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David D. Warren

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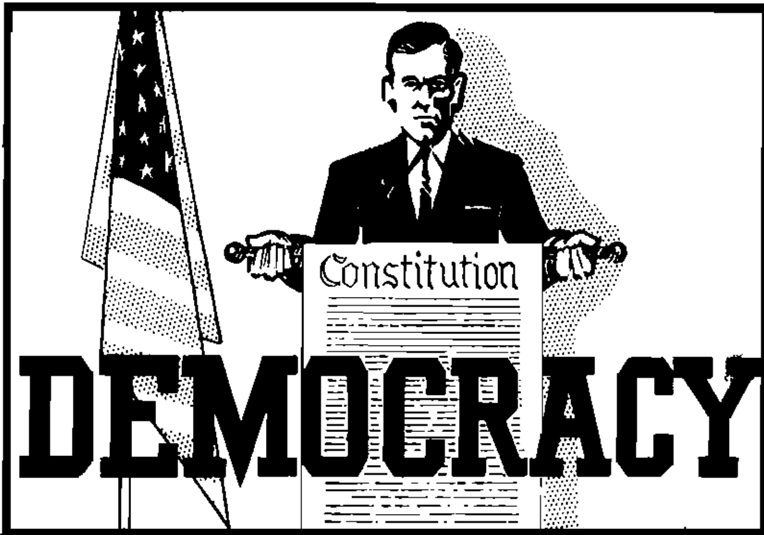

WESTERN DEMOCRATIC GOVERNMENT IN THEORY AND PRACTICE

A lecture delivered
at the Naval War College
on 8 September 1966

by

Professor David D. Warren

The idea of democracy has exerted a magnetic pull upon the minds and actions of men during the past 300 years. While it had arisen much earlier in the small Greek world and had flourished under the Athenians particularly, it had flickered out for many centuries before it was revived in post-Renaissance Europe. Yet the paradox is that, despite democracy's universal appeal today, only a minority of the world's population lives under democratic systems of

government. At least this is the view held in those countries of Western Europe and America where democracy first emerged and took shape in its modern form. But there are rival claimants in the Communist countries who challenge the validity of Western liberal democracy and give to this magical word a quite different substantive content.

What then does democracy mean? In its broadest sense, democracy is government by the people. Only if it can be demonstrated that the people themselves control and direct affairs in their society can that society be called democratic. Rarely in man's history has this criterion been met. For it is clear from the past--just as continues to be true now--that most men have lived and are living under governments beyond their influence and subject to directives they had no voice in making. Most governments, after all, have been dominated and manipulated by a privileged few to further their own interests at the expense of the many. Though, ideally, it follows from our definition that democracy should provide for the direct participation of all adult members of a community in the making and carrying out of decisions, the reality of large societies calls for something more modest and limited.

In actuality, what modern democracy has come to mean is a system wherein the people govern themselves indirectly through their continuing capacity to choose the kind of government they themselves want. For all practical purposes, democratic government has become synonymous with representative government; the people choose those who will serve as their representatives and delegate to them the power to act. Though it may well be true that in all governmental systems there are the governing few and the governed many, the fundamental, the all-important distinction between democratic and nondemocratic governments lies in this: in a democracy the governing few are held responsible to those on whose behalf and at whose behest they exercise authority. The few are answerable to the people who select them; should the people be dissatisfied with the performance of the leaders, they can dismiss them and turn to others vying for the opportunity to lead, vested with the people's authority.

Simply put, the great virtue of democracy inheres in this very characteristic--that it does offer some real choice between alternatives. The great operating principle of any democracy, then, is government based upon popular consent, government amenable to majority will or rule.

Yet majority rule, essential as it is in democratic government, would not alone be enough. All too easily, unchecked majority rule could degenerate into majority tyranny, pressing upon all in society the prevailing majoritarian stamp and crushing unpopular minority opinion. This would be to deny the characteristic lying at the core of democracy--the right to choose among alternatives. It is the veneration for and protection of this right that has imparted to ongoing democratic governments perhaps their outstanding merit--their capacity for experimentation. For only where there is freedom to express ideas, freedom to differ from the current majority, freedom to be critical of that majority in its handling of public issues, will democracy remain healthy. While there obviously exists an inevitable conflict between majority rule and freedom of expression, each operating principle is equally essential to the practice of democracy. The majority of the moment must respect the right of individuals and groups to dissent not merely on inconsequential things, but also on the things that really count.

Underlying these operating principles of majority rule and freedom of expression is a cluster of ideas, beliefs, and presumptions upon which the democratic structure is built. A central idea certainly is that of equality, the notion, as the Declaration of Independence asserts, that all men are equal and are entitled to rights of life and freedom which no government, however constituted, should destroy. It is the individual who is important, so much so that, as the Declaration so eloquently sets forth, the very purpose of government is to protect all men, equal in their individual worth, in the enjoyment of these basic rights. Here truly was a revolutionary concept, put into effect by the Colonies in their break with England, a radical departure from the prevalent norm--an instrumental view of government, seeing government

as a creature of men-in-society, bent to their needs and aims, their servant and not their master, as had been and was then almost everywhere true. Moreover, should government fail to advance their needs and aims or threaten their fundamental rights, men could alter or abolish what they had made and bring into being something closer to their desires.

Implicit in these bedrock ideas is a great faith in man's reason, his capacity to make intelligent decisions, to select discriminatingly courses of action that will most conduce to the furtherance of his own best interests. An unprovable assumption in the democratic creed is that man's rational nature has a moral dimension enabling him to distinguish between good and evil. He is not so suffused with narrow self-interest, so driven to prostitute his rationality in the service of his own selfish drives, that he cannot perceive and make allowance for the ends of others. He is capable of a larger vision of the general good, living as he does in a society of men from which he gains marked advantages. And his awareness of this enables him to postpone, reduce or even sacrifice his own immediate claims to meet community needs whose realization confers benefits upon all. Thus, democracy is an optimistic faith, believing that men can make meaningful choices and that these choices can bring about real differences in society. That is, man is, within fairly broad limits, a free agent; his free will at work in the world permits him to engage in purposeful social engineering. He cannot merely do, but undo; his ideas, spilling over into actions, do have consequences.

Yet democracy does not so emphasize man's potential for good as to be blind to the overwhelming historical evidence of that darker side of man's nature, his irrationality and tendency toward injustice. Ignored and uncurbed, these characteristics would snuff out any democratic experiment. Therefore, any democratic system must provide some minimal safeguards against the possible abuse of power by those who wield it. Here is where a *free* electoral process becomes an essential institution as an external check upon the people's representatives, holding them accountable periodically for their actions and

offering the chance to bring their tenure to an end. No group of men, as the provisions of our Constitution show, was more alive to the perils of unrestrained power than the Founding Fathers. For they were realists, familiar with man's behavior both in the past and in the contemporary world. The lesson they drew from history was that unchecked power in the hands of a ruling elite had always been used in that elite's behalf. The drafters of the Constitution had the delicate task of establishing a stronger government that would be effective, yet at the same time not so strong as to enable those at the levers of power to make the system an instrument of their irresponsible will. While giving broad, positive, but specifically delegated powers to the various governmental branches, they created an elaborate system of countervailing power. Their objective was to rule out, as much as human ingenuity could contrive, the possibility that power might be concentrated in a single center. A range of provisions--the separation of power among three branches; checks and balances making these branches interdependent; staggered elections by differing constituencies for Congress and the Presidency; a federal system dividing political power between two levels of government, national and state; the early establishment of the doctrine of judicial review; constitutional prohibitions regarding certain actions upon both national and state governments; and the specific guarantees of the Bill of Rights incorporated into the Constitution in 1791--all these were designed to fragmentize power, impel cooperation among the multiple power centers if the machinery was to work, and guard against that ineradicable bent men have to misuse power if they can. Hence the necessity of what Madison called those "auxiliary precautions," the externally imposed limitations upon officeholders' actions.

Nowhere has the relationship between the duality of man's nature and democracy been better stated than in Reinhold Niebuhr's great aphorism: "Man's capacity for justice makes democracy possible; man's inclination to injustice makes democracy necessary." Here there is expressed sufficient confidence that man can govern himself, balanced by a clear-eyed recognition that, since it is always men who do the governing,

they, because of personal ambition and the desire for aggrandizement, must be subject to restraints. And democracy means limited government, just as limited government can be equated with constitutional government. At the very least, any constitutional government will possess some, if not all, democratic features. Constitutionalism, intimately tied in with the growth of democracy, has served to define and impose limits upon governmental power, to assure that such power shall be employed only in conformity with established procedures, and to put certain individual and group rights beyond governmental intervention.

But how, the question arises, can these essential distinguishing characteristics of democracy, majority rule, and freedom of expression be assured? Put another way, by what means do we discover their presence in any political order? For if they are to operate, they require certain institutions which serve as vehicles for their realization. To find out what the majority want, for example, some way of assessing opinion, of counting heads, is necessary. In large communities, this calls for elaborate machinery to provide for genuinely free elections. Indeed, as we have already emphasized, democratic government in anything beyond quite small social groups is representative government, the election by the many of the few designated to act for them. Thus majority rule manifests itself in unfettered, fair elections, giving the electorate an opportunity to choose among those who offer themselves as candidates for office. Such a choice would, however, be extremely difficult to make were it not for another institution, the political party. The function of the party is to simplify the decision the voter must make by presenting candidates bearing the party's label, educating the electorate on the party's position with respect to the issues, and undertaking an organized effort to stimulate interest. Since democracy calls for a choice between alternatives, there must be at least two political parties. Through parties, whether two or more, the alternatives are sharpened and made more meaningful for the citizen.

The second core feature of democracy, freedom of expression, also requires institutional support. If

the people are to choose wisely, their powers of reasoning must be trained through a broad educational program that will insure an enlightened, discriminating electorate. Yet they will not be well informed unless they are exposed to the full range of ideas, unpopular and abrasive though some of these may be. Without a free press, without untrammeled media of communications, the circulating currency of ideas will be debased and the people themselves shortchanged in their search for solution to urgent public problems. Further, the right of the people to form groups in order to achieve the purposes that brought them together and to take group action by bringing their concerted influence to bear upon political parties and governmental agencies must be recognized. A pluralistic society, made up of many groups, largely self-governing, and free, within broad limits, to seek their ends, helps prevent the abuse of public power. For in a real sense, these influence groups, themselves wielders of private power--economic, social and political--constitute multiple competing centers to offset the power of government, which itself, in turn, exerts a restraining influence upon them. With regard to freedom of expression, these organized groups are the most effective conveyers of ideas for the consideration of the people. What should be especially noted is the close link between the institutions requisite for both majority rule and freedom of expression. Neither the conduct of free elections nor the existence of political parties is conceivable without that freedom of expression prevalent only when there are an educated electorate, a free press, and a multiplicity of active interest groups.

What we have been discussing up to this point has been a model, a theoretical framework of democracy. To what extent do countries calling themselves democratic meet the standards of this framework? A look at the experience of a few of the big Western nation-states may help us answer this question. Like many models, the one we have set forth represents the ideal. In those countries now regarded as democratic, democracy has evolved gradually, just as views about what democracy should entail have been broadened from time to time. Its modern content would include

universal adult suffrage, effective guarantees of personal and political rights, a general educational system available to all, healthy political parties, communications media free to present the truth as they see it, and interest groups actively engaged in efforts to convince the rest of society of the virtue of their objectives. In these terms, only as recently as the 20th century could a handful of countries qualify, while many of the newly independent countries, ostensibly seeking to put into motion democratic governments, have a long way to go before anything approaching democracy in its present-day connotation is in sight. There are clearly stages or phases along the tortuous route to that goal.

That the process by which democratic practices and institutions emerge is a piecemeal one is well illustrated by England, reaching centuries back into its long past. There cannot be even a start toward democratic government without some limitation upon government itself. Once the English kings had succeeded in centralizing control, the problem arose for those who still kept some measure of power--the gentry and upper commercial class--of how to curtail the royal authority. The growth of the common law in the 12th century; the wresting of the Magna Carta from the king; the rise of Parliament, representing the influential interests of the realm and its gradual accretion of power as against that of the king; the long, violent struggle in the 17th century between the king, asserting divine right to absolute rule, and Parliament, stubbornly intent on subordinating his role to its own; the triumph of Parliament, reflected in the Bill of Rights of 1689; the acceptance of the great principle of the rule of law, by which government is denied arbitrary and capricious action and governing officials are themselves subject to the law and not above it; the enlargement of the concept of due process of law with assurance of individual procedural rights, such as the writ of habeas corpus and the right of every man to his day in court and to a fair, impartial trial--all these are great landmarks in the history of political liberty in England. And with parliamentary supremacy, a two-party system took shape, at first loosely organized around particular leaders in Parliament, but then

building up a machinery to marshal support among the electorate for the parties' candidates. That electorate was successively enlarged by the three great reform acts of the 19th century and, finally, through the extension of the suffrage to women in the 1920's, all the more necessitating development of party apparatus to appeal to these new voters.

England's remarkable political stability is due mainly to the political and social cohesion of her society. At least since the Glorious Revolution of the late 17th century, England has been spared the conflict flowing from deep cleavages among a people, for such cleavages have not marred her life. She had her political revolution earlier than any of the other nation-states, and the happy outcome of that revolution had been foreshadowed in the earlier advances toward constitutional government. A national consensus emerged, a consensus involving general accord on the ends and means of government. That is, most of the English people agreed on the fundamental rules of the game, the constitutional order by which decisions were made. This constitutional order functioned through such deeply respected political institutions as the Monarchy, Parliament, parties, free elections, and civil liberties.

Given the high degree of national and social homogeneity which the English possess, their parliamentary system has responded admirably to the demands imposed upon it. The outstanding merit of British parliamentary government is its capacity for positive action, since it assures a strong executive. Under it the executive and legislature are fused, the elected legislature choosing from its own members the cabinet and prime minister, who are collectively responsible to the House of Commons. With a strong, disciplined, two-party system, made possible by the existence of a broad consensus, the majority party members can be counted on to support faithfully the legislative program of the cabinet, really the most important committee in the House. While a vote of nonconfidence can bring the cabinet down, this is unlikely because of party discipline. The prime minister, however, can whip reluctant party members into line with the threat of calling for dissolution of

the House and new elections. Undoubtedly contributing to England's political success was her island position, the consequent security against invasion and relief from the burden of having to maintain a garrison state, and the freedom afforded to devote the energies and genius of her people to the art of government. The result has been that England's constitution is an unwritten one, consisting of important documents and statutes, conventions, traditions, and precedents. Legally, Parliament is omnipotent; but the moderation, good sense, and ingrained respect of the English people for fundamental procedures and rights stand as a bar to the abuse of parliamentary power.

The Constitution of the United States, by contrast, is written. It has the distinction of being the oldest such constitution extant, having been continuously in effect since 1789. Its drafters, as we noted earlier, went to extraordinary lengths to limit the exercise of public power and yet still provide for adequate government. Through various devices--federalism, three separate branches and an intricate arrangement of checks and balances among them, staggered elections by different constituencies, etc.--they sought to render difficult too hasty or imprudent effectuation of the popular will. Yet, as the record attests, these restraints have not proven to be straitjackets preventing response to emergencies. The enlarged role of the President, to whom, in times of trouble, the other branches tend to defer, has overcome their inhibiting effects. Not for nothing has the term "presidential government" been applied to the American political system. As with the British, so too with the Americans, a prevailing political and social consensus has made their governmental mechanism work as well as it has. Even before they began their experiment in complete self-government, the American colonists had for long partially run their own affairs through their participation in the colonial legislatures. Except for the slavery question, the United States has never been riven by divisive issues that would impair the relatively smooth operation of government. Notwithstanding the continental size of these United States and their great diversity--sectional, economic, ethnic, and religious--that overarching consensus, that harmony on fundamentals,

has allowed the two great political parties, Democratic and Republican, to encompass such diversity under their broadly unifying umbrellas. Unlike the British, American party organization has been loose, decentralized, and without tight discipline. American national political leaders have had to be diplomats, accommodating and adjusting the demands of powerful groups in conflict and building shifting majorities in favor of particular public policies.

Less successful practitioners of limited, democratic government than England and the United States have been France and Germany. France, for example, went through a convulsive revolution in 1789, overturning all at once an absolute monarchy. She was denied the kind of experience the British had in slowly curbing the royal power and fashioning institutions of representative government. By breaking so sharply with the past, France ever since has been harried by internal squabbles; she has never been able to weave the cohesive social fabric so requisite for the democratic process. The result has been political instability--five republics and two empires in 175 years attesting to the absence of agreement on fundamentals among the French people--for they have never been able to strike a balance between liberty and authority. Too often there has been an excess of one or the other. France is a classic illustration of the nation lacking integration, not only ideological, but social and economic as well. Her various major groups have entertained clashing aims, leading often to a kind of paralysis, a condition of immobilism.

Mirroring the heterogeneity of French life, a multiparty system took form, ranging over the full political spectrum. On the Right were elements hostile to the democratic republic and favorable to authoritarian rule. The forces of the Center, most committed to democracy, quarreled with each other over economic and religious matters. And the forces on the Left, alienated by failure to resolve pressing social and economic problems, also opposed democratic government. Nor did certain features of the successive political systems contribute to stability. Both the Third Republic (1871-1939) and the Fourth

Republic (1946-1958) were essentially governments by assembly. In contrast to the British parliamentary system, there was no real fusion of executive and legislature; the French executive was weak because he had very little power to control the Assembly through dissolution to offset the Assembly's frequently exercised power of changing premiers and cabinets. Besides, it was difficult to impose discipline on a coalition government of suspicious, uncooperative partners-by-necessity.

Such a government understandably was ineffectual in grappling with controversial issues. And when a major crisis like Algeria's struggle for independence struck the Fourth Republic, it collapsed. France turned, as she had done before, to the authoritative leader, this time to avoid violent civil war. She was fortunate at least in having a man, Gen. Charles de Gaulle, who, for all his impatience with parties and assembly government, was not an enemy of democracy. The Constitution of the Fifth Republic, drafted to his specifications, made the President rather than the Premier the key figure and gave him the whip hand over the Assembly, with the power to dissolve it and call for new elections. Further, under Article 16, the President could take on wide powers during a national emergency.

There is no question but that France has prospered since De Gaulle assumed command in 1958. Political stability has facilitated, if it has not been responsible for, the great advances France has made economically and the considerable changes in her social structure. Conceivable their impact may have been so great that, even should the Fifth Republic fail to survive De Gaulle's passing, a new constitution giving a larger voice to parties and their representatives in the Assembly might well work much better than its predecessors. But this will only occur if a greater consensus has evolved on means and ends, and those wide differences separating the numerous groupings of French society have been narrowed.

Democracy came very late to the German people under circumstances decidedly unfavorable to its

prospects. Germany, for centuries, had been a congeries of rival states and principalities, varying in size and power and characterized by economic, social, and religious diversity. It was Bismarck and Prussia who imposed unity on these many political entities by force from above rather than having that unity achieved by uprisings of the people against their autocratic rulers. Not unnatural, then, was the association in the German mind between authoritarian direction and the amazing strides made by the new state from its formation in 1871 until the eve of World War I, reaching preeminence as a military and industrial power. With defeat and collapse of the German Empire, democracy was given its chance in the postwar Weimar Republic, but, unfortunately, the handicaps to be overcome were too much. Part of the middle class, the most active champions of liberal democracy, defected under the hammer blows of wartime and postwar inflation. The new government was hampered from the start by a peace treaty imposing territorial losses and requiring reparations and demilitarization. The victorious democratic governments, though it would have been in their interests to insure that Germany's experiment in democracy prosper, did little to assist it in those early formative years. France, in fact, took punitive steps to enforce collection of reparations in the 1920's. For too many Germans, the Weimar Republic came to be equated with failure and disgrace.

Moreover, antidemocratic forces on both the extreme Left and Right waxed stronger as Weimar coped less and less effectively with depression and social conflict. Control of the moderates in Parliament weakened. The Constitution abetted this trend by its provision for proportional representation in national elections, thereby encouraging the growth of parties and splinter groups and leading to unstable coalitions in Parliament. A further weakness arose from the power of the Reichstag to dismiss cabinets by a simple vote of nonconfidence. The Chancellor had no comparable countervailing power against the Legislature. In addition, he shared the executive power with, and in fact was overshadowed by, a popularly elected president, authorized to exercise power in emergencies and able to give the chancellorship to almost anyone he might select. All these opened the way to Hitler

whom the old, reactionary President, General Von Hindenburg, appointed Chancellor in March, 1933. With Hitler's subsequent assumption of total power, the German people attained a unity that, as before, came from above through the use of coercion. For a brief hour, aggressive leadership gave them an empire by conquest and a sense of national greatness, but it finally brought them to national ruin in the fires of World War II.

The government of postwar West Germany has had a strikingly different experience from that of Weimar. After failing to arrive at a disposition of the German question with the Soviet Union, the Western democracies pushed for the setting up of a separate West German regime, removing or relaxing the numerous limitations placed on the defeated nation. They gave it every assistance, so much so that West Germany staged an almost miraculous recovery. Blessed with economic health, the new regime thrived politically as well. In contrast to the interwar period, the West German Federal Republic has had stable government, with essentially a two-party rather than a multiparty system (though minor parties exist). The Basic Law adopted in 1949 has added something to this stability by reducing the powers of both the President and the Legislature and strengthening the hand of the Chancellor. He can ask for a vote of confidence and apply real pressure to get it because of his authority to dissolve the Legislature which, in turn, can only vote no confidence if it is able to agree on an alternative Chancellor and Cabinet. Konrad Adenauer, in the dominant post of Chancellor for most of West Germany's short life, had enormous impact on the new government because of his strong personality.

Since Adenauer's resignation, the German political scene has been far less placid. Recently, his successor, Chancellor Ludwig Erhardt, was compelled by internal party pressures to step down. Kurt Kiessinger has replaced him, and for the first time the main opposition party, the Social Democratic, is participating in a "grand coalition" with the Christian Democrats. Though Germany appears to have constructed over the past 17 years more social and political unity, some observers have been disturbed by the substantial

gains of the rightist National Democratic Party in the Bavarian elections. Before this, neither the radical Right nor Left had expanded its power base very much. Such movements faced a constitutional block in Article 9 of the Basic Law, which forbids associations opposed to the constitutional order or to the concept of international understanding.

Just how hardy the plant of democracy is in Germany no one can say at this point with any real assurance. Thus far, circumstances affecting its growth have been propitious. A more wintry environment of economic reverses or internal political discord could, however, put its survival capacity to a severe test. It will be interesting to see whether or not the test comes in the years ahead, for Germany may well take an increasingly independent line from that of her Western allies.

Great though the achievements of Western democratic government have been, the prospects for democracy in the world at large are somewhat clouded. The record shows that the power of the example set by the successful democracies, England and the United States, has stimulated many others to launch experiments in democratic government. While some of these have been successful, many have failed. In the postwar years alone, the attrition rate among regimes striving to pursue a democratic course, especially in the newly independent countries, has been high. But the array of problems they struggle with are so immense that this is understandable. So often they are torn apart by internal conflict, without even a sense of nationhood to bind tribal groups together. They are passing through the disruptive process of modernization, telescoped into a much shorter period of time than was true for the Western liberal democracies. They do not have the administrative skills, the middle class, and the literate citizenry so helpful to the conduct of democratic affairs. The habits of cooperativeness and moderation are yet to be widely instilled. In other words, that essential underlying consensus remains to be established. Still, however gray the outlook may be for the near future, the longer view is more encouraging. There is some reason to believe that once modernity and all that it connotes

has been achieved in these societies--industrialization, urbanization, the development of skills in a widely educated populace, the social, economic, and political integration likely to accompany this whole process--the conditions will be created to make democratic government more feasible. Then the demonstrated qualities of life in the established democracies may bring more states to embrace the democratic form of government as the one most likely to secure their enjoyment.

BIOGRAPHIC SKETCH

Professor David D. Warren holds an A.B. from Brown University, and an M.A. and Ph.D. from Fletcher School of Law and Diplomacy.

Professor Warren has served with the U.S. Department of State, he has been a member of several governmental commissions for the State of Rhode Island, and he has served as Moderator for a Public Affairs Program presented on a Providence, Rhode Island, television station.

In 1961 Professor Warren was Consultant for International Relations at the Naval War College. He is presently Associate Professor of Political Science at the University of Rhode Island and First Vice Chairman of the Rhode Island Constitutional Convention.

Professor Warren has previously published two articles in the *Naval War College Review*: "The Nature of the Nation-State System," in March 1963, and "International Organizations in International Relations," in November 1964.