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Democracy an Unattainable Promise?
The four-way-path-model of a future democracy
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1. An actually unfulfilled promise

You all know, I suppose, the famous dictum of Winston Churchill, which goes:

"No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time" (1947).

What is expressed in this dictum is the deep scepticism of a conservative Englishman. I must confess you from the very beginning: I do not agree at all with a conservatism which is based on scepticism concerning the nature of man and the nature of society.

It is true that in the past, certain forms of progressive and even revolutionary thinking have proved to be illusionary. But if there was a choice between scepticism and optimism, I personally would always choose the part of a realistic optimism, of a realizable utopia. Therefore the subtitle of my book "Revolution of Democracy" is "A realistic utopia". Inevitably, we come to the everlasting question of political and social philosophy: What is realistic?

And first of all, what is a realistic stocktaking of our actual democracy? In the European countries, especially in the countries of the recently so called "old Europe", there is dominating a very deep scepticism with regard to our existing democracies – a scepticism which has little to do with that of Churchill, who has the optimism, on the other hand, that democracy, in spite of many weaknesses, is not only superior to any other system, but also sufficiently functioning.

People in "old Europe", for example in Germany or in France, also in England, do not believe in the sufficient functioning of our democracies. And this is an alarming fact! Those who believe in a sufficient, not to speak of an adequate functioning of our so called democratic systems, are mainly the members of the so called political class and those who correspond to that class because of their economical or social advantages. Even the mainstream of social scientists is part of that class, getting benefits from affirming that, in principal, our democracies function well.

But I can affirm you, that the majority of citizens, at least in the Western European countries, actually does **not** believe at all in the real (not to speak of sufficient) functioning of our democratic systems. They only see no better alternative, but they don`t believe in the real functioning of democracy as "government of the people, by the people, and for the people", to remind the classical definition given by Abraham Lincoln, in 1863 (nearly a century after the first Declaration of Human Rights in the beginning of the American revolution, 1776 – which was the first realization of the

European Enlightenment [made by Europeans, which became Americans just via this revolutionary separation]).

I don`t dare to give a diagnosis of the present feeling und thinking of the Americans themselves. But in Europe as well as in the greater part of the world the scepticism, the mistrust against what is called democracy in the present America is huge, especially after the latest election and the circumstances of George W. Bush entering the White House. I do not take part at all in the political struggle that is going on actually in the United States. I only state that a majority of Europeans is not convinced that democracy functions well enough, nor in Europe, nor in the United States.

Churchill spoke of **apparently inevitable** weaknesses of democracy, people think of **apparent and evitable** and weaknesses which to abolish they feel utterly unable, and this with growing anger and rage.

What I am going to speak about, after these introductory remarks, is **not** the question, **whether democracy is an unfulfilled promise** (if we think of the wonderful definition of Lincoln). Because, I think, this actually is no serious question for the vast majority, at least for Europeans. And I am not invited to have a solemn speech of calming down. My real question presupposes, on the contrary, a negative answer to that one. Our question should be: **Is real democracy an attainable promise or an unattainable, unrealistic one?**

Our mesure can be the definition of Lincoln. **My purpose** is to show up, that we need a radical, even revolutionary further development of democracy in order to fulfil or attain that great promise of a principal identity of rulers and ruled. That we cannot at all satisfy ourselves with what we have. That a new evolutionary step is obligatory in order not to lose all.

2.   Two major deficiencies

Whoever speaks of democracy these days certainly does not have reason in mind, rather the irrational arrangement of diverse unreason. Still, the task facing the present remains what it has always been: to rethink democracy. What are we to make of the basic idea of democracy as a unity of rulers and ruled? The ideas promoted on this question come from the time of the discovery of the steam engine and the French revolution, but they are no longer sufficient. Indeed, where is it possible today to find a lively interest in the fact that democracy is an intellectual adventure and a challenge of development? It can be said that those original ideas are as far from the current state of democracy as perhaps the computer is from the steam engine. We encounter such awareness among our contemporary politicians, and even among constitutional lawyers, very seldom.

I do not speak of personal defects and inevitable human weaknesses her and there. My subject is structural deficiencies, being independent on the individual actors. Let us shortly getting aware of two of them:

- First, **there is the overwhelming influence and power of economics** on the political life. If you ask people today about power and influence, they unanimously complain that money governs the word. We are used to that statement, and it is unnecessary to give scientific proof of it. Last but not least the election campaigns give evidence of that predominance of money: They greatest political genius has not the slightest chances to be elected, if he or she is not backed by powerful financial circles. We accept this fact of financial dominance as something inevitable. But is it compatible to democracy – that money governs and not the best ideas back up by the majority of people: "the power of, by and for the people" (Lincoln)? What I mention her, is so evident, that you automatically will put the question: How can we change that? Isn't it an iron law of reality, even of a democratic reality? - It is, nevertheless, my intention to show up that it must not only called a systemic deficiency of our present democracies, but that it can be changed by systemic thinking and institutional changes.

- The second fundamental deficiency of our actual democracies is the predominance of the great political parties. In Germany we speak of **"dictatorship" of the parties,** even though we have four or five powerful parties possessing exclusive chances to enter into the parliaments and to take part in the government, even if they are sometime reduced to two "camps". In the United States you have but two big parties. The difference between them is even not as important as between the old European world-view-parties. There are only pragmatic differences between the American parties. Their main difference is just that one of these two has, at a given moment, the privilege to govern. This possibility of shifting the power from one camp to the other one is the core of what is called democracy today in the United States. The difference to the European party-systems exists, but it is not too important.

  Now, these parties are blocs, in which only one opinion to each question can be predominant. I take examples from Germany. I personally would vote in favour of the Greens because of their ecological policy. But if I take into account their cultural politics, concerning the so-called multicultural republic, I do not agree at all. Because I think that the European nations and their languages are of great value. And we cannot protect biological biotopes and, on the other hand, destroy cultural biotopes in ignoring the cultural a language differences between the nations. The German Greens say the USA is a multicultural nation. I do not see that. It is until now, a rather unified nation, with an enormous unifying power to assimilate people from all nations of the world. Even if these immigrants can have their respective cultural associations, they become Americans through and through. The USA is not a multicultural nation in the sense of losing its national identity. And whishing that all the European nations conserve their identities, I do not agree to the German Greens, in spite of their good ecological ideas. So, what can I elect? The same problem I have with the Social Democrats or with the Christian Democratic Union in Germany. The latter, for example, stand for Christian values in theory. But in practice, they stand for a capitalism, which is not compatible to Christian values, to my mind. So, what can I elect now? I am in a dilemma, and so is all Germany, whether people know that more or less consciously.

Are you, Americans, not in a dilemma, in having the choice between one of these big party camps or blocs? Have you really the democratic choice to get represented your personal values by one of these huge parties with their immense budgets? Or do you prefer to forget your personal values, at least in politics? But, democracy is said to be "government of the people, by the people, and for the people". How is this possible, if you must forget **your personal combination of values** in taking part in elections?

So we have all reasons to think about a further development of our democracies, if they cannot move towards a more realistic achievement of their original ideas. And that is why I invite you to go with me deeper into the structural nature of human society. I promise you that a bit of theory will result in a practical solution the realization of which must enter our future political agendas, as in Europe as in the USA.

3. Some theory of social action

a) The basic situation of human being (the elements of sense)

Let us start with a brief look on human being, which evidently is the source of interpersonal or social systems (on the human level, of course; I do not speak of animal societies).

It is essential for each human being to say "I". "I" is the sign of an inner reflection, which we call self-consciousness. George Herbert Mead made the difference between I and Me: "Me" is the expression for the objectivation of the I. But before a human being objectifies his self-consciousness, it has, better, it is self-consciousness, it is an I in the life process. We must distinguish this inner reflection of life process (I, which is double or self-referent already in itself) from the subsequent reflection of objectivation (Me).

The human I is a self-reflexive being. But it's reflection is not a monological one, it is not confined to itself. It is in relation to things and to other persons, other self-reflexive beings. The relation between I and You is essential for the I`s (Ego's) becoming a self-reflexive being. The self-reflection of the I is mediated by the other I (the You or Alter), as well as mediated by the things.

But there is a fourth element (I speak with Paul Tillich of "elements of sense") which is essential for the **basic situation of human being**. If we communicate, we normally use language as a medium of communication. I do not state now, that language is the only possible medium of communication. We can, for example, communicate in looking at each other, within speaking a word. Or you can help somebody without speaking a word. These are forms of communication (unfortunately forgotten by so called linguistic turn philosophers). But language shows that there is a medium between I and You, which is not exhausted by language, but which is present at any rate. I call it "medium of sense".
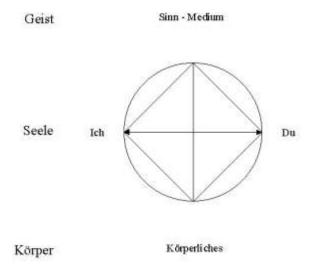
So we have these four elements of sense:

Figure 1: The elements of sense in the basic situation of human being

It would be worthwhile to rest at this point and to develop anthropology in a philosophical sense. (You see, that in the figure 1 there are also three levels of human individuality, called **Body, Mind**, as the principle of individuality, and **Spirit** as the medium, which is not individual, but a medium of participation of individuals.) However, we only wanted to have a look on the source of human society. This source is the self-reflexive human being in interrelation to other human beings, which are likewise self-reflexive beings.

b) Social systems: result of mutual reflection of self-reflexive beings

Now I come very rapidly to the construction of interpersonal and social systems, which are based on the **mutual reflection of self-reflexive beings.**

To stay with the technical metaphor, human societies are quasi-cybernetic systems composed of human actions, which are other-oriented (as Max Weber said) or which reflect upon each other. From the analysis of the mutal reflection there follow **structures and levels** which have to be respected exactly like the physical and biological laws of nature. An action systems theory, which takes into account the levels of mutual reflection, leads to a typology of social behaviour with the following main subdivisions:

(1) physical instrumental activity/intention or exchange of goods (linear intentionality)

(elementary example of looking: I see the Other as a mere object or in the context of objects)

(2) strategic, goal-oriented activity/intention (simple, unilateral reflection)

(ex.: I see the Other as somebody, who is looking himself and whose look must be taken into account for my aims)

(3) communicative activity (double and mutual reflection)

(ex.: I see the Other as somebody, whose looking is interesting for me in its proper sense, and who himself is possibly looking at the sense of my looking, so that there is "communicative" mutuality of looking)

(4) meta-communicative activity/intention (resp. activity component)

(ex.: Each partner can and even must take a concluding position regarding the former mutuality: a friendly, rejecting, interested or disinterested position etc.)

The hierarchy which results here is a logical hierarchy of reflection-levels, which are definite and come to an end on level 4. The horizontal aspect of interpersonal or social reflection (no mere theoretical reflection!) goes together with the vertical aspect of reflection-levels:
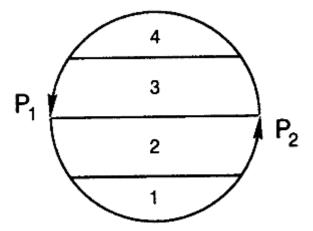

Figure 2: The horizontal reflection between P_1 and P_2 leads to
vertical levels of reflection

Action in general, and especially social action, is a reflexive process. It is for this reason that the scale of inner (not only external, additional) reflexivity forms the basis for differentiations of the action levels.

The reflection systems theory can be seen as a further development action systems theory of the great American sociologist Talcott Parsons (1902-1979), a student of Max Weber and the German school of social thinking. But it is just the reflection principle which was not found by Parsons. The importance of the reflection principle cannot be overestimated for everything which happens in human consciousness and behaviour. Consciousness is a particular structure of self-reference, and self-consciousness a more particular still. Even if social reality is not self-referent as a whole, it is totally constructed by interpersonal or social reflection.

To recognize this, is the only way to close the gap between theory of action and social systems theory, which are represented in the European discussion by Jürgen Habermas respectively Niklas Luhmann, but by each of them in a unilateral way.

4. Transition to big social systems and states

If now we change our perspective from that of the individual actors into a perspective (or, a so-called system reference) of collectivity, a perspective from above, we get not only **action levels** but **system levels.** This is a very important step of thought now. The systemic levels are now:

(1) Interaction system of exchange of goods: the level of **economic community.**
(2) Interaction in terms of goal attainment and power: from which results a **community of law** (For law is nothing else than the regulation of power, a more or less just regulation, by the way.) The community of law is common goal attainment of common interests which are not only economical ones.
(3) The interaction of real reciprocity or mutuality, a **community in the proper sense of the word: a community of communication** which has its value in itself, not in the goal attainment of something different from the community itself.
(4) The interaction can, finally, direct itself upon the implicit value conditions of the former forms of community. The meta-communicative type of community a **an ethical and a religious community.**

All these systemic levels can be regarded as implicit levels of every community, but also as explicit types of community.

Now let us take the example of the community-types which still is of the largest importance, nation and state.

The intentional levels or action levels defined above and the respective systemic levels develop themselves, in a modern constitutional nation state, into more or less clearly differentiated subsystems. Further subdivisions are given here for clarity, they cannot be fully discussed.
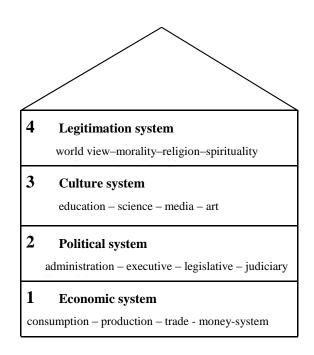
4	**Legitimation system**
	world view–morality–religion–spirituality
3	**Culture system**
	education – science – media – art
2	**Political system**
	administration – executive – legislative – judiciary
1	**Economic system**
consumption – production – trade - money-system	

Figure 3: Hierarchy of subsystems
The respective formal media are: 1. money, 2. law, 3. language, principles/rites.

Each of these subsystems must be constantly viewed as a function of the whole (*integration principle*). However, in modern society, each also distinguishes itself, more or less clearly and effectively from the others (*differentiation principle*). Only through differentiation of the system levels is integration, collective freedom, possible, under the modern conditions of the greatest possible individual freedom. I speak of **integration-by-differentiation.**

There are media of interaction which are essential for the differentiation of the subsystems: 1. money, 2. law, 3. language, 4. value-axioms and their expressive rites.

The prevailing, apparently inevitable **determination of the social whole from below upwards,** that is from the economy through politics into the "superstructure" of culture and basic values – one of central problems of our democracies mentioned above - **derives from insufficient differentiation of the subsystems.** That is the opposite situation to the long past of the "Christian West", when the social whole and its rulers were justified through the grace of god.

A four-structured system of society and state would mean a set of consistent institutions which do justice to the clearly latent differentiation already available. The result then would be **regulation from above oriented below based on reason,** that is from the basic values through the cultural and political values all the way to the economic goals and means. But this kind of hierarchic integration is completely different from all traditional forms of integralism. If each level is democratically determined and maintains the characteristics peculiar to its sphere of activity, then it has nothing to do with theocracy and direct legitimation by the grace of god.

Concretely: We need expert parliaments and executive organs, elected independently from each other for each system level. Specified parliaments are required. The economics parliament, which sets the framework (outlines of economic law, not in any sense like a planned economy!). Above that a political parliament in the narrower sense of the word "political". Set over this, in terms of setting out frameworks of action, the culture parliament. Finally set over this, the basic values parliament.

Up to now, democracy knows only the apparently all-round politician, who is in charge of and responsible for everything and for nothing. Doubtless there is a certain acquisition of special knowledge forced on the parliamentarians in committees. But then it is precisely here that transparency is lacking. Direct election and responsibility of the affected representatives for their **specific field** is the remedy.

5. A reflection system view on the division of powers

The issue here is nothing less than an extended concept of the division of power. The traditional division of power is unfortunately highly watered down in the current state of thinking on constitutional matters. Another problem is that it encompasses a conceptual development beyond the level of consciousness of the American and French Revolution. The status of the so-called "powers" (which are different functions of public power, of the state) is determined according to the positioning of the respective power to the laws, an order based on the logic of reflection. This, clearly, is a new foundation with the following features.

1. the **administrative executive**, whose job is simply to apply existing laws; this one is clearly distinguished from the following executive;

2. **political executive**, which possesses decision-making power within the framework of the laws;

3. **legislative**, the deliberative function, which debates laws and passes them;

4. judiciary, which has the task of scrutinising the procedures for processing laws and the correct application of the laws.

These traditional powers (apart from the distinction of two executives) belonged historically at first to the political system in the narrower sense of the power system. Now, the four branches or subsystems embody an essentially extended, namely intensified division of power, to the extent that the classical four (not just three) powers **multiply themselves** in the state based on the four-way path of economic, political, cultural and basic value structures. On each of these levels are found administration, political executive, parliament and judiciary – at least in theory. But you must not imagine that the practical consequences are very complicate.

The reduction of complexity will be made by the very fact that the legislative power, the parliament, is the key power, with the result that only the real division of the parliaments is decisive.
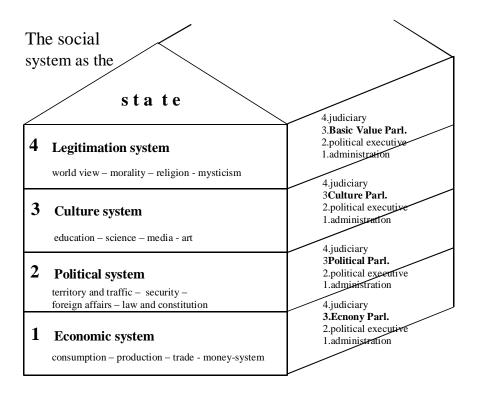

Figure 4: The social system as the state with extended division of powers

Instead of all four powers only the legislative will be considered in the following as the decisive standard example for all in the circle of subsystems. Parliamentarism is the heart of democracy, on the state-level at least. We know since the recognition of the research of William Harvey, the English physicist of the 17th century, that the physical heart of man has four chambers, which are essential for its functioning and which must be differentiated until the birth of a human being. If you allow this analogy, we should have to say the our democracies are even not yet really born, because their heart chambers are not yet (theoretically and practically) differentiated.

Decisive for the differentiation of the subsystems is: direct election of "experts" (in the best sense of really "experienced" women and men) by the electorate in general and thereby direct responsibility for these field-specific popular representatives to the people.

I must give a commentary on the change of the labelling of the political level, which is made, if you compare the first, two-dimensional "house" *(gr. oikos)* with the new, three-dimensional one. The "powers" formerly appeared as the subdivisions of the political subsystem. Now they have become formal subdivisions of all subsystems.

Since the modern state is primarily founded in law (the concept of the state based on the rule of law, in contrast to the traditional, theocratic state (justified "by the grace of god"), this legal-political commonwealth called the state encompasses all four levels. In this extended sense the state-political level encompasses all disposition of power possible by means of law.

In the narrower sense, however, the political level forms only the second subsystem of the organised whole, with the concrete systemic functions: territory and traffic, security, external policies, law and constitutional development.

6. Hierarchical and circular interrelation of the subsystems

Until now, I emphasized the hierarchical interrelation between the subsystems. Without the right hierarchy of values (economical, political, cultural and basic values), that means without an **inversion, a real reversal of the practical (not only theoretical) order of values,** our democracies cannot become credible. And without a thoroughly new credibility they cannot be saved in the long run.

But, on the other hand, it is not sufficient, to reverse the materialistic dominance of economics simply into a idealistic dominance of the basic value representatives. For example, you cannot decide that the right for labour is a human basic right and so it must achieved at all cost, without demanding the experts of economics, how to arrange that, which kind of economy will be able to ensure that right.

Or let us take the example of genetic engineering for plants, animals, and human being. You know what a lot of ethical and economic questions is risen by that.

The general answer to this kind of interference of ethics and economies, or more generally, of inference of all levels of the social system, is: There must be a feedback between these levels and their respective parliaments.

Well, an adequate solution to this kind of questions is not as difficult as it seems at first glance. Nearly all democratic parliaments of the world know already the institution of a first, second and third reading of a legislatory draft. Normally that is a power game between the political parties, even if different chambers deal with that draft. But the power game can easily become a game of reason, a game of true deliberation between the different points of views and the different responsibilities of the parliaments of the new differentiated type.
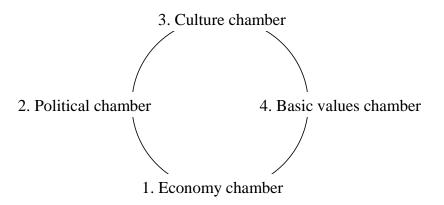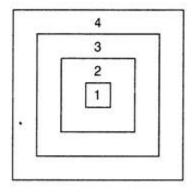
3. Culture chamber

2. Political chamber   4. Basic values chamber

1. Economy chamber

Figure 5: The systemic circle of the social as a parliamentary system

Thus, we have not only a hierarchy, but a circular feed-back of the different parliaments. Each draft of a given parliament can be commented be the respective others ones. Sometimes there will be no great contradiction and friction between them, but sometimes, an for the most important bills, there will be struggle. The legislatory struggle must come to an end by the fact, that there is an order of frame competence and of "home competence" of the parliaments:

Figur 7: Schema der Rahmengesetzgebung

It will be very seldom, that there is dispute over respective areas of responsibility between the parliaments. In these rare cases the Supreme Court will have to decide about the competence.

7. Synthesis of direct and representative democracy

What is much more decisive than formal aspects and pretended difficulties is the totally different character of new parties: If these are differentiated along the topics of the subsystems, they are n o longer those unbearable, indistinguishable power blocks we know, back up by only a membership of 2-3 % of population. These "pre-Flood" parties of structural unobjectivity have nothing to do with the four-way-path-parties, which are **groups of objective value-alternatives**. Those power blocks prevent any serious discussion of public matters from principle, not the new **matter-parties**. The principle of the four-way path is about relating to the matter in question, whereas that of the all-round parties is the disposing over undifferentiated power, and therefore not actually relating to the matter in question at all. This was, you remember, the other point of fundamental deficiency of our present type of democracy.

As long as this system does not provide the specific economists, different from the specific experts of policy in the proper sense, as well as form culture policy experts and basic value experts in their own roles, as laid down in a new constitution, we have no other alternative but to work with the existing "political" all-rounders of the parties. We need however movements outside the parties, which commit themselves to this constructive reform concept. The **movement for direct democracy** appears to threaten the privileges of the parties laid down in the constitution. On the other hand, the crudely quantitative standpoint, which is the dominant principle in the case of referenda, is not sufficient. The real or imagined dangers are well known which proceed from a crudely quantitative analysis of the will of the majority (such as the death penalty). Democracy means the most quantitatively extended reach possible of the qualified participation of all legally mature citizens in the formation of the common weal. Qualification is required of the formation of the public view by means of the representative principle and the field-specific competence involved with that. And all direct democracy which goes beyond the borders of small communities, cannot be better than its own representatives elements.

Thus the justified claim to direct democracy must be brought to an internal synthesis with the representative principle: this synthesis can be achieved by the four-way path founded on systems theory, with its layered, feedback-looped systems of competence. It can be seen as a "golden middle path," if that's not taken as a cliché.

8. The boom in individualism as escapist ideology

We are not talking here about some kind of middle path compromises, but rather of *a creative synthesis of the modern, individualistic understanding of freedom and social association*. Instead of effective implementation of basic values which could be accepted by consensus, we find ourselves today in a flourishing ideological ethics boom: in individual ethics for all life issues and job issues. The individual is burdened with what cannot be achieved by social structures. The neo-liberal financial system, with its devastating effects on the environment and social justice, is a

principal example of this "ethical" escapist ideology. Contemporary capitalism represents a kind of religion substitute, even a pseudo-religion, and against its systemic omnipresence the ethical warnings and rules of behaviour are not only completely powerless for the individuals. The point is that they have escapist functions.

The most important ethical postulate for the individual (without which certainly nothing gets anywhere) **today is seeing through the great interconnections with an uncorrupted, thinking, and feeling love of truth.** No religion and no ethical system is higher than the truth, on which certainly no one has an eternal monopoly, and for which everyone must pay very personally.

9. New paradigms of social movements

The concept of democracy sketched above offers also the chance - and one independent of any global financial collapse - to introduce with parliamentary means a money system which does better justice to nature and to human beings. Without democratic basic attitudes even a financial market crash helps us as little as the two great wars of the twentieth century. The point is, not simply to concentrate on the important problems of the money system, but rather to ally oneself with all those groups which in their different ways aim at a well-thought-out and realistic, qualitative reform of our democratic commonwealth: whether it comes from a spiritual and ecological thinking, or in the name of the "freedom of the life of the spirit" and "educational freedom", or whether it is about new forms of direct democracy. Even the commitment to a more "natural" economic order must be animated by thoughts of an essentially structural development of democracy, i.e. to a freer form of society, in order to have any success with many allies.

All these paths converge and could, indeed must, lead to success, whereas the exclusivity of a sole path can only lead into the abyss of failure. This happens because the enormity of the task is not appreciated. It's about the leap out of the vicious circle of a mindless, economic domination. Despite the enormous, fragmenting reduction of everything to science, we have a society poor in integrating ideas.

This multiple path can be seen, in constitutional terms, as a four-way bundling. That can be stated without dogmatism. The concept of the four-way path is not a sectarian political idea, but a central synthesis which is paramount now in the social sciences and of enormous evolutionary import.

Democracy, ladies and gentlemen, is a great promise, which is far from being already fulfilled. But it is neither a mere idealistic promise which is unattainable. After courageous steps of our forefathers in the last two centuries, we have to do a step today, which could seem relatively tiny. In reality, it is a step as big and important as that of the founding fathers of United States – which today are no longer a lighthouse of democracy. I suppose, the "old" and the "new" Europe must take the initiative to prepare an indispensable further step.

Major writings by the author on these topics

Revolution der Demokratie. Eine Realutopie, Berlin 2003 (Maas Verlag).
Demokratiemanifest für die schweigende Mehrheit, München 2005 (Steno Verlag).

For further information see: www.johannesheinrichs.de / www. viergliederung.de