



Democracy in the Light of Freedom and Justice

Introductory

The fact that in European history democracy and philosophy entered the world stage at the same time – in ancient Greece at the turn of the 7th and 6th centuries B.C. – is indicative. One of the legendary seven wise men – Solon, the Athenian lawgiver – appears as a significant founding father not only in the shaping of democracy, but also at the beginning of the philosophical odyssey, although the wise sayings and thoughts of these prudent men and legislators are denied a more profound philosophical meaning by some philosophers, such as Hegel. The fundamental concepts that link the two human activities closely and are, furthermore, the very fundament of all democratic endeavours and the focal point of philosophical reflection are – the concepts of freedom and citizen equality. All discussions from ancient times to date revolve around the philosophical aspiration to arrive at a just or good system of relations within a political community and an adequate social system that would facilitate man's freedom and his envisaged prosperity. Solon's elegy *Eunomia* represents the first historical testimony to the principle of political responsibility for action, to *responsible politics*, it being the underlying presupposition of democracy. It is in this sense that the title syntagm resorts to the concepts of freedom and justice as the backbone relied on by all discussions of democracy to date.

The relation between philosophy and democracy is not in the least idyllic; this relation is continually strained between thoughtful ideals written in the eternal celestial constellations and the shadowy reality of the reflection of ideas in the human cave. The philosophical inquiries and considerations of the democratic principles interlace the incontestable magnification and glorification of democracy setting it on a heavenly pedestal on the one hand, and fierce criticism and contestation on the other. Solon shaped and based the principles of democracy on the very idea of justice, *dike*, a profound belief in the polis being justly organised for all its citizens, and founded on order, measure and mutual control, the very ideas that Plato built his objections on in his *Politeia* via Socrates's words claiming that neither effective justice nor obliging morality can be established in democracy. In contrast to Solon's perception that the foundations of justice, peace and well-being rest in the rule of the people, Plato maintains that democracy is not capable of establishing order in the polis since it represents disorder, *anarchy*. The reasons for such anarchy are too great a freedom of speech (*parrhesia*) and the freedom to arbitrarily shape one's life (*eleutheria*), both of which lead towards intemperance, which is the beginning of the end of order in the polis.

If we examine the contemporary discussions of democracy, similar questions that have not lost on their currency since the times of the ancients are easily discernible. One such question, having already surfaced at the very beginning, is a threat to today's democracy more so than any other question. It pertains to the lethal influence of money and plutocracy in relation to the rule of the *demos*. Solon did point to the danger that the citizens themselves can indeed ruin a great city as a result of their own imprudence; the reasons he cited for this danger are the seductive power of money, its allure and the unlawful intentions of the governors of the people. Jean-Marie Guéhenno and his world-famous book *The End of the Nation-State*, published in 1993, bear witness to such dangers in respect of the modern challenges of globalisation. Having recognised the signs of the erosion of the nation-state in the globalised economy, he posed the following question – is democracy possible at all without a nation and an institutional organisation associated with the ideas of the Enlightenment? The conclusion is pessimistic – the old democratic institutional framework is collapsing as the result of international re-networking, in which modernism has already found its expression in money, and financial businesses have risen as the sole authoritative truth. According to his predictions, in the stead of democratic institutions and the liberal republic an *imperial era* will emerge with a universal demand, although no longer tying itself to the political traditions of Europe.

At the Inter-University Centre in Dubrovnik, a conference under the general title “Philosophy and Democracy” was initiated in 2005, tackling the afore-said questions of freedom, justice, mass democracy in the time of globalisation, representation and subsidiariness, ethos, rhetoric, the rule of law and human rights from the contemporary perspective. The two conferences held so far gathered scientists and students from Germany, Korea, Spain, Bulgaria, the Czech Republic, Ukraine, Macedonia and Croatia. The introduction and initiative for the conference came from the symposium that was organised by my humble self in the Town of Cres in 2003 within the framework of the Days of Frane Petrić under the title “Democracy and Ethics”. The papers from this exceptionally successful symposium were published in *Synthesis philosophica* 38 (2/2004), the journal *Filozofska istraživanja* 92-93 (1-2/2004) and the collected papers *Demokracija i etika* (Democracy and Ethics, 2005).

The thematic section published in this issue brings a number of papers presented at the symposium. The opening paper was penned by the symposium co-director, Prof. Henning Ottmann from the Ludwig Maximilian University of Munich. It questions the concepts of liberal, republican and deliberative democracy. Shedding critical light on Habermas' concept of deliberative democracy as an attempt of its kind to merge liberal with republican democracy, as the result of which the deficiencies and shortcomings of both should, thus – allegedly – be neutralised, Ottmann claims that any such synthesis is doomed to failure. Ottmann identifies the reasons for Habermas's failure, first and foremost, in the fact that he makes use of a twisted image of republican democracy, which does not contain its crucial elements, and then in the fact that the demand placed before deliberative democracy is all too tremendous. The idealisations that expect too much from the democratic discourse while lacking the need to act, which both politics and democracy are, in actual fact, based on, are – defective.

Head of Keimyung University in Taegu, South Korea, Prof. Jin-Woo Lee delineates the limits of political freedom in Hannah Arendt. He sets forth from the claim that the name of Hannah Arendt is tied to the radical and original

revival of the question of political freedom, which he substantiates with her famed statement that “The purpose of politics is freedom”. In other words, the source of freedom and the political are identical – are one. On the one hand, human freedom in this world is attainable only politically, while on the other, freedom is the sole reason for the subsistence and justification of politics. The author highlights three categories through which the criterion of political freedom is expressed in Hannah Arendt: identity, pluralism and spontaneity. The politics of identity rests on the idea that all people must be equally recognised and accepted, i.e. that one can be free only amongst one’s equals. What this is, is criticism of all discrimination and a request to acknowledge the unique and irreplaceable identity of each individual or group. Pluralism as a criterion of political freedom illustrates that the reality of the world is guaranteed by the presence of a co-world, in which the one world appears in the most diverse of perspectives. The phenomenal space of the world is political only if it is constituted plurally, which means that the right to listen to the voice of others and to be heard is an indispensable constituent of political freedom. The last and most significant criterion of political freedom is spontaneity, with which each individual has the capacity to initiate a new sequence from within. This innate aspect of political freedom in the power of a new beginning is a challenge that, in principle, wishes to abolish totalitarianism. The fact that Hannah Arendt finishes her famed book *The Origins of Totalitarianism* with a quote by Marcus Aurelius Augustus, claiming that man is created to be a beginning, is rather suggestive – “Initium ut esset, creatus est homo”. What is the extent to which contemporary free societies manifest the request for a new beginning in the life of the community? – is a question left open by the author.

The article by Prof. Olga Simova from the University of Plovdiv, Bulgaria, is dedicated to the issues of the analysis of the concepts of freedom and justice in today’s prominent sociological theory of reflexive modernisation, which is associated, first and foremost, with the names of Ulrich Beck and Anthony Giddens. It is about a novel view of society, a view that is founded on the processes of globalisation and individualisation, both of which influence the transformation of everyday life. The authoress aspires to find answers to the following questions: how and due to what reasons does the meaning of the concepts of freedom and justice change, and what happens in the aforementioned new theory? Simova’s conclusion is that Beck’s theory of “reflexive modernisation” has a sceptical standpoint on all institutions and particularly on the state, even when the latter is reduced to the minimum of functions. Furthermore, the authoress recognises anarchical hues in this and attempts to classify this “new left wing” in the ideological spectrum as a whole. Giddens’s equivocal answer is that we should look for libertarian standpoints, abandon the old idea of equality and essentially turn to the idea of freedom. This freedom is freedom in the space of economy – in opposition to the old left wing – and freedom in moral questions and lifestyles – in opposition to conservatism. However, if such freedom is conceived of without limitations, it cannot be realised. Thus, it seems that the principal goal of the theory is not freedom after all; rather, the theory of reflexive modernisation centres on radical change.

The article entitled “Democracy and the Politics of Bare Life” (Demokratie und die Politik nackten Lebens) by Prof. Mirko Wischke of Berlin, currently a visiting professor at a Ukrainian university, expounds the historical-philosophical reflections on language in Giorgio Agamben. His opening question is: have the forms of life in the western democracies transformed into mere forms of survival or *bare life*, as formulated by Agamben? The author ques-

tions whether perhaps an interstice between the sphere of bare life and the sphere of politics, as an arena not constituted by the necessities of life, has been sustained. Wischke pays particular attention to language, which, according to Aristotle, we owe life to on the other side of bare existence, yet which Agamben compares with a dungeon. The author demonstrates that what Agamben cares about is not opening the trapped cognitive potentials of language, but rather about the possibility of understanding the difference between speech and language. Provided that subjectivity is constructed and deconstructed by language and that subjectivisation and desubjectivisation are included in speech acts, Agamben's comparison of language with a dungeon, as well as his hope that thought might be the leading concept of upcoming politics, seems founded to Wischke. This insight is contrasted with the contemporary subjugation of politics under bare life.

The paper by Prof. Jesús Padilla-Gálvez from the University of Castilla-La Mancha in Toledo tackles the hot topic of the relation between democracy and terrorism. His reflections were prompted by the doubts raised by the Madrid bloodshed of 11th March 2004. His paper revolves around the fundamental question of how we are to fight terrorism in democracy. In attempting to answer this question, the author distinguishes between the continental-European and the Anglo-Saxon traditions. The latter has, yet again, reached for Hobbes's tenets and has been opting for security at the expense of freedom in all uncertain cases. Considering the manner and style in which the stage of terrorism is set with relation to the drugs and arms black-market, the author poses the following question: can the systems of democracy with their policies of careful management measures combat this shady economy at all? This paper probes the limits of freedom, the way in which freedom is defined within a society that opposes all forms of arbitrary acts of terror, authoritarian rules and forms of fanaticism.

"Democracy and Neo-Liberal Globalisation" is the title of the article penned by the senior research associate at the Ivo Pilar Institute of Social Sciences and President of the Croatian Philosophical Society, Mislav Kukoč. Examining the increasingly rapid development of globalisation in the last decades with relation to the expansion of liberal democracy in many countries, the author claims that it cannot be said that the prevalent processes of neo-liberal globalisation have been bettering the development of global democracy. Kukoč's conclusion is quite the opposite – he illustrates that globalisation has brought traditional liberal democracy into question and has necessitated additional democratic mechanisms. The various forms of meta-state democracy, the global market, global communications and global civil society have revealed countless democratic shortcomings. Kukoč identifies the gravest difficulties for the development of global democracy to lie in the differences between the global cultures and civilisations.

Setting forth from the fundamental difference between mentalism and materialism in the philosophy of mind, the research associate at the Institute of Philosophy in Zagreb, Zdravko Radman, focuses on the problem of the ethical mind. Mentalism is based on the standpoint that spiritual phenomena cannot be interpreted by the laws of physics and that our external reality is linked with our spiritual states. Materialism or physicalism, on the other hand, accentuates the primacy of the material, which then causally determines the spiritual. Hence, the dilemma as to which of the two governs human behaviour – the mind or the (material) brain? Further, the author infers the ethical question as to what defines human behaviour – is it the result of the free-

dom of the will or of neurological activities? Radman illustrates these doubts and dilemmas on examples and arrives at the conclusion that the brain itself cannot judge what is ethically right and what is ethically wrong, since such judgements can only be arrived at by a cognitive person. The brain can serve the creation of good and great deeds that serve the welfare of the humankind, but it can also do a lot of harm and cause tremendous damage. Yet, the brain is not to be blamed, since all responsibility lies with people. Accordingly, Radman advocates an interdisciplinary approach to the research of man's moral behaviour, an interdisciplinary approach that is to combine the findings of philosophy, neuro science and cognitive theory.

Nietzsche's distinctive view on justice is the topic of the paper by the Head of the Department of Philosophy of the Faculty of Humanities and Social Sciences of the University of Osijek, Prof. Vladimir Jelkić. In contrast to the Christian concept of justice as moral virtue, defined by St. Thomas Aquinas as "an attitude with the power of which one is fortified and acknowledges the rights of others of one's own accord", Nietzsche identifies the origin of justice in equalisation or an agreement between forces of approximately equal powers, as well as in the compulsion of the less powerful to agree. In support of this standpoint, founded on the claim that life itself is essentially appropriation, i.e. that the will to power is the will of life itself, Nietzsche made use of Thucydides's imagery of the Athenians and Melians. Jelkić, however, concludes that what Nietzsche does is not only think about power, but that he also seeks a novel understanding of justice, which he strives to expound from the totality of his thought.

I myself pose the question of what kind of justice corresponds to democracy. This ties in with the question of the primary object of justice – is justice the trait of social institutions or individuals? I discuss three fundamental models of the theory of justice – Plato, Aristotle and Rawls's model. The conclusion arrived at states that both forms of justice correspond to the realisation of democracy. It is best when one's personal disposition to justice provides strength and support to the social institutions of democracy. Without an adequate institutional framework there is, most certainly, no democracy. Without the personal support of citizens, which issues from fundamental consent, democracy can neither be sustained nor developed. In a democratic system, the private sphere of citizens cannot be fully separated from their public actions. Democracy always and necessarily contains in itself some of the political ideals, which citizens cannot, in their worldviews, relate to neutrally. The questions of the institutional and political shaping of relations, and the questions of the good and just life should be in the interest of the citizens. If they do not accomplish their democratic ideals through their own belief and virtue, then there is no substance that would shape identity for a just system of social institutions. If they do not relate to it as to their own common sense and good to be preserved, democracy has no prospects.

This thematic section also brings a paper by the Head of the Department of Ethics of the Faculty of Humanities and Social Sciences of the University of Zagreb and the editor-in-chief of the journal, Prof. Ante Čović, on the challenges of partitocracy for democracy, presented at the Cres symposium in 2003. His discussion of the moral foundations of politics opens with the definition of the concept of the general will in Rousseau as the categorical foundation of the modern understanding of democracy, due to the transformation of which in the legitimistic basis of social and political life the history of democracy is divided into two parts. Čović first considers the prehistory

of the concept of democracy in Herodotus, Plato and Aristotle, and then discusses the changes in the concept that took place in the century of the French Revolution. Rousseau's differentiation between the common and general will secures the moral dimension of democracy. Partitocracy is a perverse form of democracy, which this paper pays particular attention to within the historical phenomenon of Post-Communism. As an alternative theoretical approach to the prevalent theory of transition, the author opposes the theory of Post-Communist chaos.

Naturally, there are no decisive answers to the prime questions of the essence and way of an ideal and just constitution of society according to the principle of freedom. The question of justice, as Hans Kelsen once said, is one of the eternal questions, much like the question of the Truth, which imposes itself on the human mind as a challenge, a question that cannot be permanently answered. It is, nevertheless, evident that the meaning of the questions of a just system and democracy lies in the fact that each historical period – including our globalisation era – is asked one and the same question. The prime meaning of it all lies in searching, in recognising the signs and in one's own skill at living by heavenly principles. Democracy is an ideal that cannot be achieved; it can only be neared – more or less. If we, as ultimate sceptics, observe that democracy is hardly achievable since not one single state is governed by its people but by more or less bureaucratised governments, officials and clerks, who – as a rule – find it difficult to accept responsibility, then what we are ultimately left with is a still sufficiently minimal determinant of democracy as almost cynically inferred by Karl Popper, reducing it to the possibility of overthrowing governments without bloodshed. In a famous interview for *Der Spiegel* from 1987, Popper classified all state forms into two basic categories – those in which it is possible to remove governments from office by vote and without bloodshed, and those in which this is not possible. He referred to the first as democracies.

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(Translated by
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