establish itself, as in Singapore, citizens will learn to live with differences in a non- violent matter. Could this enrichment occur in an autocratic totalitarian state? I don't think the conditions allow for this, except in a very limited way.

Autonomy and fallibility

It is important to note that this is how differences can be made meaningful and rational in a democratic state. Important as the local and particular are in such democracies, it is also a fact of life that there are also universals. It is not a platitude to say that there are many

common and even universal elements in value systems as well. Virtue, fairness and justice are accepted nowadays by practically all value systems. Crime, murder, rape, theft, and even hypocrisy are regarded as morally unacceptable. If this were not the case, I think we could conclude that a Hobbes' *bellum omnium contra omnes* could be quite possible! No different or divergent interests could even be thought of as to be reconciled.

Decision making in a democracy cannot be an ongoing conversational process without end. Choices must be made. It is more reasonable to think that the willingness to co-operate with each other will depend upon their past experience of co-operation and in that sense will rest upon a principle of reciprocity, rather than selfishness. The moral virtues and principles are not blueprints of what to do, because what to do always involves a large deal of local and contextual knowledge. But they do provide a criterion for assessing whether we are heading in the right direction (Ibid: 14).

Democracy is the best manifestation of virtue and justice, because tyranny in non-democratic regimes precludes the human mind from expressing virtues and justice in the full sense of what is humanly possible. Fallibility is important, because a utilitarian justification where interests are promoted and served, could not be a complete picture expressing a virtuous and just society - important as interests are. The interests ought to be supplemented by the assumption of fallibility in human beings and a democracy, with the belief that no one occupies a privileged position with respect to their political knowledge and judgement, and that contestation and criticism of what any one at any one time is judged to be in the public interest, is therefore necessary. Democracy also has an intrinsic value the sense in which it incorporates the idea of political equality, understood as the protection of the dignity of the citizens. Democratic practices promote and protect the common interests of the members of a political community, when those citizens regard themselves as political equals under the condition of human infallibility. Nozick sees the basis for political morality in the notion of pre-existing rights (Ibid:41,42).

This equality gives expression to the fact that each citizen is the best judge of his/her own welfare. It does not follow that it is always empirically realised. Ontologically it is realised and could be

empirically realised, under appropriate circumstances. The citizens are equal in the sense of an equal qualification principle. It does not mean that all citizens are always in possession of the knowledge that would place them in a position to make a decision, but merely that there is nothing in principle to stop them appreciating and understanding the relevant knowledge.

In a democracy *personal autonomy* is expressed the best. *Autos/nomos*. In a sense the citizen is his/her own law. It is autonomy in the sense that persons are by nature self governing creatures, i.e. beings whose moral personality finds its fulfilment in their prescribing principles of action to themselves. Moral autonomy is a combination of freedom and responsibility. The political unit should be independent of outside control, and collective decision making must be possible. This deliberation and decision making is not in itself constituting the interests of the citizens, but instead operates under the presupposition thereof. But, the individual citizens should be able to control their own lives as well. Castoriades sees the contents of the social imagery with democracy as a historical contingency for those who are heirs of the Greeks. Dahl sees the justification of democracy in as far as it promotes personal and collective autonomy. In this case, it is a consequentialist justification, and not a moral ground as starting point. It emerges as a valued consequence. By participating, citizens increase their capacity for personal and moral development. Lacking personal autonomy, one simply could not live under the rules of one's own choosing. As a result, one would be neither self determining, nor morally autonomous, and to that extent could not be a moral person. It is obvious that this could not be fully expressed in an autocratic state.

"The most important point of excellence which any form of government can possess is to promote the virtue and intelligence of the people themselves." Mill, Arendt and Tocqueville see this line of argument going back to the Platonic-Aristotelian tradition in Greek political thought. Elster disagrees with a consequentialist justification, as he argues that unless democracy rises above these benefits it produces, it would eventually no longer produce any benefit at all. Although Chan and Miller think that Elster overstates his case, they admit that self realisation cannot be the sole aim of political activity. Aristotle would not agree with this, because *eudamonia* as self realisation is the main end (Ibid:75).

Conclusion

Aristotle's concept of rationality which involves a virtuous life stands in continuity with contemporary democratic states. This rational virtue as wisdom obtains an enlarged interpretation in contemporary democracies. People of today in democracies are also moved by virtue towards happiness. Virtue still leads to that end. In this sense Aristotle is a good key to the understanding of what happens in contemporary democracies. As we saw, Aristotle, although not using the words interests or utilitarianism, he does make positive statements about human needs, which in fact are interests in the *polis*. The responsibility of a free human rational being to its own actions is exactly what is required today in democracies. As Aristotle said, it could be hampered by ignorance, force, coercion or absence of insight. Similarly, as for Aristotle, actions are guided not by mathematically styled rules, but by wisdom, *phronesis*, by virtue. Aristotle's demand that justice involves treating people in a fair way, i.e. fairness, is seen to be no more urgent and important than in contemporary democracies, especially where a multi-cultural and multi-religious set up prevails.

The main point, however, is in conclusion, that in non-democratic states of today, these things could not and cannot be manifested fully. Aristotle's views applied to today leads to democracy!

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