Value-levels-democracy

The Reflection-System-Theory of Four-Segmentation

Johannes Heinrichs

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This book is an English adaption of the original German title
"Demokratiemanifest" (2005) which is a short version of the author`s
"Revolution der Demokratie" (2003/2014). Translation by Joscha Thiele.

Contents

Preface

In this book, Johannes Heinrichs offers a "real utopia". His theory of democracy is as fundamental as it is subversive and necessary. It is fundamental because it rests on an elementary anthropology, namely his social theory of reflection. It is subversive because it disputes the ideology of the party state. It is necessary because the freedom of humanity is the vision of the Enlightenment and the goal of all politics.

Heinrichs' oeuvre teaches revolution in its proper sense, that is to say: as the liberation to law and humanity of all people.

Johannes Heinrichs is moved by the conviction that the party state cannot be the answer to the big question of the Enlightenment, indeed of humanity: the question of the good life for all. His proposal makes sophisticated distinctions, but it gives democracy a real chance for the first time.

Heinrichs conceives a four-chamber parliament with independent tasks, independent responsibilities, and independent personnel: a parliament of fundamental values, a culture parliament, a political parliament, and an economic parliament. The laws passed by these parliaments are all binding. This requires clearly defined limits of the powers of each parliament and an order of priority between them.

Aside from the four-segmentation of the system, fundamental values, culture, politics, and economics, Heinrichs conceives of a further structural dimension: the trinity of state, private and public.

While already practiced today, this trinity is not yet supported by an adequate legal order. Like the four-segmentation of parliament, it is a structural element of the separation of powers, systemically justified here for the first time.

Johannes Heinrichs is the best expert in contemporary social philosophy. He knows of his responsibility for our republic and submits a well-reasoned proposal for human life in all states of the world.

Heinrichs' work is a great contribution to political philosophy and to democratic theory. I will help to lead his revolution to victory.

From the preface to "*Revolution der Demokratie*" (2003)

by Karl Albrecht Schachtschneider
Professor Emeritus for Public Law at the
University of Erlangen-Nürnberg

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Preliminary remarks

A specter is haunting Europe (and more and more in the whole world) – the specter of the rejection of democracy. Until now, it was veiled in the term "political apathy". This is an obfuscation, for it is a particular kind of politics that is at stake, and it cannot be captured or identified by such generalizations.

"Party-political apathy" comes closer to the heart of the issue, but politicians who like to polemicize over "political apathy" would not name it such: it cuts too close to the bone.

"Democracy" was one of the biggest slogans of the 20th century. With hindsight, it may come be thought of as the biggest and most central keyword of the past century, like "progress" for the 19th, and "Enlightenment" for the 18th century. Perhaps, though, one fact stands in the way of such a development: the slogan "democracy" has remained an unfulfilled promise; even in the democratic countries, we live in semi-democracies at best. More accurately, we will have to speak of *quarter-democracies*. Alas, popular discontent cannot express itself with such precision.

Before reading on, dear reader, ask yourself this, honestly and without inhibition: do you still "believe" in our contemporary democracy? Does the state of public affairs in the western democracies come close to the idea of democracy?

Let us briefly define this idea as **the self-government of the people,** with as widespread participation as possible. Evidently,

there is a difference between supporting this idea of democracy and considering our present state of public affairs to be fully or at least satisfactorily democratic.

This manifesto, like my other, more extensive book on democracy, is aimed only at those who genuinely support the idea of democracy. That should suffice to prevent misunderstandings by extremists, of the Left or the Right. I do not wish for their company – unless they change their extremist attitudes. I believe all reasonably intelligent people are capable of changing their views and attitudes at any time. Nobody should be denied that opportunity.

For reasons of precaution, there are no official surveys on the question raised above, or rather these two:

- Do you believe that we live in true, satisfactory democracy?
- Do you believe in the idea of democracy?

The result would doubtless be sobering, indeed devastating. You can verify this, now more easily than ever, with a simple private survey of your own, among your acquaintances – provided you do not move chiefly among the so-called "political class", which continues to delude itself by claiming to represent the people. But to represent the people, it is not enough for a politician to join the odd protest against welfare cuts when it is politically opportune. We are yet to see a member of the political class carrying placards such as "revolution of democracy instead of treatment of symptoms".

Therein lies all the subtle difference. Now, a number of people, and not just in the political class, hesitate when answering the first question, because they want to be "realistic".

For those influential and very respectable realists, some of whom I suspect among my readership, I should like to briefly discuss the following prejudices or half-truths:

1. **Democracy is the worst form of Government except for all those other forms that have been tried from time to time.… (Churchill's dictum)**

To that I reply: there is indeed no better form of government than democracy, in the sense of our preliminary definition – an approximate identity of the governing and the governed. The only flaw: to this day, democracy has neither been thought through nor realized. Instead, there is too much infatuation with incompleteness; usually laziness disguised as wisdom or realism, or opportunism of the well-off.

2. Political science shows: people are by and large content with democracy as it is.

But the large majority of political scientists lack the courage to admit the extreme dissatisfaction with really existing democracy, and the fact this dissatisfaction is warranted. Moreover, political science is practiced by people who are not exactly far removed from the political class, but rather mostly, beyond a professorship and corresponding salary, wish to be a part of it – if only to escape a feeling of the ivory tower. The only mitigating circumstance regarding this conformism of the academy: there are no alternatives in sight, bar the hitherto unconvincing movement for direct democracy. (The question of science and academic freedom will prove to be one of the most difficult in our democratic theory.)

3. We can't change much anyway, least of all our constitution.

To argue in such a way is to have lost the fight for democracy already. For now, we can change as much as we appreciate – though it will not be that way forever. The German constitution still openly invites a new constitution (Article 146 of the "Grundgesetz") – even if the European covenant once again failed to take a great democratic opportunity when referendums on the new European constitution were regarded as troublesome interference of the people. An occasion for embarrassing debate on fundamental principles, for which we quite simply lack the appropriate institutions.

4. As incomplete as it may be, there is no alternative to our "learning democracy" that improves gradually in small steps.

The fact we live in semi-democracies at best is rarely expressed but well-secured popular knowledge. The political class and those who profit from the status quo want to ignore this and prevent the discussion of constructive proposals of alternatives. Ostensibly, there is no alternative. Those who present them, be it only for limited sections, is considered a theoretician by those experts in the business of politics. They may even be decried as "populist", meaning, we assume, a questionable alliance with the people at large. The people, "that giant lout" (Heinrich Heine) is deemed in need of educating, and in no way mature or responsible.

As to small steps, those we are presently taking – following the example of American terrorism hysteria – tend to be backwards, not forwards. Yet the structural alleviation of justified democratic, that is, party-skepticism inevitably requires larger steps, leaps even. What is more, decisive change both towards genuine democracy and social justice would constitute much better terror prevention, tackling the roots of the problem.

5. We can only start with ourselves.

Everybody must indeed start with themselves, but with a view to practice and the community. Thus the individual moves out of private impotence into public efficacy.

Structural understanding and education on processes and interconnections is the first duty of democracy. Contrariwise, appeals to the morality of the individual – as if structural deficits depended on them – constitute a fatal distracting ideology. It is common wisdom that moral resolutions and appeals are the stones that pave the way to hell. The questionable boom of ethics, as I called it twenty years ago, carries out such roadworks perfectly. Such democratic theory from below is popular not just with those high up, but also their "alternative" auxiliaries.

Distraction succeeds so perfectly because nobody can disagree with the suggestion that people need to improve. Yet here is what the moralizers neglect: the individual – an "ensemble of social relations"

(Marx) – has a moral repertoire at their disposal. The crucial question is what part of this repertoire is mobilized *precisely by these social relations*. Have conformism and opportunism, decisive during Nazi rule in Germany, simply disappeared? In my view, they simply hide behind more modern and fashionable masks. The moral responsibility to create social relations that elicit the best in humanity arises from this human tendency for opportunism and conformism. Appeals to morality have never been sufficient here. Humans are neither good nor bad by nature, but by nature prone to social temptation. The half-truth that all must start with themselves ignores the nature of society and the social nature of man – unless it is understood as a call for Enlightenment in the sense of thinking for oneself and a critical stance with regard to some social institutions all too easily accepted as natural.

6. Social reality can only be constructed spontaneously from below.

The powers of spontaneous association from below cannot flourish without consideration of the societal framework, of the whole. The Weimar Republic serves as the perfect example of numerous valuable, hopeful reformist departures from below (so-called "life reform" in the aftermath of the Youth Movement). All these good initiatives, now returned in the form of the green movement, were proven at the time to be nothing but parlor games on the sinking Titanic, because they did not take the wider political climate seriously enough. And because they never properly adopted democracy.

This should have happened in a specifically German manner, developing classical German philosophy (including Marx), to which Heinrich Heine ascribed world historical significance, both before and after the failed bourgeois revolution of 1848. The German authorities ignored this and built their Empire on power and the industrial revolution: the German division of power and spirit. In its wake, the majority of German intelligentsia refrained from politics and declined the Western democratic offer. "The German spirit is apolitical and will

always remain thus." (Thomas Mann, Reflections of a Nonpolitical Man, 1918). Meanwhile, a revolution, proletarian and downright nasty to the aesthetically-minded bourgeois, "had to" be crushed in 1918/19. Here were at least two spontaneous movements from below that lacked something to be succeed against the power of the existing order – and against violence.

Today, 70 years after the end of the war, aren't we called upon to contribute to the development of our second, imported democracy, rather than passively decrying the dangerous growing democratic decadence of the former example across the Atlantic. That which is justified in the demand for the spontaneous From-Below is taken up by the principle of subsidiarity in chapter eight.

But one must not confuse the prerogative of the lower, smaller social units with supremacy. Said prerogative requires conscious protection by way of thinking the whole.

7. Thinking is no use, everything has long been discussed.

But practice-oriented thinking changes attitudes and aims for the whole, for holistic action. Such thinking and rethinking of structures have already been discussed in the previous two points. Against the prejudice of the impotence of thought, we may add that the thinking referred to here is a qualified consideration of social structures – a social theory that grasps reality.

By contrast, free-floating debate, the intellectualist back and forth, constitutes an improper form of half-thinking. Our contemporary political philosophy and science have indeed thoroughly destroyed trust in the world-changing power of thought that was proper to classical German philosophy.

The '68 movement's "critical theory" showed, on the one hand, how strongly fundamental philosophical reflection is able to intervene in politics. But this intervention was almost entirely negative and critical. Much dust was whirled up from underneath the gowns, as the famous slogan went. But it soon settled. A constructive critique would have already been necessary at the time. Even more so now, after the

washout of a now completed "long march through the institutions". There is only one credible form of critique: constructive suggestions of alternatives as to how to clear the "dust" permanently. Hence why such suggestions are feared and often decried as "utopian", "dogmatic" etc – not least from those public servants of enlightenment whose failure is made all too obvious by them.

8. On a global level, we could be glad if all countries shared the kind of democratic problems we are worrying about.

Viewed from a global perspective, those of us living in semi-democracies (if we allow this flattering term for now) have the great responsibility to make democracy more attractive to developing countries, not least the Arab countries. As long as we do not clarify the legitimate place of religiosity in our seemingly enlightened democracies, as long as we offer obscure state religion as the icing on a commons determined entirely by economics, our democracies are neither credible nor attractive.

For instance, China, the upcoming global power, will eschew this kind of "capitalist democracy" presented alongside western capitalism. As long as we in the West offer only convincing technology, but no convincing social and democratic blueprint, this decisive future power will rightly recoil. Particularly since the much-vaunted human rights are indivisible: one cannot separate the right to free speech from the effective freedom of the press (including freedom from the dictates of the market), or from the right to work, that is, the right to economic relations that are capable of integrating all willing and able to work equally into the social process.

9. The ecological question is the most urgent for now.

For the past forty years, eco-alarmism has increased civilizational stress without, in the absence of adequate structures for political action, contributing to a genuine solution. Do the existing ecological insights stand a chance in our parliaments? What appear as ecological problems are in fact huge problems of society and democracy.

We need institutions – parliaments – in which ecological questions can be discussed competently, transparently and with legal effect.

Even from ecologically committed parliamentarians I hear:

"The fact is that markets are now irrevocably global, while the supposed regulative framework and its corresponding parliaments have remained national. To exaggerate somewhat: the world's governments take their assignments not from their peoples, but rating agencies, pension funds, analysts and economics editors who follow them. They do so under the correct assumption that their country and their people would be even worse off were their "location" eschewed by investors. And they let their parties sign off their actions in a formally democratic manner." (from a letter by Prof. Ernst Ulrich von Weizsäcker, Member of the German Parliament, to the author, 9.2.2004)

Here the question of national sovereignty and globalization poses itself, in addition to the ecological-economical problem. If the above description is accurate, national democracies are finished. Could an international, global democracy be built on their ruins?

10. **The most urgent problems we currently face are those of economic policy, the welfare state, and social policy: unemployment, taxes, pensions, health provision etc.**

Yet it is precisely these issues of the welfare state that bring the problem of democracy into sharp relief: the party system is systemically incapable of objective policy. Even the best official approaches are drawn into the suffocating logic of the party strategist, asking only: what advantages, what disadvantages will the governing party have if the opposition agrees with its policies? An opposition that agrees with a program of government will not be elected by those who protest it. But will it need those protestors for a change of government?

As we can see, there are interesting times ahead for our democracy, if not particularly critical. But will we take the chance of this crisis to adequately address the deeper problem of democracy as rational

beings? Or will we only use the scorn and threats from Left and Right only to continue along the old, ostensibly "golden" path, skidding down the mendacious "middle way" a little while longer? By now, "democracy", once a slogan of hope, has become a dubious, emotive term. How long can we carry on like this? Are there any proposals for solutions emanating from the moneyed citadels of social science?

Historical orientation:
Yesterday's democracy

Democracy: a work in progress

On the one hand, in the context of human history, modern democracy is so young it cannot be considered fully-formed. It is engaged in an arduous adjustment process that has barely lasted two hundred years! This realization serves as a significant corrective to democratic triumphalism.

Democracy is everywhere an incomplete process.

Not to admit this is deception, in the active or passive sense.

For example: Universal suffrage including women was only introduced in England in 1930, and in 1971 in Switzerland! If we take the criterion of universal suffrage, it becomes clear that democratic theory and practice are in a state of tender adolescence, a fact obscured by much of the literature on democracy that makes our bookshelves creak. The sense of democratic optimism that was widespread at the end of the Second world war and in 1989 (especially in Germany, though sadly short-lived), belies this fact.

Neither is American democracy as clear-cut an affair as it appears in the self-representation of the victors. The partisanship that dominates American politics has long been incomprehensible to Europeans. Their doubts increased after the incorrect vote count in Florida that ensured George W. Bush's election, and the ensuing dubious war in Iraq, not to mention the election of the raging populist Trump and its

consequences. At best, these will provoke healthy doubts about this semi-democratic system.

For the existing theoretical insecurities and practical shortcomings are not so much the result of a decline of something once great and well-established. Rather, they are inherent limits, becoming more visible over time; revealing that which was not previously thought through.

Take this comparison: should the early pioneers of car manufacturing feel humiliated by the fact that nobody wants to drive their models today? For sure, the laws of technological progress cannot be easily transposed onto social development. Nonetheless, the comparison gives us food for thought. Whatever fails to develop over time and adapt to new demands, sometimes rapidly, becomes redundant.

Especially in Germany it is high time to develop democracy, an imported good from post-war times, into something independently thought-out and lived. It would be a genuine use of our regained sovereignty.

Democracy: something ancient

If Western democracy has to be regarded, on the one hand, as something taken for granted, insufficiently questioned and lacking intellectual foundation, there is, on the other hand, a flaw in common histories of the idea: democracy is presented as a late product of human development, its only precedent being the Greek polis, its origins going back to the philosophers.

However, democracy can also be viewed as **the oldest form of government.** Many past cultures are likely to have practiced forms of direct democracy on a local level. Regrettably, there is little literature on this question. It seems these facts do not fit the Eurocentric, linear view of progress. As we know, less research is done on topics that do not fit the zeitgeist, particularly if they are more sophisticated than the historiography of self-adulation.

The fact that the first humans lived in small communities marked by solidarity and self-legislation forms the anthropological basis for this uncommon historical thesis of a primordial democracy, let us call it proto-democracy. There was no way for these early humans to survive other than living together in solidarity. Such proto-democracy can only be the oldest form of self-government if it is the most natural form of communal life, of social organization – chapter three will underpin this argument with an exercise in philosophical anthropology.

The concepts "democracy" and "rule of law"

We have already referred to democracy as the self-government of the people above. With the American Declaration of Independence of 1776 and the Declaration of the Rights of Man and of the Citizen, the baby "modern democracy" was born, begotten by the ideas of the European Enlightenment (not to forget the first forms of parliamentarianism in England following the Magna Carta of 1215). A European baptism of fire soon followed in the shape of the French Revolution.

Nearly a century later, the so-called Gettysburg formula coined by Abraham Lincoln in 1869 during the American Civil War gained definitional fame: "government of the people, by the people, for the people".

(The Frenchman Alexis de Tocqueville's famed book "Democracy in America" had appeared twenty years earlier. But Tocqueville's admiration for the principle of democracy he experienced in America must not be confused with the affirmation of all aspects of the actual situation. The South of the US at least was a slave society at the time, which was of course the main cause of the Civil War.)

All three prepositions used by Lincoln point, in varying degree, to the essential features of democracy:

- in a democracy, sovereignty lies with the people (**of**)
- it is exercised **by** the people

- this sovereign power, or rather the power of government, is exercised **for** the people, that is, in its interest.

All this is implicitly included in the simple phrase "self-government of a people".

Self-government of the people has something to do with self-mastery. Some scholars believe "self-government", the identity of the governing and the governed, to be an impossibility, even a contradiction in terms.

On the contrary, however, this reflexive self-relation will prove a defining trait of both subjectivity and sociality.

Missing from Lincoln's formula is the relation of democracy and the rule of law, that is the rule of just laws (as just as possible). There was rule of law in the constitutional monarchies that existed in most European countries around 1900, but no democratic self-government of the people. Even if some of those states adorned themselves with the title of "republic".

Purely logically, "rule of law" and "rule of the people" can be separated. But rule of law without rule of the people results in the rule of a minority (oligarchy, a party oligarchy for instance). Conversely, rule of the people without highly developed legal structures must lead to arbitrary rule of a rabble – to what Plato and Aristotle considered democracy. It was for this reason that Kant still preferred the term "republic" over "democracy". We might say that "republic" emphasizes the rule of "public" law in the polity, while "democracy" highlights rule of the people.

In European history, the "rule of law" tends to be represented by the liberal tradition, primarily at home in Britain. It focuses on the balance of powers and limiting arbitrary authority, on the rights of the individual against the government. It is most influential current in the development of Western democracies. It also places particular emphasis on the representation of the individual by parliamentary delegates.

Is that to say the other current, that of direct democracy of "rule of the people", encompassing the ancient direct democracies, Rousseau,

Marx, the remains of direct democracy (in Switzerland and numerous other small communities and polities) and today's calls for "more democracy" – is that to say this current can be subsumed into today's liberal-democratic states? Has it become redundant?

Questions / tasks

Is there an inner, not merely superficial, synthesis of direct and liberal-representative democracy? The aim of reasoning is at least threefold:

- an inner synthesis of representative and direct democracy,
- a solution to the seemingly irresolvable problem of parties,
- a solution to the fatal supremacy of economic concerns in our existing democracies – at the expense of those "higher values" paid tribute to in ceremonial speeches.

The specter of democratic disenchantment can only be exorcised if we find convincing answers to these questions. If we recognize that, contrary to how it might seem, "our Western democracies" have not progressed beyond adolescence. Neither in practice nor, as people "in the street" assume in good faith, in theory.

- What does majority rule mean? Does the nature of democracy lie in the violent suppression of the minority by a majority that cedes its purported power to a trusted few?
- What role does trust play in representation, and how is it justified? Wherein does sovereignty of the people consist? In its relinquishment?
- How do interest groups and their infamous lobbyists relate to the parties and what is their rightful place in a "pluralist" democracy?
- What about the other pluralism of world views and religions, and shared values? Is there a democratic community of values nonetheless?
- What chance do values – whose decline is always much lamented – stand in the face of the undeniable popular wisdom

that money makes the world go round? Are capitalism and democracy even reconcilable?

We could easily add to those questions. Luckily, many are resolved once a fundamental few are answered correctly. To do so, however, we have to start with some fundamental social philosophy – from here on out.

The systemic approach:
from acting man to a social system

Man: chimera of infinity on its own cathedrals?

According to general, post-Enlightenment conviction, society in all its forms is produced by man himself. There has only been one system theory of society that explains society as the product of "communication" – that of Niklas Luhmann. It is a form of anti-Enlightenment craftiness, insofar as it ignores the source of this communication. Communication is evidently a form of human action. Tracing human products of sense and non-sense to their origin in human (cognitive) action has always been an integral part of Enlightenment. Only with Luhmann does a "Sociological Enlightenment" (the title of a number of collections of his) appear on the scene, an Enlightenment that works with the exact opposite: the alienation of those products from their origin. An artful intellectual backward somersault!

Hitherto, however, not a single theory could plausibly explain the evident origin of social systems in human action, that is, clarify the passage from action to systems. Around 1970, Niklas Luhmann and Jürgen Habermas, the eminent social theorists of the time, still argued over the relation of human action and social systems. The argument was tacitly settled: by Luhmann theorizing "systems" (sense-formations with an inside-outside distinction as in biological organisms) that gradually made talk of human action redundant; while Habermas recognized the existence of "evil" systems such as the monetary or the legal system, but placed man – acting, observing,

experiencing man – in the rather cosy "lifeworld". Links between lifeworlds and systems were not explored in detail.

Both positions are equally unsatisfactory. They challenged the author to search, in old-Enlightenment fashion, for the missing link between action and system. And according to his reflection system theory, advocated since 1975, this link consists in the principle of interpersonal or social reflection – that is, not merely theoretical, but **practical reflection.**

This principle allows us to re-establish the link between acting humans and their self-constructed system-cathedrals. Contra Luhmann, man is no "infinity chimera on his grey stone of Notre-Dame", as Gottfried Benn, writing soon after the Second World War, expressed man's underlying feeling towards the alienated "mega machine" of state and economy he has himself produced. (In the poem *Lost I* [Verlorenes Ich]. "Chimeras" refer to the strange demonic mythical creatures that adorn gothic cathedrals as gargoyles or other bizarre decorations.) If humans do not know how these structures of alienation arise, they cannot reappropriate them either.

Retreating into a similarly opaque homely "lifeworld" will not help either.

"Having passed through forms, so many, through you and me and I": the elements of sense

This heading once more cites Gottfried Benn (the poem *Two things only* [Nur zwei Dinge]), because here he names the great "things" that are not things, but reflective beings.

"I" is a reflective being, because human self-reference is a fundamental part of saying I: our ability for reflection. Reflection and self-referentiality are one and the same. Man's self-referentiality is evidenced in his ability to say "I". This ability is also given before he says "I", and at times when he is not saying "I". As Kant accurately states: "It must be possible for the 'I think' to accompany all my representations" (*Critique of Pure Reason*, B131). The capacity for (partial, that is, not complete) self-knowledge through

reflection distinguishes man, a reflexive being, from animals (whose consciousness is marked by "incomplete reflection", making them so interesting to all humans, especially children discovering "themselves"). We can speak of **lived reflection** or reflective life, as opposed to theoretical reflection that comes afterwards, a thinking-after.

However, human reflection only becomes truly **practical** when it is oriented towards a **Thou** that is itself a reflective being, an I. To be practical means to alter. By addressing a Thou in speech, I am practical. I alter this Thou, as soon as it takes notice of me. And vice versa of course. Before we pursue this practical-social reflection and its stages further – it will prove the system-forming principle – we turn to the third reflective being.

"We" does not just exist in groups, but in a relationship too: the commonality, the sense-space constructed together, especially (but not only) through speaking to one another. The "between" (as Martin Buber called this We) thus established is always founded on a pre-existing medium of commonality however. Language represents this medium between men. But language too is rooted in a given sense-space. Else speakers of different languages could not communicate at all, not even with gestures. I don't just call this pre-given sense-space the "apriori of the communication community" as the Frankfurt philosopher Karl-Otto Apel does. For it is not just a subjective thought "a priori", but an actual meaningful commonality. I call it the Medium of sense – be it ahead of all concrete communication as a mere all-thought of which all human beings are capable, be it as cultural, linguistic substantiation, be it as social commonality like values and norms, or be it simply as the specific Between of the individual encounter.

The concept "sense" is understood here in an entirely neutral sense: content, such as word meanings, that are carried out in conscious action. The unity of *content* and conscious *activity* is here called sense. (It is important to note the "dialectical" unity of content and execution, else a danger of alienation or obfuscation arises.)

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It can already be anticipated that all filling or concretization of the Medium of sense (initially infinite and infinitely open content) will arise from the mutual reflection of the reflective beings I and Thou, albeit drawing on cultural "matter", influenced by the history of existing content that the parties bring with them.

If we not include the world of non-reflective things, the It, we can summarize these elements, the elements of sense of all encounters, in the following diagram:
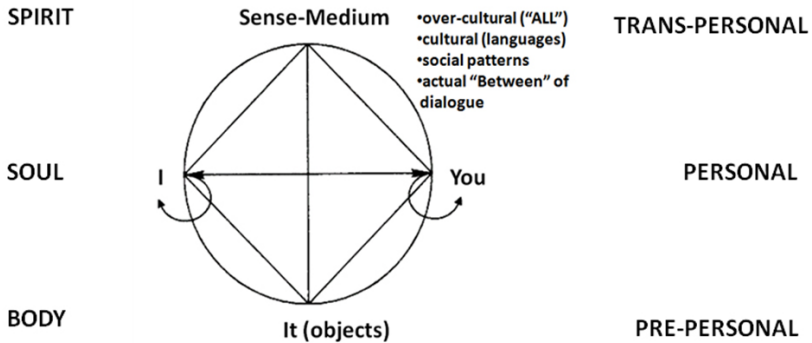
Figure 1: the four sense-elements of action
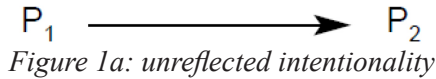*(and the three levels of human Being)*

Man is a bodily being of self-reflection (and therefore freedom), but from the outset in interaction: with nature (things) from the start, with peers, and the infinite medium of sense. All these entities are instances of mediation of his "great" self-reflection, intimated by the large circle. Minor self-reflection on the other hand is theoretical and retrospective. In this regard, every I represents a "great I" while the "Me" of self-objectivation is merely imagined fiction.

We could already call this structure of sense-elements a "system": a complete whole of a number of interreferential elements. It can be approached from the I (personal system) or the We: social system. But such an understanding of the system would be static, not dynamic. Dynamic systems are real systems, whereas static system-structures beg the question whether they are merely intellectual systemization.
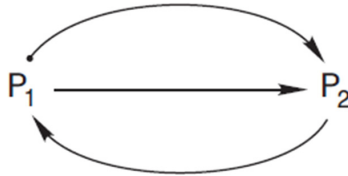
Interpersonal Reflection as the Principle of Dynamic Social Systems

We arrive at a dynamic understanding of the interpersonal or, in the case of many participants, social system by reflecting I and Thou (Ego and Alter) onto each other; practically, not as a mere "adoption of standpoints" that can be found in the social sciences and which remains a theoretical reflection). Reflection turns into practical action by altering the Other. Let us take an everyday example:

(1) I regard the other (while knowing this "object" to be another human being): simple relation.

$$P_1 \longrightarrow P_2$$

Figure 1a: unreflected intentionality

(2) I regard the other, insofar as he too is capable of the gaze: reflected relation.

Figure 2: unilateral pursuit of individual interest with reflection of the other's intentions

(3) I regard the other, as far as he regards me as someone recognizing him in turn; we develop a mutuality of the gaze.

Figure 3: simplified schematization of double, mutual reflection
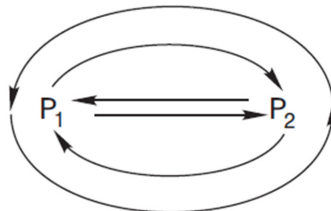
(4) I take a stance towards this mutuality of the gaze that has occurred, at the same time reacting to the stance taken by the other (such as friendliness, rejection, curiosity, etc.): a further reflection of mutuality, or final reflection.

Figure 4: system-forming interpersonal circle of reflection

At this point we cannot go on, except with new content. There can be no further reflection, structurally, we have arrived at an end point. And we are only interested in the structural logic here, not specific contents and evaluations.
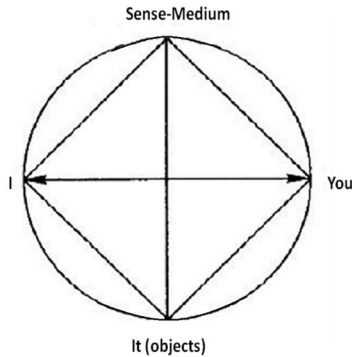
Like most occurrences of the gaze in everyday life, these stages usually remain implicit, or "unconscious", as people say. This unconscious is implicit consciousness. Social theory has to make these social structures explicit – similar to how psychoanalysis, biology and medicine render explicit the unconscious (in a different sense) functioning of our body.

Max Weber gives the "classical" definition of social action as action oriented by the behavior of others. If we think of this "orientation" as interpersonal, lived and practical reflection according to the above stages, a defining **structural constant** comes into view: the four orders of social action. The stages of reflection above can become major components of concrete social action:

(1) instrumental treatment of the other
(2) strategic taking into account of the other for my own interests

(3) communicative response to the expectations and wishes of the other

(4) meta-communicative response to the preconditions and norms of social life.

A number of Habermasian concepts are brought into a tiered systemic order here. Habermas himself failed to recognize this order as well as its underlying principle, the principle of reflection.

Hence he was unable to develop a systemic social theory, while his rival Luhmann tried to make a virtue out of necessity with a number of "dialectical" manoeuvers that cannot make up for a concept of the system that is entirely abstract and underdetermined. Social reflection offers the answer to the fundamental question left unanswered in the Habermas-Luhmann debate: how it is possible for a social system to arise out of individual action.

Practical-critical reflection is the material and the glue of the social as such, but also its architectonic principle. It is only fully understood when its essential fourfold structure is recognized, along with all its implications.

That is to say, the reflective circle that binds the actors involved together in a system (horizontal reflection) is only understood when its vertical tiers and their structural completion is grasped:
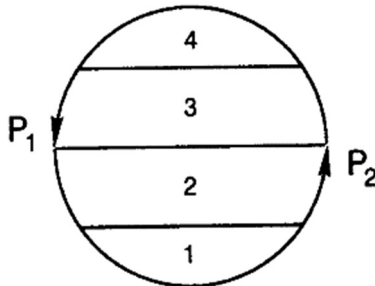

Figure 5: horizontal reflective circle between person 1 and person 2 concurrently vertical tiers of reflection

4

Leap into the great organism: differentiation of subsystems

Instead of the jargon of the system, much abused in recent years by friend and foe alike, the tantamount but different-sounding concept of the organism is to be introduced and employed here. Though it too has a chequered history, with biological models and analogies having often been myopically transposed onto social reality.

Only with the principle of social reflection however have we identified that which puts social life into a genuine analogy with biological-organic life, without having to fear a merely outward form of analogy.

An organism is characterized by the fact it is a purpose to itself, by a self-referentiality in the wider sense of self-purposiveness, though not in the strict sense of self-consciousness. It is also characterized by its autopoietic nature, that is to say, it produces and reproduces itself under certain conditions. This is especially true of social organisms. They may not be explicable or possible without the actions and cognitive actions of individuals, but this is not to say that they arise only out of the conscious capricious will of the actors. Rather "organically" developed social units without intentional organization are formed unconsciously, practically over the heads of their members. This autopoietic trait must not tempt us into severing the link between the acting individual and the system (as in Luhmann's school of thought).

The structure of primary, private interpersonality laid out in the previous chapter is now to be transposed onto the larger social

systems, especially society as ordered by the state – in a bold move, though, despite its brevity, not without justification. Such distinctions are somehow familiar, for instance through politicians' speeches. The crucial advance with respect to theory and practice lies in the difference between this "somehow" and the foundation of reflective logic. As yet, Talcott Parsons' school of action theory seems unique; it bears some similarity to what is laid out here and gave the author some important suggestions. But Parsons lacked the decisive principle of interpersonal reflection, connecting action and system, and his theory, very popular in the 1960s, was therefore unable to stand the test of time.

The levels of reflection that were revealed with respect to the intentionality of individual actors above have their analogy in the systemic functions in existing social systems:

(1) In the context of the whole of the social organism, the instrumental treatment of the other – dealing with the other in relation to objective commodities – leads to the economic systemic function. From a certain point of development on, the **economic subsystem** is concentrated through the medium **money,** which today leads a curious life of its own, often detached from real production processes.

(2) Strategic action in the sphere of immediate interpersonality extrapolated to the whole leads to the **political subsystem,** grounded in the medium of **law,** the foundation of the modern state, binding together the arbitrary power of individual actors. Politics has to do with the distribution of power and competences.

(3) The systemic sum of individual communicative action results in the **cultural subsystem,** the epitome of communication, the mores and customs of a social organism up to the artistic expressions of a body politic. **Language** is the fundamental interactive medium of all things cultural. (While we cannot go into the matter in detail here, art is a lived, not merely retrospective, meta-language, a language beyond language.)

(4) In the overall system, meta-communicative, norm-oriented action supplies the analogy for the subsystem of **legitimation and**

fundamental values, today appearing as a plurality of worldviews, ethical teachings, religions, and trans-religious, spiritual attitudes. The common medium we can identify here are **axioms and rites**.

The transition from the subjective, personal perspective to the social or collective perspective is perhaps the most difficult step, but it is of the utmost importance in order for the systemic planes in their number and order not to appear arbitrarily constructed. Arbitrary constructivism may just about be able to analyze social life, but it can never change or guide it.

To put this change of perspective into effect, one should understand, for example, that economic life does indeed necessarily contain all components and forms of action: apart from objective, instrumental action, strategic action as well as pleasant, genuine human communication and even ethical behavior may all occur. Nonetheless, the systemic plane "economy" is defined by instrumental relations. And such relations are primarily produced, yes, downright enforced, by the unifying medium of economic transactions and thus of the entire subsystem: money.

In the same manner, the systemic perspective taking in the social whole is to be sharply distinguished from the individual perspective on all systemic planes – although the subsystems can only be distinguished from the analogy with action and its levels of reflection and their hierarchical order.

The systemic planes can be further subdivided according to the same principle of levels of reflection. For the house of the state, it can be represented thus:
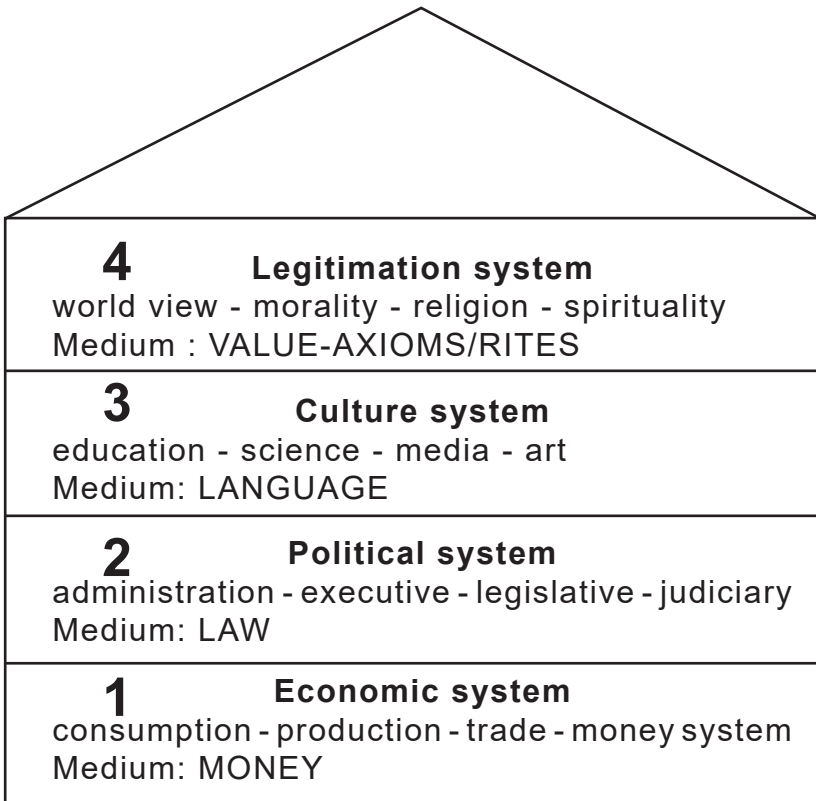
Figure 6: the two-dimensional four-segmentation-house (Oikos)

These subsystems or organic planes are always latently present in any social formation, and hence always being debated, though usually in an unclear and thus inconsequential manner.

Yet "modernity" is strongly characterized by the process of real differentiation of the subsystems: such as the separation of politics and religion, or, equally significant, the separation of religion and autonomous, emancipated culture in science, art, and so forth. These are evidently no trivialities or intellectual subtleties, but world-historical dramas. They were acted out at the cost of great bloodshed and required huge intellectual battles, which are in no way concluded, not even in Europe.

What is so irritating is the fact that we are far from doing justice to the deeper concerns of modernity, preferring to sidestep into the "postmodern", instead of doing our modern "homework" set by evolution. That would consist in taking the latent "four-segmentation" into account in our political institutions, in a way that is theoretically lucid and practically effective.

There is no need to emphasize that the model of the house must not lead us to view the relations of its "storey's" as static. Quite the contrary.

What is more, the hierarchical relations will soon be supplemented with the circular aspect of cycles.

For the advocates of sustainability, often more fashionable and officious than shrewd: If "sustainability" in a specific social sense is not just to be an appendage to natural ecology (as is always the case in the all-too-frequently cited (ostensible) trinity "ecological – economic – social"), then it must be understood, and realized, as the ability of levels of the social organism to form sustainable cycles.

Only a sustainable, that is, cyclical society can deal with nature sustainably.

Thus we approach the practical core of our inquiry.

The core demand: four heart-chambers of democracy

The central question: communication

All, yes, all problems of society hinge on a simple question: who gets to speak, and how can contributions be ordered and related to one another? The problems of justice, of rich and poor, the problem of famine, the ecological problem, unemployment and traffic, peace and just borders, reception and integration of migrants, justice in educational opportunity – all these problems can be solved, but the solution hinges on one crucial question: how can we humans negotiate these solutions in a reasonable and peaceful, perhaps even understanding and trusting manner? And in such a way that all those affected, and I mean all, get a chance to speak?

This seems at first to be a matter of individual decency and peacefulness, but this is a naive illusion and wrong or even an intentional deceit: it is in fact above all a question of public institutions.

The fatal feeling of not being heard in society at all lies at the heart of the feeling of impotence that has crept up on many of our fellow citizens in all social strata. From the homeless person who has dropped out of our supposedly meritocratic society, feeling merely tolerated, dragged along, to the benefit recipient, the unemployed; from the ordinary worker to the creative with an independent mind, up to highly skilled specialists, inventors, scientists, writers: countless men

and women who believe they see things clearer than they are being expressed in published opinion – millions boil with the irrepressible anger of not being heard. Evidently, this has much to do with our "culture industry" (T. W. Adorno) and the economic dependency of the whole. But a connection to parliamentary democracy? Does that not seem a little farfetched?

Those who think in this way take democracy to mean something alien and external to real social life, something merely formal. One cannot blame them. For it is this limited way of thinking that the system seeks to force us into, veiled in moral appeals and rousing speeches that claim it all "depends on you". The truth is that all those mentioned above are not heard. That would be the basic condition if things did indeed depend on them. Communication in society, then, is not working sufficiently via its official channels. Therein lies the (often repressed) connection between this feeling of impotence, even amongst the most alert and capable, and the problem of democracy.

In larger social formations, those that exceed say a village or workplace assembly, the required institutional communication can only be achieved, if not exclusively, through a parliamentary system. Referendums can and should play a role too. But no democracy can do without a deliberating legislative assembly of a representative nature. We shall discuss the relationship of the representative principle and the idea of direct democracy presently. Even if these are two different principles, they cannot stand in a purely exclusionary opposition. They are not like fire and water to each other, rather like earth and water, or air and water – to keep the "fiery" debates around direct democracy out of false antagonisms.

Parliament comes from the French *parler* = to speak, to speak as equals (lat. *pares*) and gained its contemporary meaning as representative of the people via the English parliaments of the 17th century.

Thus a parliament is to be a body of societal communication in its ordered reflective structure. If we do not think much of parliament today, not much more than was thought of the "talking shop" in the time of emperor and dictator, then this is a sign of a grave flaws

in design, or an alarming standstill of development. And not just in Germany. Some countries opted to make their presidents more independent from this apparently crisis-prone, unstable institution straight away. Democracies to this day cannot seem to do without parliaments, but they do not fully embrace them either.

The circulatory system and the four heart-chambers

Communication is the lifeblood of society – not money, you economists off all shades!

Speaking of blood: in order to pump blood through a large organism, a heart is required. This fact has not been known for that long. For millennia, the heart was understood as the mysterious centre of the organism, but not as the driving force of a circulatory system. Only in the 17th century did the English doctor William Harvey made this discovery, along with the discoveries of the double circulatory system and the four-chamber system of the heart. This major scientific feat (met with initial resistance, as usual) changed various paradigms of medicine.

If today someone were to say: "what use is there in knowing that the heart has two halves, each with an atrium and a ventricle?" they would not just be considered intellectually apathetic, but simple, destructive, indeed insane. That is not to say that everyone needs to be able to explain the circulatory system and the anatomy and functioning of the heart. What is at stake is the respect for a revolution of knowledge and the many practical advances that result from it. And might such respect be given a little sooner in future, in a society that professes to be enlightened and capable of communication?

Incidentally, the unborn baby only has a single heart chamber at first. The process of differentiation takes part ahead of birth and must succeed if the heart of the newborn is to be healthy…

Without overstretching the analogy of the biological heart and our parliamentary system, or even claiming it as part of the argument, I do mean to suggest the necessity of a similar paradigm shift in our

thinking of democracy. To argue that "it is difficult enough with one parliament, how could it work with four" could resemble the bogus arguments of Harvey's contemporaries.

Four hundred years later, it is time to also recognize the social circulatory system, and its heart, parliamentarianism!

More precisely, this time it is not a question of understanding and reconstructing a given biological product of evolution, but discovering laws for the construction of social reality.

Contemporary parties: the problem, not the solution

Once we admit the question of sustainability with regard to our current democratic system and its distribution of power, here is what comes into view: Political power is today distributed by political parties, as is well known and accepted.

There is considerably less awareness of the fact that only a small percentage of the adult population are organized and active in these self-service shops of power distribution. Some even claim negative selection to be at work. But let us concede that party members show an above-average interest in public affairs. And that those who take positions within parties are usually talented and driven, albeit often power-hungry and ambitious too.

Challenged on the small number of party members relative to the population, party activists routinely respond: "Well, those who don't engage can't decide either. If you want a participatory democracy, not one of spectatorship, then you have to take part yourself. And the way to do so, inevitably, is through parties. In theory you could found a new party too. But you know how hard it is breaking into the established party system." Is it really this simple and "inevitable"?

Parties have a role to play in shaping political opinion and public life. But in many cases this constructive influence has descended into party dominance, not just in parliament and government, but deep into public institutions, from administration and the civil service to the judiciary and even in seemingly apolitical domains such as schools

and universities. This worrying state of affairs is compounded by the fact that the major parties appear to have come to a tacit agreement, dividing up positions, a case of complicity between political rivals. It comes at the expense of political reason, especially in an area where rationality should reign supreme, in science. To be a successful scientist, membership of a party, union, or at least a church, is advisable.

There are, "naturally", no available figures on the number of job offers in public service that are closely linked to party membership. Those who accept such partisan patterns as inevitable and natural have given up on any normative concept of transparent democracy in favor of institutionalized cronyism. Discontent and resignation are deep-seated with millions, indeed, the large majority. A silent majority! Where would its voice find expression? In the press, itself not immune to these problems?

Even surveys of public opinion undoubtedly paint a rosier picture, because respondents are unwilling to admit the full extent of their resignation when addressed directly. Democratic fatigue is caught in the famous spiral of silence: "the losers tend to be silent". (E. Noelle-Neumann). And as for the functioning of democracy, all those of us who consider themselves democrats are currently losing, whether we admit it or not.

The power of interest groups and conscience outsourced to the parties

The above observations are hardly mitigated by the fact our party state is at the same time a state of powerful interest groups. There are a number of lobbyists for each member of parliament, representatives of societal and economic interests groups who work with pressure and temptations (of lucrative secondary employment). This constant representation of powerful interest groups has vastly more influence than another, unofficial, representation of the people in parliament: the swathes of tourists that queue outside historic parliamentary buildings. Those visitors experience the difference of power and

impotence: the power of the few in the chamber, and the impotence of the many, queuing outside, in a spiral of powerlessness. Looking at day-to-day politics, the individual feeling of powerlessness is more justified than many would believe. Power lies solely with the parties and the interest groups connected to them.

A further problem of our parliamentary democracy is the conflict between the delegate's conscience and the party line. The judgment and conscience of the members of parliament are the only justification for representative democracy. They are undermined when the practicalities of government demand adherence to the party line and a strict whip is enforced.

The pragmatic argument for the need for reliable government majorities in no way resolves this fundamental conflict. In fact, upon closer examination, this argument reveals itself to be a forceful one *against* this form of party democracy, which can only function as long as delegates relinquish their right to a free vote in accordance with their conscience and judgment. Denial of this dilemma is one of the many structural dishonesties of our contemporary parliamentary system.

And more and more governments are reinstating privy councils in the guise of advisory bodies on specialist areas such as ethics or environmentalism; a new "consultative" is created, even called for in earnest by some social scientists, but only because the original, democratically legitimized consultative, that is, parliament with its legislative function, is overwhelmed. Structurally, this is a lapse back into feudalism! While every parliamentarian as well as parliament as a whole have the right to consult advisers, the government has no right to create new constitutional bodies. It further devalues parliament, already at the mercy of party blocks. Either parliament is itself the consultative   body, coming to its own conclusions and resolutions led by insight and responsibility – or it has served its time and is redundant. Sadly, the latter is the case! Our parliamentarianism is fast becoming a mere facade.

A question of structures

To be sure, our parliamentarians currently are structurally overwhelmed. They have to deal and engage with all areas of policy – but it is impossible to do so competently. An individual cannot have the necessary expertise and qualifications to deal with all issues that come before parliament. But there is a genuine parliamentary solution that will be laid out in this chapter.

The word "structures" here is meant to prevent false moralizing and the personalization of blame. We are not speaking of the personal deficiencies of parliamentarians. As in any other domain of life, these will play their part. Members of parliament, like the majority of party members, are honorable and intelligent, often very capable and hardworking people. I do not mean to question their commitment and their expertise, on the contrary, I want to recognize it. For the most part, we can think of these peoples as victims of our fraught semi-democracy.

(We will maintain respectful silence on the question whether the remuneration for parliamentary duty is justified, so as not to distract from the main issue.)

In contrast to common moralizing, we are addressing a structural question. A number of excellent books have analyzed the shortcomings of party democracy, so there is no need to outline the symptoms of decline in more detail here. They are, in principle, well known and accepted, even among the political class. We can allow ourselves to go beyond the analysis of the problem and towards its solution – missing from all the negative analyses and laments!

The fundamental problem of the parties: structural lack of objectivity

A deepening of the analysis itself almost leads to the solution. A key characteristic of our contemporary party system is hardly ever called into question: **it erects fronts along lines that do not correspond to factual issues.**

Let us leave to one side the ideological history of the party system in the long-established democracies. Nowadays, there is little ideological difference between all major parties. Yet "bloc mentality" has prevailed. It remains powerful even when emergent movements succeed in breaking through and establishing a parliamentary presence.

The successful Green parties offer a good example of how movements transform into parties of the same old style. The difference or possible co-existence of movement and party was never articulated, betraying a lack of intellectual labor in the Green movement more generally.

Rather than the distinction of inter- and extra-parliamentary presence, the difference lies in an open movement organized around specific causes and objectives, and rigid bloc formation. Thus the Green movement fell into the old party trap.

Rigid bloc formation leads to a tying together of issues that have nothing to do with each other. Therein lies the little discussed problem at the heart of the party system.

What, for example, does the protection of the environment, the core issue of the Greens, have to do with the thesis, commonly held by Green parties that nations and their languages are constructs of yesterday that ought to be dissolved? Examined rationally, one might instead find a contradiction between these two positions: if biotopes are to be protected, why not cultural units such as nations and their languages that have evolved for millennia? Many Greens bind these positions together in a downright contradictory manner.

What is a voter to do if he supports ecological agriculture as advocated by a Green party, but, equally, wants to cast a vote for the preservation of the nation state and an according immigration policy that is usually approximated by conservative parties? Faced with this dilemma and the impossibility of making a "clean" choice, he is likely to join the large party of non-voters.

Likewise those who support a particular economic policy of the centre-right, but take issue with the foreign policies of those parties find themselves in a dilemma. We might think of many more examples,

the pattern is always the same: Party X is better on issue A, while issue B is better handled by party Y. These are structural dilemmas that point to an underlying democratic deficit![1] The real question is: why is it not possible to vote with precision on a particular issue, rather than voting for a party that binds all issues together into an unobjective conglomerate?

In our current system, the government must be able to rely on stable majorities. Thus parliament has to be divided into party blocs modeled on war camps from which there are to be no defectors. In spite of this "war" being fought over many disparate issues. All this amounts to a programmed lack of objectivity. A grave, if seldom recognized, flaw of democracy.

There is a structural compulsion for the allround parties (or bloc parties) to be assertive in every possible question. How is this a deliberative democracy – a culture of discussion and search for the best objective solutions? The makeshift art of compromise is mistaken for unprejudiced, deliberative search for optimal solutions.

A case can be made for value parties on individual issues, such as faith schools, or the status of English as a global lingua franca at the expense of other languages versus a simple, neutral world language. These are questions that cannot be solved by rational argumentation alone – there is a dimension of values inherent to them. But value judgments too must be specific to a given issue. There is no specificity in letting the fortunes of a country be decided by the choice between two party figureheads, who I may agree with on one issue, but have my disagreements on another. What is more, it is a choice often ultimately determined by complete irrelevances, such as a candidate's demeanor, appearance or accent. Faced with this situation, how can one avoid turning into a cynic?

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[1] There is no space here to explore the deep paradox of social democratic parties having to embrace and enforce neoliberal policies against their trade unionist base in order to remain part of the system. It leaves no space for a fundamental discussion of core issues and alternatives to a form of capitalism built on interest and capital returns.

The bloc parties are represented by candidates and deputies who have to cover the entire spectrum of a party's policy platform. Even if they are specialists in a particular area, these representatives are forced to act as political allrounders. While an individual member of parliament may have little expertise on economic policy, or cultural politics, medical ethics, or the intricacies of NATO foreign policy, they are nonetheless required to adopt and defend the positions of their party. Such blind loyalty of pseudo-allrounders makes objective policy development impossible.

The solution: an ordered system of competences with four parliaments

The four latent levels or core elements of the social organism need differentiating through real institutions, not just in thought. The once revolutionary division of powers expressed in the French ***tricolore*** is no longer adequate for this task.

The communicative = deliberative = legislative power is crucial. To state the first institutional consequence clearly, then: We need competent, independently elected parliaments for every systemic plane. The legislative needs to divide itself according to the principle of reflection-levels:

a fundamental values parliament
a culture parliament
a politics parliament
an economic parliament

Figure 7: division of the legislative according to the reflection-levels-principle

The hierarchical aspect expressed in this form of notation derives from the levels of reflection which stand in a logical hierarchy. (The claim that all hierarchical thinking is outdated rests on a confusion.) The above order of parliaments is hierarchical in the sense of a logical order – as are the general systemic planes (chapter 4).

However, circular feedback is just as important as logical ordering.

Before we connect the hierarchical order with circular feedback, let us outline the tasks of each parliament. The indicated order should always be kept in mind as we do so. Having shown a fundamental problem of contemporary capitalist to be the determination of the social whole from below, by the economy, we begin at the top. How can we do so without returning to a theocracy? Or to a new "humanist" planned economy (for which, by the way, Marx cannot be blamed)? For too long we have avoided the task of serious differentiating thinking of the social in favor of such reductionist alternatives.

Ahead of further explanation, here is a graphical overview, a development of the two-dimensional oikos (house) above:
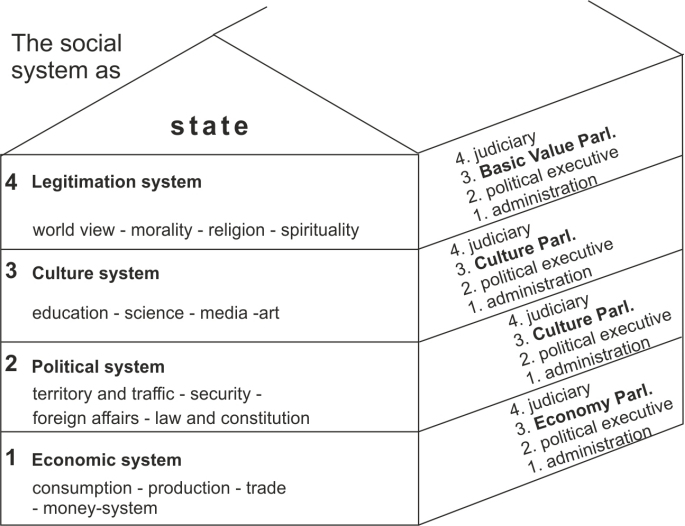

Figure 8: the four-segmentation-house (oikos) with further developed power unbundling

The fundamental values parliament: a procedural ethics of democratic value communication

The parliament of fundamental values represents the principal innovation for the renewal of democracy. It is to determine, interpret and implement the fundamental values that are already written into

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many democratic constitutions. The parliament of values passes laws that set a dynamic frame for all other systemic planes.

The term "value communication" is unfamiliar, indeed new. It denotes the approach advocated here, in which the need for a value parliament becomes apparent.

The need for ethics in public life is evident now more than ever. And by that I mean more than the questions of justice asked by social philosophy, that is, the ethics of institutions. Though there are many unresolved problems here too. To take one example, much is made of the meritocratic principle in our society. Hard work is to be rewarded – but millions are denied the chance to work hard because they are unemployed. This alone makes a mockery of meritocracy. It is a direct consequence of rentier capitalism: money flows to those who no longer need to work as unearned income, and is lacking in other places, where there is plenty of work that cannot be paid for.

While machines and mobile capital are expected to yield a profit at all times, human labor and services are becoming more expensive, if they can be found at all, because capital gains are prioritized. Suffice to remind the reader of the parliament of fundamental values; the framework for our economy is an example of the structural questions such a parliament would address, its solutions implemented on all systemic planes.

Ethics and fundamental values here also refer to the conception of the human and the collective value judgments on what individual actions are allowed, judgments that form the basis for legislation: nowadays especially questions regarding death and life that are posed by genetic technologies and medical life support.

Furthermore, ethics encompasses ecological questions: how do we take the beauty and dignity of nature into account in an industrial and postindustrial society built on consumption? How do we ensure healthy food against economic interests and imperatives? A large number of economic and ecological questions are evidently of an ethical nature – even if they are decided by economists, who have little regard for social aspects.

On the other hand, it is highly doubtful whether the current boom in ethics can be fruitful and productive – especially if it remains confined to ostensibly rationalist discourse ethics. A casuistry focused exclusively on the individual actor ("how should I act given the case that...") rarely leads to theoretical consensus and is removed from everyday experience. This holds for the private sphere and even more so for collective decisions. To be sure, decisions require an insight into facts. But the essential part of decisions, especially ethical ones – those pertaining to high values, such as human dignity, the right to life, etc – exceeds the rational knowledge of facts, if such facts are available at all.

Here is what ethical casuists and proponents of discourse ethics with their exaggerated pseudo-rationalist claims routinely miss: human value judgments are animated by an excess of personal freedom, or a calculation of freedom. It is precisely that which makes decisions exercises of freedom. Knowing "this is what I wanted, how I judged" gives decisions their supreme significance and value. The human capacity for judgment far exceeds rational knowledge.

Outsourcing ethical judgments, a central practice of human freedom, to "scientific" or other ethicists is a form of barbarism in the name of science that harks back to clerical paternalism. The sensible course of action is informing oneself about relevant facts in order to make a personal decision. So called ethicists who go beyond this factual decision and make prescriptions for individual behavior commit an offense against human freedom. Upon close inspection, the large part of contemporary ethical theory reveals itself to be unethical business, unless it is humble enough present itself as structuring communicative aid for value judgments of the individual and value communication between deliberating humans.

The foulest claim of discourse ethicists is their insistence that value judgments can be arrived at logically-argumentatively – a pretension that is immediately obscured by the deceptive double meaning of "discourse": does it refer to argumentation, or speech in general?

Now, the parliament of fundamental values is the place where collective, converging value judgments are transposed into law. While the aim is legislation, not the ascertainment of shared values as such, these inevitably form the backdrop to legislation. There is nothing to prevent the formulation of these shared values as far as is possible. Often, however, the discussants will have to settle for a pragmatic compromise between different ethical positions; for example,

a cut-off point for legal abortion – even though some religious representatives want to criminalize abortion and place it on the same level as murder (in the same way they defamed sexual relations without procreative intent as a sin only a few decades ago, and continue to condemn same-sex relations).

People accept such positions with the patience of sheep who seem to have no shepherd. In a pluralist debate of values however, such sheepish patience would come to an end. The cards of certain tacit judgments belong on the table of the parliament of fundamental values.

In the parliament of fundamental values, value communication takes place at the highest level and forms the basis for legislation. Fundamental democratic values such as human dignity and freedom are not part of a theoretical dogma, but are opened up to a dynamic process of deliberation and majority vote. The search for truth would never be the subject of democratic procedure, but decisions on questions of values would: Should abortion be legal under certain circumstances? Where do we stand on euthanasia? And what about questions pertaining to the creation of life (cloning, artificial insemination, pre-implantation genetic diagnosis)? These matters are to be decided by parliamentary majority vote (if consensus cannot be reached) – not through deliberative debate, which could not allow for majority decisions.

From a dialogical perspective, procedures of deliberation and decision-making have the highest ethical significance, much higher than ethical opinions uttered as rigid dogmas by professional ethicists. Ours is a communicative procedural ethics that cannot be replaced

or preempted by any variety of professorial ethics. Factual decisions and discursive elements can only prepare collective judgments, while adequate legal formulas secure them.

Decisions of the parliament of fundamental values are not set in stone, no eternal irrefutable truths; they are context-specific options that can be adjusted at any time. Such a flexible procedure for the wealth of upcoming ethical decisions is lacking in our current democracy. Thus there is no way of enforcing the values that are so often cited, but remain empty promises. The much-lamented decline in values fulfils the ideological function of distraction from what is really at stake: the closure of the chasm between theory and praxis in public life.

These are the main functions of an elected parliament of fundamental values, then:

- articulating the fundamental values in a way that is widely acceptable and appropriate to a given situation.
- dynamically specifying the fundamental values with regard to upcoming legislative decisions.
- creating transparency in the struggle between ideologies and religious beliefs to ensure a fair   coexistence of all groups and worldviews (provided they stand on constitutional ground).

Confessions and groups that dread such transparency are probably right to: they pursue a more or less soft form of fundamentalism. But in order to counter terrorist fundamentalism, we have to show consistence and shun such attitudes.

The election of the "experts"

The parliament of fundamental values is to be understood as an assembly of directly elected representatives of the people that arrives at value judgments which form the basis for legislation. They arrive at these judgments in spite of differing theoretical views and through pragmatic consensus.

Those who understood what was said about value communication above, namely that there is an act of freedom that exceeds rational assessment and knowledge in every judgment, will also understand that public evaluation cannot be made by experts in the field. We need experts of judgment who, in the knowledge of the facts and possibilities and through deliberation, or more precisely, value communication, arrive at judgments on the implementation of this or that technology. This wisdom of reflection is incompatible with the unreflected, technical passion of the top scientist and the blinkered specialist. On this point, I differ from someone like the well-know author Sam Harris, for whom all ethical decisions are reduced to questions of a moral "science".

What follows from this when we think about the profile of a candidate for the parliament of fundamental values? They need not be experts in medicine, theology and philosophy or any other discipline. They need not be professional ethicists either, whose competence for lived morality is doubtful – the ability to structure ethical problems does not imply competence in ethical judgment. This competence lies solely with a factually informed person capable of value communication, as part of a deliberating body.

There is no need for the parliament of fundamental values to become a council of elders or Nobel laureates. But it would indeed result in something of a council of sages, humble sages. Don't we all know someone like this? Could a republic not easily elect a council of, say, one hundred representatives from a pool of three hundred contenders? Aided by the media of course, who would carry a lot of responsibility in this process. In such an election, one should not just look to our current career politicians. Our future democracies need effective, legally binding ethical guidance – without overburdening the integrating parliament of fundamental values. There are more parliaments yet to come.

Differences to the Supreme Court

We have got used to the idea that the responsibility for interpreting our fundamental values and rights lies with a supreme court. This is an error insofar as the Supreme Court is only responsible for ensuring that norms and procedures are respected. It exists to guarantee that other institutional actors' interpretation of laws and the constitution are within reason, and due process is upheld.

The application, concretization, and development of the constitution as far as it goes beyond mere regulation of norms must lie with the legislative itself. The sovereign alone has the authority to interpret and situationally apply the fundamental values, if it is to have any authority. The Supreme Court is merely a controlling body, and, like any court, an arbiter in conflicts.

In future a supreme court should leave the normative, situational interpretation of the constitution to the legislative, especially the parliament of fundamental values, and only intervene when the limits set by the constitution are overstepped. It should, however, deal with disputes of authority among different parliaments, or between parliaments and other powers. Such judicial ambiguities cannot be foreclosed in a more differentiated system. This potential task should not be exaggerated and taken as a cheap argument against the necessary process of differentiation however. Struggle over powers and competences already exists in our current system; only now it is not resolved judicially, but through brute power, favors, and backroom deals.

The culture parliament

Less needs to be said about the parliament for plane 3. Here are the essentials: suitable representatives for the domains of pedagogy, science, journalism, and art are elected by the people. They organize these cultural areas, creating a legal framework, independent from the political plane (2). This independence is an idea that takes some getting used to.

As for the relation to fundamental value legislation, let us illustrate their interplay with a few examples. If the value parliament has determined that public media should not display unnecessary violence, then this is a directive that will likely need substantiating and specifying by the culture parliament. But the instruction from the value parliament is there. Such a proscription would lead to an enormous change in our media landscape. Naturally, such a move must not lead to a curtailment of the freedom of the arts. It would be up to the culture parliament to mediate between these two demands and find a workable solution. The concretization of the existing laws against blasphemy in numerous countries is a similar example. (Whether a ban on depictions of violence were ever decided is a different matter. It serves only as an example of an ethical parameter for cultural issues.)

In the cultural sphere, we encounter a key question, to which chapter 8 is dedicated: the distribution of responsibilities between the state, private agencies and public institutions. At this stage, we will focus on that which is doubtless down to the state, or more precisely the nation as a cultural state.

Nation is a cultural aspect of the organism as a whole. Nation and state need not always be entirely congruent, as the example of the former two states in the territory of what is now the Federal Republic of Germany clearly shows.

A vital task of cultural legislation would concern the development of language, and not just in the sense of a defensive purism. Language is the highest cultural good of any nation, paramount to all museums and cultural riches. The conservation and development of all cultural riches – passionate, but free from nationalist overtones – is the responsibility of a cultural parliament. This includes the issue of immigration, which undoubtedly has economical aspects, but is primarily a cultural question. In the past, there has been a failure to recognize the cultural dimension of immigration. This failure gave rise to many dangerous emotions on the issue. For there to be a ***hospitality of cultures***, a mutual distinction of host and guest cultures in a given

territory is indispensable. Individual migrants have to decide whether they want to remain temporary guests or adopt a new nationality. The latter is not say they cannot continue to practice and foster their original culture in national groups. Many Europeans still do so in the United States today. By the way: the United States are by no means a multicultural society in the strict sense. Europe, on the other hand, will remain a union of numerous national cultures (provided the allround politicians do not cause too much damage against the will of the respective peoples). Therein lies its unique richness.

Had we had a cultural parliament, such matters would have found clear expression there. Meanwhile, hardly any of the vital distinctions made here in all brevity were heard in speeches in the parliament of allround politicians.

The politics parliament

It might seem that what we mean by a politics parliament has existed for as long as there have been parliaments. That would be a false conclusion down to a lack of imagination.

Let us imagine a new type of parties coming to the fore: parties that only concern themselves with politics in a narrow sense. We have not yet detailed their practical subdivisions. Briefly, here is an overview of the topics that fall under the remit of the politics parliament:

2.1 territorial organization, land policy, transport

2.2 homeland security, civil and criminal law

2.3 foreign policy and defense

2.4 dynamic development of the constitution

These are still huge issues, especially if we keep the questions of land ownership (not to be confused with private use of land), land speculation and public use of land in mind: all huge political issues that are currently left to the private sector. By separating these issues from "ideological" concerns (culture and values) as well as from economic policy, they can be resolved, especially once parties are formed along more objective lines.

We are used to many issues being kicked into the long grass. This contravenes all political hygiene. It suffocates the public's interest and investment in their political institutions and leads to frustration and resentment. Postponement is the death of democratic participation! But it can be avoided. Democratic hygiene will be achieved thanks to the differentiation of parliaments.

The economic parliament

The creation of an independent economic parliament is as urgent as that of a parliament of values. Both touch on fundamental questions, ecology being one of many examples. Many fundamental value decisions have a bearing on the economy: what kind of economy can realize the human right to work, inscribed in the 1948 United Nations Charter, and acknowledge that only human labor creates value? Neither machines nor money labor. Yet the principle of capital return rests on the inhumane fiction that they do. Returns reward capital, in opposition to profit, the legitimate reward for doing business.

Let the reader imagine the following: throughout the economic sphere, there are directly elected officials whose only job is to bring their economic knowledge to parliamentary discussion to find an optimal basic structure as well as the best short term measures. Such pragmatic discussions is at the same time always communication of values and value judgments.

On economic issues, the only limits imposed on this parliament would be those from parliaments of a higher order: the value parliament as well as directives from the political parliament, on issues such as land and transport. Such an arrangement expresses the economy's role in society; in service of social life, not it`s determining factor.

In other matters, meanwhile, this economic parliament would have the freedom to determine adequate policies drawing on an unparalleled pool of experts. Hitherto, competences have always been muddled, ideologies, rivalries and political ambition entangled with economic policy. John Maynard Keynes' withdrawal from economic

policy faced with the task of shaping a post-war order in 1919 is symptomatic in this respect.

What good are economic experts when they have no power over actual economic policy? When politicians, as allrounders, have to take all manner of things into account, making economic policy based on objective insight a structural impossibility?

However, the experts we have in mind here should not exclusively be economics professors. The economic parliament is no academic seminar, but a parliament that has to pass legislation and hold the government to account. The electorate elect representatives they deem capable of rational debate and communication on economic judgments. Never-ending monologues of hypothetical speculation are not required – action is.

The economic politicians need an entrepreneurial streak, indeed some of them may be businessmen.

The economic state, that is to say, the legislative, public part of the economy, is like a large company, but only as the regulative counterpart to the many genuine businesses in the private sector. State and the market are complementary entities. To pit one against the other is tendentious nonsense. The state regulator sets the parameters for the market and nothing else, while the market cannot be thought independently from political power and security.

The many economic and monetary reformers all over the world should realize that in the long run only such a parliament offers them a viable chance to implement their ideas. Further, land reform proposals can only succeed in a fully democratic system as we conceive of it. In such a system, however, they would stand a genuine chance.

Circular Feedback

A reversal of the direction of determination alone, even if achieved, does not amount to a cycle. Social circularity is another, a better word for sustainability in a hitherto unknown, specifically social-ecological, not merely natural sense. Ethical-ideological integration, or the capacity for circularity and regeneration, requires

the mandatory introduction of ethical-ideological norms into culture, politics and economics. But the capacity for circularity of the organism is not accounted for by a unilateral determination from the top down, which would result in the opposition of an unviable ethical idealism and our current economic materialism. Such an opposition already exists today regarding the human right to work. What cannot be realized economically, like full employment in our current economic system, remains in the realm of wishful thinking, no matter how often it is declared an international human right. The question is: which economic system is capable of realizing a genuine human right to work? The same question applies in third-world countries with regard to the human rights to food, health, housing and education. Idealistic overburdening leads to materialist stultification.

Therefore the inverse must also happen: economic and political constraints need to be taken into account on the higher planes of the organism. Thus the one-sided hierarchical order must be supplemented (though not replaced) by a circular relation of the systemic planes.

Genetic engineering of plans, pre-implantation diagnostics and genetic manipulation of humans all the way to cloning – as they were in economic questions, the social planes are all at play in these matters. This is all the more reason to let different bodies consult on them with differing objectives. To address all problems simply from top to bottom would be almost as insufficient as the current naturally evolved solution from bottom to top, through economic dominance.

Simply replacing the hierarchical principle with a circular one will not do either, because the hierarchical order derived from the levels of reflection prescribes the practical yardstick for the authority of each plane: the power to enforce a legal framework from top to bottom remains paramount and must not be undermined by an understanding of circularity as simple reciprocity.

The hierarchy laid out at the beginning of the chapter is illustrated here as a system of overlapping frames, the outer frame representing the overriding fundamental values parliament:
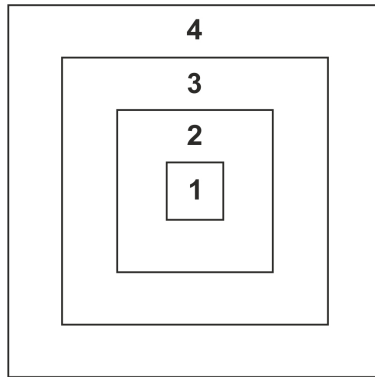
Figure 9: schema of the legal framework

The answer to all objections to a hierarchical order lies in circular feedback being integrated into the order of powers laid out above without abandoning the hierarchical structure.

A general, systemic solution to this problem is not as difficult as it must at first seem to those not used to applying logical and system-theoretical thought to social relations, not just machines and computer programs. A small feedback mechanism exists in most democracies in the form of bicameralism. The second chamber and parliamentary commissions respond to draft legislation in between parliamentary readings, taking up demands from interest groups and societal stakeholders.

Each parliament being obliged to take the other parliaments into consideration would be a formal analogy to these established practices, yet in a far more meaningful and transparent procedure. Commissions could be formed from members of each parliament. (The exact implementation of the general idea allows for a number of possibilities.) What sounds complicated at first can be summarized into these simple dual relationships:

The fundamental values parliament (4) considers:.. Parliament 1, 2, 3.
The culture parliament (3) considers: ....…... Parliament 1, 2, 4.
The politics parliament (2) considers: .... Parliament 1, 3, 4.
The economic parliament (1) considers: .... Parliament 2, 3, 4.

Apart from the mutual consideration of votes of the other parliaments in second and third readings, each parliament has the ultimate power of decision-making for its respective area.

But while they are not bound to other parliaments' directives on a case by case basis, the creation of a legal framework follows the order from 4 to 1.

- There is a hierarchical aspect to the creation of a legal framework. That means: a lower parliament cannot disregard laws passed by one of a higher order.

- Consideration of other parliaments' votes – as of other social groups – encompasses circular feedback and simply means that members of the parliament in question take the views and statements of other parliaments into account without being bound by them (for matters that lie within its authority in the overall framework).

However, if all other three parliaments express grave concerns of a similar nature, it would be unwise to ignore them, even if the hierarchical order allowed for it. The statements of parliaments 1, 2 and 3 will doubtless influence the members of parliament 4 and vice versa. Here we must count on the parliamentarians' conscience as well as public scrutiny.

Combining the hierarchical order with the circular interplay results in the following illustration. (Note that mutual consideration of votes in the first to third readings are not included for the purpose of clarity).
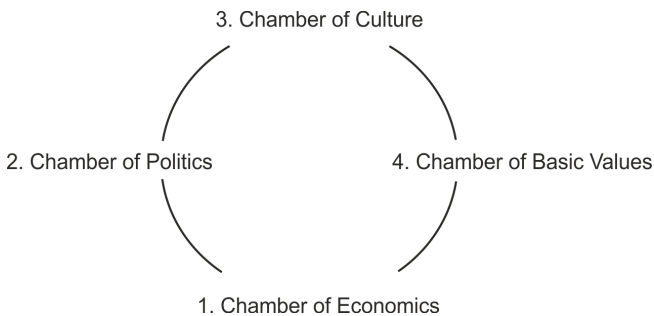

Figure 10: the respective parliaments of the subsystems represented as a cycle

The decisive innovation: sector-specific elections

Procedural technicalities aside, the most significant innovation consists in sector-specific elections instead of generic elections with "allround parties". Sector-specific elections correspond to the differentiation of parliament. And there lies the difference between this new kind of parliamentary work and today's, organized in commissions: parliamentarians are elected to their respective briefs, on one plane of the social organism, and they bear social responsibility in this regard. When evaluating legislative proposals from other parliaments and dealing with questions of the "whole", they maintain their particular perspective. Because of this enormous difference to current parliamentary practice, it is proper to speak of four parliaments or partial parliaments, rather than four chambers or sections of one parliament.

The restructuring into four partial parliaments need not result in an overall increase of parliamentarians. Rather, it should suffice to divide the number of existing seats. One hundred or so members for each parliament will likely be sufficient. The number is irrelevant, what matters is the quality of constituency links and the efficiency and objectivity of debate, which is favored by smaller assemblies. Psychological insights into negotiation and group dynamics should also inform the number of parliamentary seats.

Constitutional amendments should sensibly be made by a constitutional congregation formed of all four parliaments. Likewise a general assembly of all parliaments for the agreement of a periodic budget for each of the four subsystems would be advisable. The discussion of such sub-budgets by the various parliaments would also lead to greater transparency for parliamentarians and citizens alike.

Beyond these two functions (constitutional change and budgeting), a general assembly of all four parliaments must not have any further powers, in no event that of normal legislation. That would be a relapse into the old unobjective single parliamentary system with blurred competences. Sector-specific legislation gives full weight to the separate elections. The structural division of powers according

to the principle of reflection is critical. Nomenclature is of rather less significance: whether we speak of "parliaments", "houses" or "chambers" or something else entirely. The term "chambers" is in keeping with the image of the heart, but it bears the great risk of the decisive break with the former "allround parliament" being obscured through the proximity to traditional forms of multicameralism. Opponents of the new system might point to possible conflicts over competences: these can be resolved by a procedural committee made up by members of all four houses. In extreme cases, conflicts can be referred to the Supreme Court.

The parliamentary reform advocated here would make parliament cheaper, too: not only would there be a reduction in the number of members, the efficiency of parliamentary work would increase. Naturally, a parliamentarian will not have to study draft laws from all parliaments. Apart from occasional tussles at critical junctures, there should be little conflict between parliaments.

The complete independence in mission and responsibility is best expressed by the electoral proceedings: rather than casting four votes on a single day, there could be four elections in four consecutive years, because fundamental values, culture, politics and economics are such vastly different domains. They deserve, and require, specific public debate, extra-parliamentary value communication with reasoned, structured elements. We can therefore expect public debate to centre on the politics of one of the systemic planes for one year at a time.

Why not have one election day a year, or at least every two years?

Participatory democracy will only be strengthened. Given the advances in election technology, the cost of elections cannot be said to constitute an obstacle. (We shall not discuss the – undesirable in principle, but perhaps practical – option of making these elections coincide with other ballots, such as local elections.)

Thematic parties – the "logical" outcome

In regular, sector-specific elections on specific issues, citizens will feel that their vote counts. They will regain trust in elections,

because they cast their votes for ***trusted*** experts. In these sector-specific elections, there will likely be no need for proportional representation, but should it be desired, the parties represented would be of an entirely transformed nature: from now on, they will be thematic parties. Thematic parties, as opposed to the structurally unobjective allround parties, necessarily follow from sector-specific elections.

If "party cartels", in the sense of old unity parties, seek to traverse sectors through financial and organizational power and undermine the new type of party in its logically-thematic orientation, a new Political Parties Act may be required to stop them.

How party finances and election spending should be regulated in this fundamentally altered system need not (yet) concern us here.

Integration-through-differentiation as a principle of evolution

Much has been written in sociological literature on the process of differentiation by division of labor and division of "value spheres" (Max Weber). The pioneers of sociology, writing at a time before the discipline had been separated from philosophical social theory, all recognized that "modernity" can be defined through a number different but interrelated processes of differentiation. The differentiation of value spheres is crucial, if we recognize the subsystems of the organism in them. Yet Max Weber was unable to answer the question of how precisely the differentiation of value spheres may lead to a higher level of integration. He deemed the dinosaur-like growth of a bureaucratic organization inevitable; unable to suggest a solution in his own short life (1864-1920).

Only through the ordered differentiation of value and action spheres identified – the subsystems of the social organism – do polities reach a new, higher form of integration:

- effective governance occurs from the top down – although feedback to the top from below must also be allowed.
- every social plane retains its spontaneous autonomy, but not in the form of an unbridled automatism from below, as is the

case today (from the economic system up to the ideological subsystem).

- contrary to a religious "integralism", integration does not therefore imply that all social planes should be governed directly and exclusively by fundamental values, even in their most enlightened form: only indirectly so, through a legal framework.

It simply cannot be that the same allround politicians are responsible for national security, traffic, and foreign policy, rule over culture and education, even determining its content, as well as religious and ideological matters.

The economy's dominance over politics is only seemingly inevitable. It relies on the non-differentiation of the planes distinguished here and amounts to nothing less than **structural corruption,** compared to which individual instances of corruption are relatively harmless symptoms.

To anticipate a common objection once more: political control of the economy through the establishment of a legal framework has nothing whatsoever to do with a centrally planned economy, rather it is a legal determination of a space in which a pluralist free economy can develop according to its own laws. The free market is an institution that has to be **politically created**. The current master-slave dialectic (alternating enslavement and domination) between politics and the economy must make way for a conscious and liberal structural logic.

Members of the political class, their "scientific" auxiliaries and all those who still maintain that the order and development of political life have nothing to do with logic are fundamentally mistaken.

Those men and women who understand the above concept and want more than a mere quarter-democracy (the term can now be fully grasped) will prove them wrong in time.

6

Consequences aplenty: the non-parliamentary powers

Just as parliament is divided according to the organismic planes, or subsystems, the same applies theoretically to:

- the other powers, as the state's functions were originally called; especially the judiciary (the law controling function).
- the governmental executive
- the administrative executive

Two kinds of executive

The classical doctrine of *trias politica* with its distinction of executive, legislative, and judiciary was an important historical breakthrough at the time of the French Revolution. But it lacked the kind of systemic justification given here on the grounds of reflection theory. And thus there was no distinction between the **political executive** and the **administrative executive.** In the United States, "administration" refers principally to the government, illustrating the original conflation of these two executives that is untenable from a systematic perspective.

Yet only ministerial bureaucracy forms an extension of the political executive: both the desk and the ideas lab of the government. Accordingly, it is directly accountable to and bound by the directives of the elected officials.

This is precisely not the case with the actual administration. Were the administration to follow the directives of the government, this

would rightly be decried as corruption or cronyism: for example, a finance (or prime) minister will know better than to direct the tax office to give special treatment to a particular citizen.

The administration's sole task is to **follow and apply** existing laws and acts, whereas the political executive governs, giving it much greater leeway to **decide and act creatively**. We expect the government to use this leeway resourcefully and competently. Meanwhile the administration is only expected to carry out existing rules correctly (following the spirit of the law, not an overly pedantic, formalistic and ultimately nonsensical interpretation). Despite being evident in practice, this fundamental difference in the two executive function has hitherto not been clearly grasped for a lack of reflection levels theory.

Because of this confusion of powers, due to an unclear doctrine of the separation of powers, it is not just the government that has voting rights in parliament. Conversely, the governmental leeway mentioned above is limited, to the detriment of all: where can the government act without giving heed to a debilitating party-political tug of war? It is – itself a party – only the executive arm of the parties, kept on a short leash, almost in the sense of an imperative mandate – though bound not by the will of the electorate, but that of the parties. All this is at odds with the principle of the separation of powers.

A new understanding of administration as service

Up to now, the administrative bureaucracy, having not been considered a separate power, has come under little democratic control. There is little point in calling for increased civil engagement in society, or a "big society", without remedying constitutional flaws of this order. The following minimum demands follow from this:

- the heads of every administrative agency must be democratically elected: either directly, or by the relevant parliament. They are responsible for running efficient and citizen-friendly services.

- ombudsmen, already common for some issues such as data protection, must be in place in every agency.
- an obligatory illustration of the organizational structure of an agency (organigram) and its relation to other government bodies, including information on how to file complaints and ombudsmen contact details must be displayed in every agency.

The discomfort and intimidation that many feel when they think of public agencies and authorities is down to a lack of transparency as well as the impersonality, if not condescension, that citizens experience on the part of the officials – a relic from the times of a pre-democratic authoritarian state. The administrative executive must develop from a kind of "hostile occupation force" into a **self-administration of the people**.

This self-administration must be experienced as a genuine service. Those who were servants of the authorities must truly become public servants, servants of the people. A business term, the word "customer" is poorly suited to describe this reformed relation of the citizen and his servant. Citizens are *both* employer and service users of their self-administration agencies. A new terminology is needed here!

One or four heads of government?

As concerns the structuring of the administration, we shall not get in the way of the existing administrative sciences and leave the matter to one side here. The science of governance, is less developed however, with only a few institutions dedicated to it.

Our main question regarding the governance function is this: must the governing, political executive also be divided into four, seeing as the division of the legislative is so crucial for democratic life as a whole?

To attempt a brief answer: the division of the government into four branches is not indispensable, certainly not as vital as that of the legislative – but nonetheless desirable and likely very fruitful. Existing ministries could easily be assigned to the planes economy – politics

– culture – fundamental values. As regards the latter plane, a new ministry would be set up to monitor all private and public institutions that concern ethics, worldviews, religion and spirituality – though not of course in the sense of an ideological police or government snooping. On the contrary, the ministry should ensure the fair and orderly co-existence of these (mainly non-state) institutions. What of our initial question then – how many heads of government? I would argue for four prime ministers, working co-operatively but within a hierarchical order, the same order as that of the parliaments. The highest minister, responsible for fundamental values, could also be head of state.

It would not be a merely representative role, as the head of state would indeed have some executive powers, but only in the area of fundamental values, thus approximating the moral authority many representative heads of state hold today. The "prime ministers" for culture, politics (in its narrow sense) and the economy would have their own responsibilities which they would have to settle amongst themselves according to objective rules and in a collegial spirit. "Monarchic" rule, literally government "by one ruler" is likely outdated. It probably carries much greater risks than a clear and objective division of competences and responsibilities. Failure of, or loss of confidence in, an individual, and a change of government that might follow from it, will only concern one of the four areas, not the entire government. And of course, the four prime ministers do not take office simultaneously, because the terms of their parliament are different.

However, there is room for experimentation with various constitutional arrangements based on four-segmentation, that is, primarily, the four-chamber parliament. While we were able to rigorously deduce the idea of four-segmentation from the basic reflexive structures of sociality, it would be false ambition to want to determine or even deduce all possible constitutional variations in advance.

Separation of powers in general or the power unbundling

Let it also be noted that the separation of powers, completely undermined today, will regain new meaning as the members of the government are not members of parliament: a separation of mandate and office. While ministers do represent the program of one or several thematic parties, they should suspend their party membership as well as their parliamentary mandate. The government is strictly responsible for all people, not a single party, as is the case today. Some might consider this a waste of charismatic talent, but on the contrary, these talents will come to fruition in their respective sector. Charisma of the generalist, the sort that wins power, is a residue from the time of the allround, indeed the authoritarian state, and will be in little demand in the new system.

The judiciary, tasked primarily with reviewing new legislation, not its application (up to the administration), will of course also be affected by the overall restructuring, especially with regard to its independence from former allround parties. Dwelling on this matter further here would drag us into the minefield of jurisprudence. It suffices to see the consequences of the separation of democratic "heart chambers" for the other three powers, i.e. the fundamental functions of the state sphere.

7

A further architectonic dimension: the triad of state – private – public

Against the reflections of the last chapter, one might object that they are state-centered – despite the appraisal of a civic understanding of the administration in the last pages. However, state means nothing more than a community bound by law. Disregarding (for now) supranational structures like the European Union, from the central state down to federal states, regions, and municipalities are all part of this legal community. But by far the most significant level remains the central nation state.

"Nation" accentuates the cultural, pre-institutional unit, while "state" emphasizes legal institutions and their monopoly on legitimate violence.

Many contemporary advocates of a civil society wish to move away from "statist fixation". What they really mean are the many remnants of the authoritarian state. There is a streak of authoritarianism in the self-conception of the entire political class.

Hence the movement for civil society must challenge the state in its current "constitution". It cannot ignore the state entirely, as if any rethinking of the state were itself authoritarian. Else the many good approaches "from below" all too easily become parlor games on the Titanic. Because the legal association that is the state cannot be replaced. It must neither be mystified, as it was in the past, nor ignored, or even completely opposed.

As well the four-segmentation character we have laid out, the following trinity of organization needs to be taken into account in all areas:
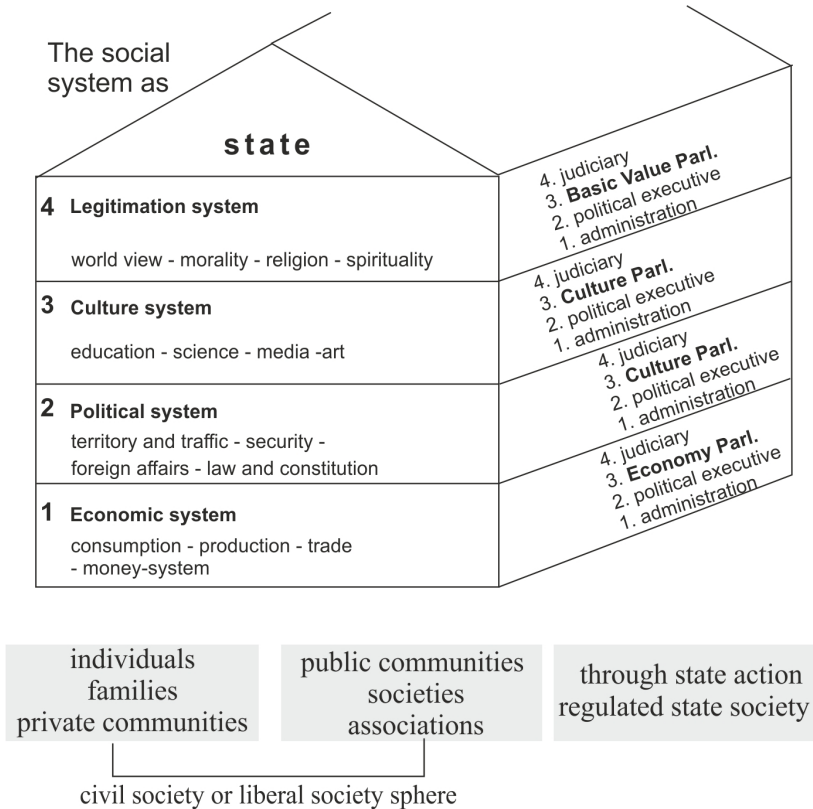

The social system as

s t a t e

4 **Legitimation system**

world view - morality - religion - spirituality

3 **Culture system**

education - science - media -art

2 **Political system**

territory and traffic - security -
foreign affairs - law and constitution

1 **Economic system**

consumption - production - trade
- money-system

4. judiciary
3. **Basic Value Parl.**
2. political executive
1. administration

4. judiciary
3. **Culture Parl.**
2. political executive
1. administration

4. judiciary
3. **Culture Parl.**
2. political executive
1. administration

4. judiciary
3. **Economy Parl.**
2. political executive
1. administration

individuals
families
private communities

public communities
societies
associations

through state action
regulated state society

civil society or liberal society sphere

Figure 11: the four-segmentation-house (oikos) with vertically threefold organizational spheres

- State action comprises the cumulated actions of delegated officials.
- Private action is action based on individual initiative.
- Public action stands in between the two: from clubs and associations to statutory bodies. These have a legally privileged standing without being state institutions.

(This trinity has more substance than the often cited "state – market – community", which does not stand up to philosophical scrutiny and rests on a confusion with the four-segmentation of the subsystems. The market is by no means the epitome of private initiative, merely its manifestation in the economic sphere. And the public is more than neighborhood communities and other self-organized support groups that come to people's aid when official institutions fail. Rather, the public encompasses the entirety of charitable initiatives.)

The general distinctions private / public / state offer a conceptual tool set with which to think civil society not as merely (negative) freedom from the state, but a freedom to self-initiative, on all four planes of the social organism:

- Liberation from the **class state**, whose "democracy" has hitherto mainly privileged capital. Genuine equality of opportunity must take its place. This will not be possible without a meditation on the foundations of capitalist principles and unearned wealth. But in which institution could such fundamental questions be discussed seriously and continuously, spanning across society? The economic parliament alone cannot be the only institution of this kind. Yet it needs to be the place where all initiatives converge to legal effect: the parliaments are called upon to ensure the transition of civic initiative into state policy and law.

- Liberation from the **party state** towards communicative objectivity within and outside of the new parliaments. Today's ruling parties consider themselves institutions that uphold the state. They do not take part in the formation of public opinion in a way that could be considered part of a process of civic debate. Social movements who cede the power of shaping public space to old established parties are no help either, however. The movement for civil society must go all out, or it risks betraying itself.

- Liberation from the **schoolmaster state** to cultural creativity. The abolition of the church's privilege on schooling by

the state and the introduction of universal education once marked a great cultural advance. Today, our task is perhaps to reduce the share of state schools and universities. The state should limit its educational authority to ensuring minimum standards and comparability of results. This approach would probably be the best way of addressing party-political influence within the academy, a mild but highly efficient form of corruption: the evaluation and judgment of relevant research should be left to civil society as much as possible. The "freedom of the life of spirit" (Rudolf Steiner) must not jump out of the frying pan of state direction into the fire of economic dependency. Therein lies the great cultural challenge, for which the United States can only partially serve as an example.

But a strict division between legal state and the "life of spirit" is basically erroneous. The state is essentially also culture-state or nation-state.

- Liberation from the **confessional state** and its legal privileging of the old confessions. This is not a matter of inner-religious questions. As a social phenomenon, religion must have a central place in any comprehensive social philosophy. If we take civic freedom of conscience and genuine freedom of meta-communication (communication pertaining to final values, that is, to the conditions of all other communication) seriously, historic privileges from the time of the authoritarian state (referred to as Protestant, reformed or Catholic until well into the 20th century) can set the agenda no longer. The excessive privileges still accorded to the church in many states today betray a lack of civic freedom in religious matters without which maturity, the realization of values out of freedom and spirit, for example in ethical value-communication, is impossible.

Either the public comes to an agreement on a foundation of shared philosophical values, backed by the various religions, confessions and other ideological groups – or we remain in "self-imposed immaturity". The necessary Enlightenment ("man's emergence from his self-imposed immaturity", Kant) for which the case is put here, is, it should be noted, by no means irreligious. Hence why it will probably be met with lively resistance by the monopoly confessions – until civil society takes itself seriously especially with regard to fundamental values and demands its very own rights. We are not advocating religious individualism here, but, on the contrary, the freedom of religious association. This freedom is undermined by the excessive legal privileges accorded to the major churches in Europe especially. They drain the community of its spiritual energy, under the pretense of supporting it.

This "freedom of a Christian" in relation to state authority was, unfortunately, insufficiently thought through by Luther in his day, else many religious wars could have been prevented. Today, this freedom must be realized by peaceful means. Many clerics who are truly beholden to the life of the spirit will accept this. Take heart!

We have outlined four areas where advocates of civil society, if they take themselves seriously, must challenge the legal status quo. "State fixation" can be no excuse here. We ourselves, in our legal relations, are the state!

8

The socio-ethical aspect: social principles and their evolution

Moralizing and appeals to the individual in structural questions were rejected earlier as highly ideological strategies of distraction. Structural shortcomings of the polity are laid at the door of individuals: if you don't improve, the whole won't improve either. The decisive individual improvement that would indeed lead to overall progress is "man's emergence from his self-imposed immaturity", the emergence from conformism as a substitute drug for genuine community. Enough with the readiness to let ourselves be lulled and deceived, especially by that old means of domination, the induction of guilt!

Having elaborated the "exterior architecture" of a future democratic society in the four-segmentation of systemic planes (that are also value levels) and the trinity of organizational forms (state – private – public), it is now useful to draw on socio-ethical principles for our "interior architecture". These principles are of a completely different order to moral appeals. In the first place they are socio-ethical guidelines for legislation and statutory interpretation. Secondly, they are also a gauge for individual behavior.

A number of such social principles have been formulated in Catholic social teaching since the 19th century; we do build on these here, but with a more systematic aspiration. Once again the levels of reflection will serve as a meta-principle for approaching these big socio-ethical guidelines of considerable importance.

The principle of solidarity

According to the anthropology outlined in chapter three, there is no isolated individual, but an original bond between individuals. Man is a bodily being of self-reflection (and therefore of freedom), but always and from the outset in interaction with nature (things), his peers, and the infinite medium of sense. All these are instances of his own "lived" self-reflection, simply put: his life.

Freedom therefore has to be conceived of as an originally common, a **dialogical freedom.** Not mere self-determination, but determining oneself in determination through others (nature, other freedoms, streams of sense).

Thus we can detail solidarity, as the original bond, further:

- **Solidarity with nature** and in the natural human bond. In the early days of humanity, a member of a survival group being excommunicated because of crime or strife would have been physically lost too.
- Solidarity as the **respect of personal freedom** and uniqueness, and equal basic human dignity.
- Solidarity as a **band of freedom to freedom,** as care, reliability, and faithfulness as well as mutual justice between humans, beyond merely physical needs.
- Solidarity as **distributive justice** from the point of view of the community and its institutions.

"All for one and one for all" applies to all these aspects of shared freedom. The impulse towards justice-in-solidarity follows from this: to each their own, according to the yardstick of the mutual relation of need and contribution.

The principle of (the rule of) law

Strictly speaking, enough is said, or done, with the establishment of the principle of solidarity. It implicitly includes the foundations of "natural" law. Yet due to the temptability and fragility of human freedom, formal law had to evolve out of the "informal", original bond – a "rule of mutual limitation of freedoms" (Kant). While this

limitation, as we have seen, is by no means the primary relation of freedoms (rather the dialogical de-limitation of the individual seemingly contained in their skin), it is nonetheless a systematic relation and an evolutionary necessity once the original bonds between humans have come undone. With respect to externalities especially, a legal distinction then becomes possible: yours and mine, and also: my achievement and yours.

Only later is the rule of law (*Rechtsstaat*) constructed on this principle of law. With the rule of law, law is more than a mere tool for those who rule (whether by religious authority or simply force), able to pass and interpret laws according to their whims and fancies. Only with the *Rechtsstaat (State of law)* is law transformed from a despotic weapon to a principle of freedom. The state then simply means a community bound by law. (Confer Kant in his *Metaphysics of Morals* of 1797, § 45.)

Universally comprehensible law is the basis of the modern pluralist state. The state is never the totality of human community and sociality, but its minimal structure. That law itself needs an anterior extra-legal ethical foundation was laid out in our discussion of the parliament of fundamental values. Said parliament constitutes a novel arrangement for the translation of pre-legal ethical foundations into law – the only one appropriate for an advanced democracy.

The principle of subsidiarity

If formal legality was the dialectical, individualist counterstrike to original solidarity, then subsidiarity in turn denotes something dialectically opposed to the legal principle (of the *Rechtsstaat*); the primacy of already communitized particulars – elementary communities – with respect to the state and other comprehensive social formations.

Subsidiarity (from lat. s*ubsidium*, help) indicates nothing less than the construction of society from the bottom up, from the smaller units up to larger, more complex formations. The latter, larger ones are meant to aid the smaller entities, not suffocate them. The term

was introduced in the conflict of the Catholic Church and the state over family rights. (The classic reference being the encyclical *Quadragesimo anno*, 15.5.1931). Ultimately, it touches on an age-old fundamental social principle.

The principle of subsidiarity is not limited to specific matters (such as family rights to self-determination), but pertains to the origin and construction of society at large, as well as the origin of all sovereignty. The German constitution declares that "all state authority is derived from the people". Popular sovereignty and the principle of subsidiarity need to be thought together.

Such a principle of subsidiarity would be of the utmost significance for the project of European integration – so far mostly imposed from above – were it genuinely applied, not merely invoked in grandstanding speeches.

The principle of four-segmentation (as a socio-ethical yardstick)

Four-segmentation as the architectonic principle of an advanced democracy was laid out in detail above. Here, it is added as the fourth **socio-ethical** principle. Beyond fundamental structural matters, it also offers a socio-ethical yardstick for the evaluation of all number of questions of public life, be they cultural matters (hospitality of cultures in relation to foreign-born citizens and cultivation of a national language) or of a religious dimension (such as the presence of religious symbols in schools). It can similarly be applied to issues economic or political (in a narrow sense) in nature. The principle of four-segmentation can also be expressed as the principle of "integration through differentiation": problems can only be solved integrally through said differentiation of systemic planes (and their further subdivisions, which cannot be explored in detail here.)

The historical development of social principles does indeed show "progress of the consciousness of freedom" (Hegel). What is coming to the fore with the principle of four-segmentation is a **constructive paradigm:** the present task is no longer to free ourselves *from* old chains – the time has come for constructive freedom *to* establish

new, higher social formations. Democracy as it existed until now was premised on the paradigm of liberating the citizen from old feudal ties. This paradigm is no longer sufficient for the ever more evidently required restructuring. The reader may decide for himself to what extent contemporary clever social theory and theoretical sociology do justice to such a constructive paradigm. For the most part, the "discourse" (to use this ambiguous fashionably term for once) of social science belongs to the **old, negative paradigm** of the liberation from dogmatism and authoritarian bonds – including the "critical theory" that inspired the student movement of the 1960s. Never since Hegel and Marx' day did philosophy exert such influence on current events. Sadly, it lacked precisely that which alone could have led to lasting change, and what is at stake today: constructive substance.

Free from what? What does that matter to Zarathustra! Clearly, however, shall your eye show to me: free for what? (F. Nietzsche, *Thus Spoke Zarathustra*, *The Way of the Creating One*)

Today, the meaning of constructive-critical reason rests in giving answers to the question: how should we go on? As yet constructive criticism is feared, and loathed, as the most cutting, because it leads to real change. The time will come when it will be desperately sought.

9

Future-oriented syntheses: tomorrow's democracy

What is specific to democracy? A new definition

The ideal type of democracy that is now coming into view is thus a social state of solidarity (1) with rule of law (*Rechtsstaat*) (2), in which the individuals who make up the people delegate their power (sovereignty) according to the principle of subsidiarity (3) and institute a sustainable, cyclical system of competences for the realization of shared values (4).

While social state (1) and rule of law (2) were possible without democracy,

- the subsidiary delegation of power (3) and
- the cyclical system of competences (4) constitute that which is specific to democracy.

The last element of the definition is a historical novelty, and uncomfortable. Yet it should prove to be an indispensable element of any future democracy. For it is only with an ordered system of competences that the democratic realization of shared values, and politics as communal value management, are conceivable.

Representative and direct democracy

There are good reasons to strengthen direct-democratic elements, though not at the expense of representative elements. Rather it is an inner synthesis of these two varieties of delegation of power that is at stake.

- Direct democracy relies on the majority principle. Only in small communities does it go hand in hand with direct consultation of all involved.
- Representative democracy, where it does function properly, adds qualifying elements. It is based on the electorate's **trust** in the special **qualification** and **consultations** of their elected representatives. But we need to be clear on the fact that today there is no functional representation in parliament, for the reasons discussed above.

Were these elements fully acknowledged and taken into account, numerous (often implicit) arguments against democracy as mere majority rule would be untenable. Democratic majority rule would indeed be "nonsense" (Friedrich Schiller) if it were purely quantitative, and not a majority qualified by competence selection and consultation.

This one-sided, quantitative understanding of democracy leads to cynicism, especially when what constitutes the "majority" is so heavily dependent on the particularities of electoral laws. If all came down to numerical majorities alone, democracy would be implausible, morally bankrupt and, soon enough, politically defeated.

Delegation based on personal trust and confidence in the competence of the delegate constitute the major difference to an **imperative mandate** in a system of councils. Such a system is meant to follow the principles of subsidiarity and direct democracy, but is doomed to fail as long as delegation of power is not based on trust.

As a communicative system of government of which trust and consultation are crucial elements, democracy largely depends on the quality of its "communicative power", that is, parliament. Needless to say, however, that informal processes of consultation throughout society are highly significant. Even in a fourfold system, parliaments are only the formalization and concentration of societal communication, of opinion formation across all areas of life.

In large polities (strictly speaking in all that extend beyond the assembly of those directly affected), direct democracy can only be as good as its representative arm, because it depends on it for many

of its vital functions (propositions, the formulation of alternatives). Ideal depictions of direct democracy usually fail to mention this issue. Not that it should be a point against plebiscites in cases where two strong alternatives, perhaps along with a third option, crystallize on an issue that affects all. We do not wish to align ourselves with the political class and its deep-seated suspicion towards plebiscites here: said suspicion is merely an unconscious attempt of staving off manifestations of the public's ubiquitous mistrust in their professional politicians.

Yet **a synthesis of both forms of democracy**, accentuating their advantages, is possible: it requires the differentiation of policy areas and the transformation of allround parties into problem-specific parties in accordance with the fourfold structure. The decisive step towards a representative democracy that is simultaneously direct consists in the election of parties and candidates for specific sectors according to their stance on a set of relevant issues. Votes on specific issues coupled with a personal mandate of trust are the essence of direct democracy (once it has extended beyond village assemblies). The apparent contradiction has thus been resolved in the proposal for a value-based democracy developed here.

Moreover, this rapid improvement of the representative system does not exclude the possibility of special direct elections for mayors, ministers, presidents or heads of government, nor the option of additional votes on simple individual issues.

The possible expansion of "electronic democracy", with frequent votes held digitally, should be seriously considered as a technological simplification of this new synthesis of direct and representative democracy. Digital technology facilitates both feedback to and accountability of candidates for a given policy area – in a completely different way to opinion polls today, employed by allround parties to justify their rule.

10

Strategies and delineations – Enlighten- ment as revolutionary praxis

An important strategic distinction

When considering evolutionary, reformist efforts, it is important to keep the distinction of final goals and transitional goals in mind; a distinction often missing from political debate.

Some "half measures" can be extremely important, given they are understood as such, as steps along the way. But one must state the end goal clearly, else people will turn away – especially those of high intelligence looking for wholesale change.

To take a recent example, a proposition was made some years ago at the University of Kassel: there should be a third chamber of parliament, representing non-governmental organizations. Those initiatives and parts of society who feel unrepresented in the conventional parliament could band together and speak with one voice, the proposal went. No doubt a good idea, were it seen as an energetic step towards a higher goal, the fourfold division of parliament according to policy areas and value levels advocated here. Only then can the resistance of conventional parties and their representatives (supposedly those of the people) be overcome, simply because such a development would clearly accord to an incontrovertible evolutionary logic. Were NGOs to understand such a third chamber as a permanent institution built to last, however, it would be a stillborn child: what use is there in erecting an ambitious new building that leans on two derelict ones? And if such a third

chamber were to be more than a mere symbolic gesture, it would immediately run into questions of legitimacy. Who is represented by whom and by what right? What exactly qualifies as an NGO? Businesses? Churches? Questions and more questions, with a predictable outcome: nothing will change. Effective change rests upon the articulation of a well thought-out end goal.

Other good intermediate goals, if they are understood as such: the program of the movement for monetary reform or NGOs working on alternative, fairer forms of globalization such as Attac. Participatory budgets, elements of which are increasingly common on a local level, are likewise a useful step. There is no need to spell out why these steps can only be intermediate or partial goals compared to the larger democratic scheme advocated here. Some of these movements would be well advised to fashion themselves into a future thematic party. The dilemma between an institutionalized parliamentary party and a critical, open social movement only arises when parties are conceived of in the traditional style of the allround parties. A party in the mould of future thematic parties can work strategically on specific issues while having an overall vision, be it relatively open or clearly defined, in the background. Strategic specificity and background vision correspond to intermediate and end goals. Numerous other organizations and networks could be mentioned here.

Left-wing alternatives and the fundamental question of capitalism

In recent years, a number of left-wing parties and movements opposing austerity measures have sprung up in various countries.

These forces, having seen through contemporary social reforms as a veiled attack on the welfare state, should be regarded as principal allies in the struggle for democracy. But do they also understand that the defense of the welfare state is at best an intermediate goal, and that a fundamental and global reshaping of the relation between labor and capital is required? And that we must put an end to the fiction of "working" capital, and thus returns on capital? To pit "business" against workers has always been a fallacy; Marx said so clearly: the

productive businessman is on the same side as the wage-dependent laborer, with money capitalists on the other side (*Capital* Vol.3, ch.23-25 especially).

Those who continue to work with such false opposites and who exhaust themselves in haggling over a little more or less pay or working time have failed to grasp the actual, global opposition of capital owners, who live off an unearned income, and servants of capital, interest-payers in all forms. They seek to tame a form of capitalism that cannot be tamed, only productively overcome. Proposals on how to do so around the world over.

The insurgent left-wing parties face a choice: will they go all out or settle for half-measures? Without making a conscious distinction between intermediate and end goals, their efforts will remain doomed to failure, because the large coalition implementing welfare cuts and neoliberal reforms has the logic of the existing system on its side. Either one upholds the system at the expense of more victims globally – or one questions it radically, on socio-ethical grounds: does capital deserve a return, does owning property result in the right to an unearned income? Is capitalism even compatible with meritocracy, or a genuine free market? It is a historical lie to identify capitalism with the free market. On the contrary, money with internal multiplication mechanism (= capital) ruins any free market, as does the possibility of land speculation.

It becomes apparent that genuine democratic reform is inextricably linked to the question of capitalism. Up to now there has only been capitalist democracy. Not only was there acquiescence in the dominance of the economic plane, this dominance formed an integral part of the system. A genuine reform of democracy would burst the capitalist principle, unearned returns on capital without contribution to society. In the long term, it will have to slaughter the most sacred cows of capitalism. But there is of course the distinction of intermediate and end goals.

Will the emerging left-wing parties get to the bottom of these connections, and become revolutionary in this sense – or will they

stop half-way, perhaps even helping to prolong late capitalisms global fight for survival, at the expense of most of humanity?

Evolution or Revolution?

Beyond the distinction of intermediate and end goals, there is a gulf between two approaches, evolutionary and revolutionary: will small steps alone suffice, or do we need great leaps and ruptures? It goes without saying that revolutionary leaps are themselves an important element of evolution. Evolution both in nature and history does show leaps and jumps. An undialectical exclusive opposition of the two is therefore false. Crucially, a qualitative leap must happen – whether gently, with support of established power, or more forcefully.

Violence should be ruled out, however; it is precisely the belief in spirit and its evolutionary logic that sets the new level – and the leap towards it – apart. Even if this belief in spirit combines with a gut feeling for justice and sheer vital necessity.

Nationally and globally, there is potential for enormous political and socio-economic dissatisfaction.

What we are seeing is essentially a pre-revolutionary situation, even if we leave the shockwaves running through the global order to one side and focus on structural causes. Addressing these is the only sustainable form of "terrorism prevention"!

Today, it is this majority of the (rightly) discontented that forms a potential revolutionary subject, no longer bound by old class antagonisms, both nationally and globally. Behind the ostensibly economic grievances lies a feeling of impotence and disenfranchisement within this supposed democracy. Is there a prospect of this majority putting the constructive democratic paradigm developed here into practice? Incidentally, our theory's adequate consideration of the religious sphere should make it attractive to Islamic states too.

Once again, constructive theory gives Enlightenment, that "silent infection" (Hegel) a new dimension: while it was once (and often since) a movement of unveiling and exposing domination, today it must be constructive Enlightenment. Its gesture must be to demonstrate:

"another democracy is possible"! It is crucial to understand this – and that spreading such Enlightenment is itself a social praxis of the highest order.

Strategic steps

I am often asked how my theory might be realized. This is, in principle, impossible to determine in advance. History keeps its cards close to its chest, and even if the next great evolutionary advance can be anticipated theoretically, it is impossible to predict how exactly it will come about. Some strategic steps can nonetheless be discussed.

- Analysis of the features and strengths of the old democratic machine

The public show a high degree of awareness of our systemic problems as well as a desire for change. How can we relate to it? Must we resign and throw the democratic idea into the dustbin of history? Will we allow it to hover over our retrograde reality as a hollow ideal? Or can we put all the accrued frustration and consciousness of the silent majority to constructive, perhaps surprisingly progressive use?

- Connecting monetary and democratic reform

The crisis we face today is similar to that of the 1930s. What was lacking then was an awareness of the interconnection of monetary and democratic reform, and a view to a constructive political solution. Instead, we witnessed a disastrous regression into authoritarian structures. Today, on the other hand, there is a movement for democratic reform grounded in theory that can draw on serious analyses of monetary and economic reform. At a time when the bulk of party politicians tell us that capitalism in its crisis can only be tamed by *reducing* social spending and state intervention, a combination of old ideas of monetary reform with the fundamental democratic reforms laid out here could prove an unstoppable force.

Connecting the ideas for monetary and democratic reform could strengthen both causes. Monetary reform alone is wishful thinking

without the political conditions for its implementation. And even a well-designed monetary reform would fall short if it failed to abolish the dominance of the economic sphere. We have proposed an alternative system in which politics at large would come down to the realization of a pluralist consensus on fundamental values, not economic interest. As argued above, such a society would be "sustainable" in the broadest sense of the word. But what economic model can support and contribute to such social sustainability, and holistic human flourishing in a communicative society? It is this question that links our vision for democratic reform to the efforts of monetary reformers.

The economy of a sustainable society would include a basic right to work as well as the recognition of cultural creativity and domestic labor and care work (still mostly done by women).

Political disenchantment and frustration can turn into energetic optimism and demand for reform when constructive solutions come into sight and new ideas are offered.

- Finding a promising audience

Unfortunately, we cannot rely on the great "free" press in our endeavors. It would be a natural institution for the enlightenment and education of the people, but to a large extent the press is itself in the hands of the politically and economically dominant class. Thus we must look to alternatives. Social media and the internet evidently hold promise in this regard. We can also look to existing groups and movements. Grassroots community projects (such as transition towns) and regional currencies, ecological reform groups as well as village communities could all be receptive to a revolutionary democratic concept that incorporates their concerns. As could those left behind in the current system: the unemployed, the impoverished – all those driven into a corner by capitalism.

- Overcoming isolation

All these addressees share a basic problem: isolation. Reform groups – such as environmentalists, animal rights campaigners, health activists, campaigns for third world debt relief, followers of theosophy and anthroposophy and other spiritual groups, anti-war and human rights campaigns and more – and the Marxist Left need not renounce their specific interests. Whether "spiritual", "scientific" or simply political in motivation, they will all need to recognize their mutual interest in monetary and political reform if they are to move beyond navel-gazing to genuine political efficacy.   This connection of ideas need not be externally imposed on these actors, as if their own concern were insignificant; they should be able to see for themselves how such a double focus ensures the **necessary condition** for the advancement of their cause.

The double question of monetary and democratic reform takes priority insofar as it concerns the conditions of power-stripped communication. This concerns all other policy areas, and touches on today's fundamental challenge of democracy: establishing procedures of fair communication for societal debate.

Networking is therefore required: through the publications of the groups mentioned above as well as the internet. Networking is not just a technical task, but a spiritual challenge too. The new paradigm is not only constructive, but holistic, or integral: it reaches from the social and economic into the realm of culture and spirituality within a wider practical framework.

Integral co-operation: spiritual synergy in place of competition

No individual or randomly selected group has the ability for logical reasoning, sensitive understanding and perceptive intuition at the same time and to the highest degree. Talents and interests are spread across various groups. Thus synergistic co-operation and communication cannot be ranked highly enough. Focus on a common goal, the condition of possibility of reaching all other goals, is nonetheless required. That means refraining from denigrating the

strengths and interests of other groups and individuals. Similarly to economics, politics, culture and religion being arranged into a constructive relation in the system at large, all human powers need to be recognized for the sake of the common end goal. The Green movement of the last fifty years was, for instance, predominantly driven by emotions, at the expense of systematic thought as well as spiritual powers.

Institutional implementation of reform

The process of change that begins in networked groups must eventually spread to wider society and its institutions. This process will reach a possible first culmination when it enters the existing parliament, which could take structural reform into its own hands. For all our criticism of the political class, our issue lies with structural factors, not the existing deputies. Both structural and personal barriers can be overcome. How wholesale political transformation will begin is impossible to determine in advance; it may be that tackling urgent economic and social issues will open a pathway to wider reform. It will become ever more apparent, however, that fundamental economic reform must go hand in hand with an overhaul of our democratic structures.

Classical inspiration

Again, the attempt to outline some strategic steps towards reform should not be overestimated. It does not claim to be systematic, but rather is meant as a stimulus for the many asking how one might move from theory to practice. The best answer to this question, though, was given by Antoine de Saint-Exupéry with these wise words (in *Citadelle*, 1948):

If you wish to build a ship, do not drum up people to collect wood, do not divide the work and assign tasks. Instead, teach them to long for the vast and endless sea.

The assignment of specific tasks need not be anticipated here; those passionate about the cause will see to it when the time has

come. Longing for genuine democracy, however, is sustained by an understanding of its structural possibility. Else this longing for a free community of equals enriching each other with their unique gifts will succumb. Successful democracy in all areas of life guarantees this blissful state. The first and by far most important step must therefore be enlightenment as to its possibility. **Transformative social praxis begins with theory and its dissemination.**

This crucial point is superbly expressed by three of our greats:

"*Once the realm of the imagination has been revolutionized, reality cannot resist*" (G.W.F. Hegel, in a letter of 28 October 1808).

"*But as lightning from the clouds, out of mere thought perhaps, Will the deed, in the end, lucid, mature, leap out? Will books soon be alive?*" (F. Hoelderlin, To the Germans).

"*Theory too becomes a material force as soon as it has gripped the masses*" (K. Marx, Introduction to the Critique of Hegel's '*Philosophy of Right*').

Here we are addressing your own social praxis, dear reader: you are the irreplaceable ambassador of constructive enlightenment for democracy. That vital step, the "silent infection" with this new enlightenment, starts with you. It has to spread like a beneficial virus.

Yet this virus could soon prove to have a very practical effect: large parts of the infected population might refuse to participate pseudo-democratic elections in future. This could indeed be a positive development. Refusal alone cannot lead to improvement, but once it has a clear theoretical line, the party of non-voters will gain strength. Such a theoretical backbone is also the condition for more drastic forms of civil disobedience. Constructive enlightenment can give meaning and purpose to the "great refusal" (H. Marcuse).

11

Outlook: Architectures of European and Global Democracy

The proposed fourfold structure of the political system has significant ramifications both on the European and global level.

A multidimensional Europe of different speeds

The character of European "unity" will be different for each of the four systemic planes. To the mono-dimensional, economically dictated Europe and its small political class we oppose a multidimensional Europe of different speeds and structural principles. This is not the place to detail what this would mean for a new European constitution. Here, as in the book as a whole, we can only offer a structural formula which ensures the conditions for specific issues to be adequately addressed. The formula for Europe is as follows: differentiation of the economic, political, cultural and ideological-religious planes as a condition of integration. There is no single European "union", but a Europe of many dimensions with its respective constitutions and laws.[1]

Above all, it strikes us that Europe's cultural wealth lies in its diversity of national cultures and languages. It would be a crime against the European spirit to encroach upon them. But this diversity is threatened daily, as English is tacitly turned into the European

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1   Confer the author's *Die Logik des europäischen Traums (The Logic of the European Dream),* 2014, Academia Verlag

universal language. Behind it, French and German struggle to maintain a profile. Yet this struggle is misplaced; it only comes at the expense of still smaller languages. A simple, neutral common European language is needed – it should be the same as a future global language. Whether this should be a simple form of English or a neutral auxiliary language will have to be discussed openly. The fact this question has received so little attention across Europe and the globe is evidence of the chronic negligence of cultural question in political discourse. But it is never too late to change.

How can unitary globalization be stopped?

Nowhere is the urgent need to institutionally distinguish the social planes of action and values more apparent than on the global level. Globalization is spoken of everywhere as if it were a natural event. To the contrary, it is of course a systemic necessity of capitalism, predicted by Marx and Engels with unmatched brilliance and relevance in the *Communist Manifesto*. How to tame capitalism then? On the global level especially, the respective higher systemic plane functions as the meta-level or yardstick for what occurs on the plane below:

- **Politics as meta-economy:** We need international laws capable of curbing the terror of a market skewed by capitalist privilege, and creating a just market economy in its place. Eradicating the terror of capitalism is also a form of counter-terrorism.

- **Culture as meta-politics:** Power politics needs taming with a view to cultural co-existence and the will of the people, e.g. as concerns the peoples' right to self-determination. The arrogance of the powerful often provokes violent conflict or precludes peaceful solutions in such questions.

- **Final values as meta-culture:** The community of larger and smaller cultures requires ethico-spiritual standards. The self-determination of peoples is only dangerous when the national and cultural are insufficiently distinguished from religion. German National Socialism is the most obvious,

though by no means the only, or the last, example of nationalist sentiment acquiring a sinister religious charge. Such fervent nationalism remains common around the world today. Hence why the rationalists among the "enlightened" seek to do away with nations entirely, as with the variety of religious "languages". But it is the most valuable things that are regularly most abused. Only genuine enlightenment can help here.

- Historic religions in turn need **philosophical controls in the form of human rights**. As the Christian confessions had to learn the hard way, not everything that is declared "religious" can be tolerated in a democracy. They are yet to fully grasp the principle of a pluralist society. The same is to be demanded of other religions when it comes to stoning, mutilation or capital punishment. Once more the paradox of rule of law becomes apparent: law is not the highest principle of interpersonal community, but, in the form of universal human rights declared in 1948, it lays the indispensable foundation for all life, spiritual and physical, within its limits.

Clarity on the necessary four-dimensionality of the nascent conscious unity of humanity stands starkly opposed to globalization in its current one-dimensionally economic variety. Humanity needs transnational institutions and powerful parliaments similar to those described here for the national level. While not amounting to a world state that does mean globally effective legal structures to guarantee freedom. Only once all state power genuinely and continuously emanates from the people can we speak of democracy.

The real main question is: How to win the minds and hearts of people, especially the members of the political and economic class? Besides an already rather numerous agreement among "normal" people, there must be forerunners among the elite, people of influence, which have not only the intellectual capacity to recognize the unique value of this model, but above all the spiritual drive or motivation to

stand for it. Still more than for truth-finding alone, it needs spiritual qualities for the realization of truth and justice. For there are too many privileged circles which are against such a big change, even though it would be for the wealth of all.

It may be allowed to remark that India has a special responsibility for the installment of a fourfold value-democracy, because the caste system seems to be a degenerated or perverted version of what the old seers intuitively intended without formulating it enough in rational terms: a value based society. India is the biggest democracy in the world, and the most adaptable (with many changes of Constitution). It could become the most developed one, upon its philosophical and spiritual fundaments, perhaps together with Germany where the above model stems from.

By the way: It would be false to speak of a Platonic "Republic of Philosophers." The role of philosophy is only to detect the structures which enable the participation of everybody. Before everybody can participate, a philosophical and at the same time spiritual elite must go ahead. Democracy must be gripped as a spiritual task, as part of an integral spirituality in the sense of Aurobindo. There can be no Integral Philosophy which doesn`t include a whole philosophy of society and democracy.

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Prof. Dr. Johannes Heinrichs (born 1942 in Duisburg/Rhine, Germany) studied philosophy, theology, and social sciences at various German universities and in Paris. He lectured philosophy in Frankfort and Bonn and Social Ecology in Berlin. He developed the social and political system of "value-levels-democracy" as part of a general reflection system theory which is a creative up-to-date development of German "idealism", understood as reflection theory.

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Website: www.johannesheinrichs.de

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