

Humanism and Democracy

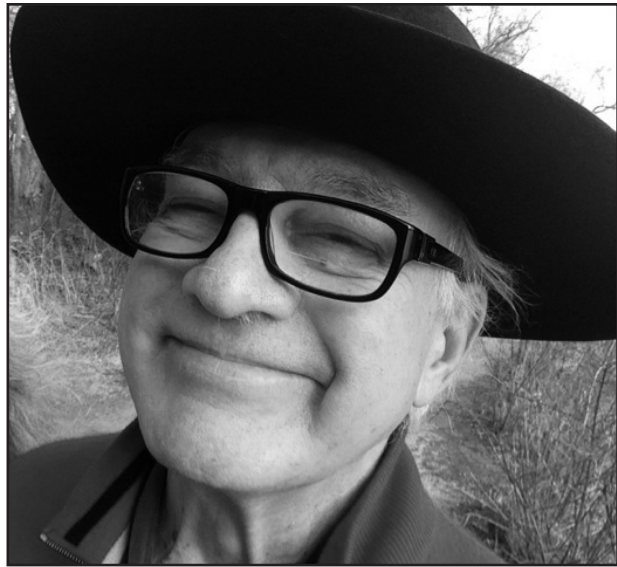


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Jan Narveson

The Humanist Declaration of 2002 says (no 3) that “Humanism supports democracy and human rights.” Humanism aims at the fullest possible development of every human being. It holds that democracy and human development are matters of right. The principles of democracy and human rights can be applied to many human relationships and are not restricted to methods of government.

This is a familiar idea – democracy is extremely popular. But the idea has its problems, and everyone, especially those who aspire to Humanism, needs to be aware of those. When we speak of human rights, we mean rights accorded to every human, just because they are human. Rights are supposed to be a sort of guarantee. If you have a right to life, and it is respected, that means that no one will kill you – you are guaranteed not to die at the

hands of anyone else. Question: is democracy one of those rights? Can it be?

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The trouble is that the answer, on a simple understanding of what ‘democracy’ means, is surely negative. Democracy, minus the rhetoric, is an equality of political power among all citizens. We’ll ignore the rather important issue of how it is that there are many different groups of persons who would qualify as “citizens” in one group, to the exclusion of all others. (Canadians do not as such have the right to vote in Germany, Uzbekistan, and so on.) But we will bear in mind that this equality of political power is basically expressed in the right to vote. Democracy is doing things by voting. Mostly the “things” done are electing officials. And doing things by voting is doing things by majority rule – the individual or party getting the most votes wins. (In pro-

portional representation systems, popular in Europe, it's more complicated, but the idea is fundamentally the same: the more who vote for X, the greater is X's share of power to govern in the on-going government of the day.)

Now, suppose that the majority doesn't like certain persons – such as you, whoever you may be? May that majority vote to have you burned at the stake tomorrow? I'm sure you think not. And of course you're right. But why mayn't they? You might say: because to do so would be to violate a human right, roughly a right against aggression by others. (Spelling out just which harms to people are “aggressive” is another very important subject, which we'll mostly dodge by inserting the qualification that victims of aggression must, as such, be relevantly innocent; in a short article, we'll pretty much have to let it go at that.)

What about such important liberties as the right of freedom of religion (or irreligion)? It's pretty obvious that a majority could impose a religion on everyone else. That is the major reason why democracy is such a problem in the Middle East. That, indeed, is why Israel resists assimilation of all the Palestinians in its administrative area. For that matter, it's also why a two-state system there is impossible for the foreseeable future, since the Palestinians seem to insist on the “right” to kill off all their Jewish neighbors whenever that should prove possible. Does anyone think that so long as the majority voted for it that would make it perfectly OK? I hope not!

Indeed, you can't think of a single significant human right that couldn't be violated by majority vote: freedom of speech, of lifestyle such as gay marriage, and on and on. Not only

could those rights be abrogated by majority action, but they very often have been, and still are in many countries. For that matter, even the right to vote itself is not, in principle, one that can be denied by a majority vote. Majorities (in “real” democracies – as opposed to Hitler's Germany, say) don't get to disenfranchise the opposition. For that matter, majorities also have to be of voters who get to vote freely; the ballots have to be counted fairly rather than having the ballot box stuffed by the local dictator (say, King Vladimir); and so on. And whether the votes ought to be counted fairly isn't a matter of majority rule either.

Arguably, the crucial test for democracy has to do with property rights and rights of enterprise. Suppose that you and I occupy certain pieces of land, and have for a long time, and that we acquired that land perfectly honestly and peaceably. Can the surrounding majority vote to take it away from us? A lot of readers probably think so, and in most current countries, even the “good” ones such as Canada, they can actually do just that, perhaps with some sort of right of compensation. But is that OK? Isn't there a human right to occupy land that you got fairly? How about, to spend money that you've made by honest dealings with other people?

John Locke, generally reckoned to be one of the grandfathers of contemporary democratic liberalism, held that “Though the Legislative, whether placed in one or more, tho' it be the Supreme Power in every Commonwealth; yet, ... Thirdly, The Supreme Power cannot take from any Man any part of his Property without his own consent.” Locke seems not to have noticed, but you really can't take that seriously, can you? For if you do, do you have any majority

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rule left? If a democratic legislature has to clear its costly rulings with every single citizen, every time, then it can in effect do nothing. Indeed, a country with such a provision can reasonably be regarded as not actually having a government at all. It would instead be a sort of huge club, which would be able to do only what absolutely all of its members agreed to. That is not majority rule any more! Politicians tend to talk as though they did have the support of everyone - but that is just one

of the many ways in which nobody takes politicians seriously. In some small area, such as a classic Israeli kibbutz, people might all agree to share each other's labour and wealth on some kind of equal basis. But in a larger society, you won't get unanimous agreement on that, we may be sure. And then what? Which wins, property rights or majority rule? You can't have it both ways.

John Stuart Mill, who himself deserves to be considered one of the foremost founders of Humanism, observed that "The 'people' who exercise the power are not always the same people as those over whom it is exercised; and the 'self-government' spoken of is not the government of each by himself, but of each by all the rest." He then draws the clear inference: that "The limitation of the power of government over individuals loses none of its importance when the holders of power are regularly accountable to the community, that is, to the strongest party therein." [*On Liberty*, Introductory section] I would suggest that it not only "loses none of its importance" when that is so, but if anything, greatly increases in importance. How do we constrain majorities if people indeed have the right to vote? How can we?

Part of the answer, of course, lies in having a suitably strong constitution, with explicit

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restrictions on what may be done with our vote. Attempts to do so are frequent – in fact ubiquitous - but they have not been notably successful. Canada's Charter of Rights and Freedoms, which is our own constitution in this regard, is an interesting case in point. Section 2, for example, affirms that "Everyone has the following fundamental freedoms: (a) freedom of conscience and religion; (b) freedom of thought, belief, opinion and expression, including freedom of the press and

other media of communication; (c) freedom of peaceful assembly; and (d) freedom of association." Sounds good – at least at first. But then

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there is Section 33, the notorious “notwithstanding” clause: “Parliament or the legislature of a province may expressly declare in an Act of Parliament or of the legislature, as the case may be, that the Act or a provision thereof shall operate notwithstanding a provision included in section 2 or sections 7 to 15 of this Charter.” One needn’t go on. Maintaining genuine blocks against the power of the majority in a democracy is exceedingly difficult. And that is because it is impossible, frankly. We must recognize that a government of rights cannot be a simply majoritarian government. Whether it can be a government at all is, indeed, a serious further question. But at the least, we need a serious consideration of just when “majorities” should be recognized as relevantly to be empowered, and just which powers they should be understood to have, if any.

Lip-service to democracy as a system of government – which is well-nigh universal – obscures this need. And the obscuring of it can

lead to immense damage on the greater human scene. When Western governments get involved in the affairs of distant countries with alien cultures, for example, they need to tread awfully warily when they insist on Democracy for those countries. If the majority population in a given country is, to take a notorious current example, Shiite Muslim, we may be sure that the Sunni Muslims in that country have plenty of reason to be very, very afraid. Politics and religion cannot be allowed to mix: the separation of church and state – another principle honoured “more in the breach than in the observance” – is absolutely prerequisite for any democracy worth having. And it is, as I noted above, certainly not guaranteed by just giving everybody the vote.

Thinking about this also induces us to think about government in general. What, we should be asking, is government? And, what is it for? The answer to the first question is distressingly simple: government is a smallish set of people in a large society, somehow equipped with the

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power to push everybody around. They do this by making “laws” – which are licenses for the police to use force on people who don’t do what the laws tell them to. Government, in short, is power. And power is coercive: it makes people do what they don’t want. But because that power is so great and so comprehensive, the need for extreme control is obvious. Unfortunately, how to control it is a lot less obvious. If governments make the rules, how do we know they are the right rules? (On one view, government automatically makes the “right rules” because government decides what is right. If you believe that, you need an article a lot longer than this one to straighten you out.) Or as it goes in the classic question, raised in reference to Plato’s idea of rule by a “guardian” class – Who Guards the Guardian? That’s where democracy is supposed to come in: the idea is that we

do. But as soon as you say that, you are back to our problem. Democracy is rule by the people, but this can only mean, rule by the majority, and it’s contemplating what majorities could do and have done that is where we came in!

Plato famously held that to have good government, philosophers must rule. This calls for two quick responses. The first is that if your criterion of being a philosopher is possession of a Ph.D. in philosophy (such as is held by this author), then one suspects that Plato would want to think twice about that. The second comment is: if what is meant is that everyone should be a (real) philosopher, then while maybe that would be just fine, it simply isn’t going to happen! Many theorists have gone on about “participato-

ry” democracy, with lots and lots of discussions by everybody to make voting better informed. And that too, we may be sure, isn’t going to happen. Even at the neighborhood level, it’s painful enough.

But what is government for? That’s where a bit more attention to this matter of human rights could pay off. If government is supposed to protect human rights, then why does it so often assault them instead? The short answer, long ago supplied by Lord Acton, is that “All power corrupts - and absolute power corrupts absolutely.” But why and where do we need power? Especially, the kind of extremely broad, even ubiquitous power exercised by government? Here the answer may be a lot narrower. One answer is that we need that sort of power to defend the country against national enemies. And part of the answer to that is: why do the others

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have to be “enemies,” anyway? Nowadays, at least, they mostly aren’t. There is no danger of war with Spain or Poland or Mexico. And if no country had a government, then there’d be no national enemies to worry about. It’s interesting that people regard other nations as “enemies”; if they didn’t, the need for national defense would evidently evaporate.

But what about within countries themselves? Isn’t policing a proper function of the State? It is widely so regarded, to be sure. But it isn’t clear that government is really necessary for these things. This is suggested, at least, by the enormous numbers of private police that look after property and much else in most modern countries. And of course, people will point

to schools, hospitals, and parks. Again, though, all of these can be, have often been, and still frequently are carried on by private agencies rather than governmentally operated public ones.

But now we have moved away from democracy in particular to the state in general. Democracy is typically said to be not good government, but at least the best among all possible governments – better than any other sort, then. Still, it is not clear that it is true. Hong Kong, for

example, has no democratic government. During the half-century between the end of the second world war, which reduced Hong Kong to utter misery, and the onset of a treaty-reverted mainland Communist government to nominal control of Hong Kong, it became one of the most prosperous, as well as peaceful, and rights-respecting areas in the world – without the vote.

Down through the centuries, it has been commonplace to think that a truly benevolent despotism would be the best form of government – that's more or less what Hong Kong had, come to think of it. The trouble is, how do you assure yourselves that that's what you're going to have? Better, says the democrat, to vote on it – which gets us back to democracy.

But is it truly democracy that makes it all work as well as it does, when it does? Well, no, actually. What makes it work is reasonable respect for life and property. That is actually liberalism rather than democracy. What the advocate of democracy hopes, and perhaps expects, is that given the choice, people will choose liberalism. And as we have seen, that's certainly not true in detail, at least.

What makes a government work, when it does? The most lucid idea about this that I have encountered is that it works when politically powerful groups in the society in question

What makes a government work? [...] [I]t works when politically powerful groups in the society in question are substantially in agreement. When they aren't, democracy isn't going to help.

are substantially in agreement. When they aren't, democracy isn't going to help – it's very likely to make things worse. When they are, government will function whether or not it's democratic.

It may be thought that that is not a very helpful conclusion. I have to agree with that. There is no guarantee of much in the political sphere. But our aspiration should be to uphold human rights, on a reasonable view of what those are. Our basic right is not to be assaulted, ex-

cept only when we fail to respect the rights of yet others. The innocent must not become targets, and that holds for all persons in authority, as well as private persons. And innocence is not a matter of adhering to some dogma or doctrine, but rather of being devoid of criminal tendencies – not in the sense of tendencies to violate the law whatever it is, but rather in the sense of engaging in violence – assault and robbery, especially. Respect for all humans who can respect others is the sine qua non of humanity. Humanists, especially, should be especially sensitive to that. Government is for humans, not to see how much we can extract from our neighbours. •

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