

EUDHIT

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Structural and Normative preconditions of Democracy (AI & Democracy #4)

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Lecture: Structural and Normative preconditions of Democracy (AI & Democracy #4)

Some preliminary remarks on Digital Humanism

Digital Humanism is both a theoretical position and an ethics for the digital age.

From a theoretical point of view, it rejects positions such as the mechanistic paradigm (“humans are machines”) and the animistic paradigm (“machines are (like) humans”) that question or blur the line between humans and machines.

From a practical point of view it formulates a human-centred approach with principles that put people first by placing human dignity, democratic governance, social cohesion, and environmental sustainability at the centre of technological development.

Some preliminary remarks on Digital Humanism

Digital Humanism aims to use the potential of digital transformation for a more humane and fairer future for humanity in line with the humanistic concept of a, in principle, autonomous and free agent.

One **key question** in Digital Humanism is therefore:

How can digital technologies be developed and used in ways that enable, rather than undermine, *human authorship* and *flourishing*?

Digital applications must therefore not restrict the development possibilities of human authorship, but rather expand them and relieve people of time-consuming, purely schematic calculation and listing work.

The use of digital technologies must not lead to social distortions.

Structural and Normative preconditions of Democracy

E-participation (electronic participation), i.e. citizen participation in political decision-making processes through internet-based procedures, is to be expressly welcomed as a further development of traditional citizen participation procedures from the perspective of Digital Humanism.

Structural and Normative preconditions of Democracy

However, the ongoing process of digitalization also makes the realization of a fully direct democracy, in which all political decisions are made directly by the people without delegation, appear technically and organizationally possible even in large and populous territorial states.

This could lead one to see majority decisions, which are determined in general, direct, free, equal and secret elections and votes, as the only essential feature of democratic decision-making processes.

Structural and Normative preconditions of Democracy

What is Democracy?

What Kind of Political
System is Democracy?

Structural and Normative preconditions of Democracy

Democracy (from the Greek: “rule of the people”) is the form of government in which the people govern themselves.

“government of the people, by the people, for the people” (Abraham Lincoln, Gettysburg Address, November 19, 1863).

Structural and Normative preconditions of Democracy

According to a liberal understanding, however, democracy also requires:

- Universal, direct, free, equal, and secret elections
- Separation of Powers among the legislative, executive, and judicial branches
- Human rights that are binding on all state authorities and cannot be (entirely) overridden/abolished even by majority decision
- Public Deliberation; democracy not as a market but as a forum in which arguments for political positions are presented and put forward with claims to truth
- Expert consultations/hearings
- Cooperation: democracy cannot function if a minority defeated in a vote obstructs the implementation of the decision made by the majority or if citizens act solely as self-interest-maximizing agents.

Structural and Normative preconditions of Democracy: Human Rights

Human beings possess inalienable rights that are, in principle, not subject to disposal and therefore must not be put to a vote.

At first glance, this appears to contradict the basic idea of democracy, namely to ensure the broadest possible participation of citizens through elections and votes.

However, it is also inherent in the essence of democracy that no minority must fear being deprived of these very participatory rights, or otherwise discriminated against, by a majority decision.

Structural and Normative preconditions of Democracy: Human Rights

Indeed, the recognition and protection of human rights is a central component of modern democracies, taking the form of legal rights that apply to all individuals irrespective of skin colour, religion, or cultural origin.

A political system in which all legal rights can be suspended by majority decisions is, according to this understanding, not a democracy!

Structural and Normative preconditions of Democracy: Human Rights

Against this background, it can be argued that human rights are indeed pre-state in nature, i.e. that they exist independently of whether they are recognised within a state, but at the same time that the protection of human rights outside a state order is not possible.

In this conception, (modern) **democracy is precisely the form of state order that ensures the protection and institutionalisation of human rights.**

Structural and Normative preconditions of Democracy: Human Rights

As fundamental rights incorporated into the constitution, human rights provide the (deontological) framework within which majority decisions and considerations of the common good are permissible.

Structural and Normative preconditions of Democracy: Human Rights

The theory and practice of human rights—and, consequently, of democracy—are grounded in the humanistic conception that all human beings are *free* and *equal*.

Human rights belong *equally* to *all* human beings from birth until the end of their lives, regardless of their social status or personal achievements (*egalitarian* and *universal* character of human rights).

Structural and Normative preconditions of Democracy: Human Rights

The second feature of the humanistic conception of the person that is fundamental to democracy—the equality of all citizens—does not deny the empirical fact that individuals may differ considerably in their intellectual and physical capacities, as well as in their talents and levels of commitment.

The presupposition of equality, however, expresses in normative terms that these differences are not (and must not become!) so large as to justify a hierarchy of those who, due to natural luck or social luck, are better endowed in respect to these capacities and traits over those who are less favourably endowed in these respects.

Structural and Normative preconditions of Democracy: Human Rights

Freedom, in this context, is not to be understood merely as **negative liberty** in the sense of the absence of external interference.

Rather, freedom refers to **individual autonomy** as the precondition for being the author of one's own life.

Structural and Normative preconditions of Democracy: Human Rights

This conception of freedom is closely linked to the concept of **reason**.

Reason may be characterized as the capacity to deliberate appropriately about the reasons that guide our actions, beliefs, and attitudes.

Structural and Normative preconditions of Democracy: Human Rights

Freedom, then, is the capacity to act in accordance with the reasons that one has judged, through such a process of deliberation, to be the better ones. If I am free, it is therefore the reasons I have arrived at through deliberation that guide my judgments and actions.

Structural and Normative preconditions of Democracy: Public Deliberation

This capacity for deliberation also plays a central role in democratic decision-making. Majority decisions are typically preceded by a process of **public deliberation**:

- a process in which the arguments supporting the various competing positions are publicly exchanged. Such public deliberation substantially reduces the risk of *strategic voting behavior*.
- a process in which participants do not merely advance competing interests but also argue for their respective positions by raising **claims to truth**.

Structural and Normative preconditions of Democracy: Public Deliberation

Two objections to such a
conception of public
deliberation are virtually
inevitable:

Structural and Normative preconditions of Democracy: Public Deliberation

- 1) Don't these two characteristics of public deliberation describe a very idealized image of democracy - given the importance of lobbying? Isn't democracy about articulating and asserting one's own interests - albeit through democratic (and, above all, nonviolent!) means?
- 2) And wouldn't insisting on claims to truth lead to conflicts and civil war-like conditions, comparable to the religious wars of the Middle Ages?

Structural and Normative preconditions of Democracy: Public Deliberation

Ad 1):

There are counter-examples, e.g. demanding tax increases that affect one's own income/wealth for reasons of justice.

Structural and Normative preconditions of Democracy: Public Deliberation

Ad 2):

Deliberation—and thus the weighing of reasons as well as the argumentative, rather than merely persuasive, advocacy of a position—is hardly conceivable without claims to truth. Indeed, even members of parliament do not act as mere representatives of the particular interests of their party (and its electorate); rather, they also argue for why, on the basis of certain reasons, their position (in the form of legislative proposals) is preferable to those of other parties in a given situation.

Structural and Normative preconditions of Democracy: Public Deliberation

Why, then, should such an attitude grounded in claims to truth lead to conflict?

After all, even at scientific conferences opposing positions are regularly presented with claims to truth without this resulting in violent confrontation.

The fact that this is so—that disputes over views remain peaceful—depends crucially on the circumstance that *the respective truth claims are not advanced in a spirit of certitude claiming absolute certainty* (as is characteristic, for example, of totalitarian ideologies), but rather in the awareness, that however convinced one may be of the truth of one's own position, one may still be mistaken, and that even one's political opponent (or a scientist defending a different theory) could be right.

Structural and Normative preconditions of Democracy: Public Deliberation

This may be described as a **fallibilist perspective**: we may always be wrong; we are always searching; and, in particular, there is no authority that possesses definitive competence to decide which of the competing positions is correct.

Structural and Normative preconditions of Democracy: Expert Consultations

However, the importance of deliberation in the decision-making process within a democracy is evident not only in the discussions that take place prior to a decision being taken in the plenary session of the relevant parliament and also in the public sphere – during which arguments for and against draft legislation are put forward – but also, for example, in the consultation procedures carried out beforehand, during which *experts* are questioned by the members of a specialist committee on specific topics.

Structural and Normative preconditions of Democracy: Expert Consultations

The term 'experts' does not refer here to 'philosopher-kings' in Plato's sense, who would possess specialised knowledge of what is right – and therefore what has to be decided and to be done – in the political sphere. This is, therefore, not about 'experts in making the right political decisions' (if such experts existed, referendums on political issues would ultimately be just as questionable as referendums on purely technical or scientific issues).

Structural and Normative preconditions of Democracy: Expert Consultations

Although there is no such thing as expertise in purely political matters, they are often linked to other issues for which expertise does indeed exist. In order to assess the prerequisites and implications of a political decision, therefore, a wide variety of expertise may be required, depending on the area or areas to which the decision relates.

Structural and Normative preconditions of Democracy: Democracy as a Market?

According to a further paradigm, the democratic political system can be understood as a market.

Within this paradigm, democratic deliberation is understood as consisting merely of **bargaining games**. Consequently, the influence of interest groups and lobbyists on political decision-making is regarded as a positive phenomenon. Some proponents of this approach also argue that the public sector should be organized according to market principles.

Structural and Normative preconditions of Democracy: Democracy as a Market?

There is, of course, no denying that bargaining plays an important role in democratic decision-making and voting processes, which are often shaped by the need to reach compromises.

In light of the preceding discussion, however, it is highly questionable whether democracy can adequately be understood as nothing more than a process of socio-economic interest aggregation and accommodation.

In particular, a conception of democracy based exclusively on the market paradigm leaves no room for critically examining the rules of the game themselves. As a consequence, even criticism of lobbying loses its normative foundation.

Structural and Normative preconditions of Democracy: Cooperation

Cooperative behavior is indispensable to the functioning of a political community organized according to democratic principles.

In the absence of cooperative behavior and the corresponding underlying disposition, it would be difficult to account for why a minority that has been outvoted in a collective decision—and whose cooperation is required for the implementation of the alternative adopted by the majority—does not seek to obstruct its implementation.

Structural and Normative preconditions of Democracy: Cooperation

The seemingly straightforward objection that the minority behaves cooperatively merely because it fears sanctions fails to recognize that even minorities, once they reach a certain size, can scarcely be compelled to cooperate through sanctions alone.

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Structural and Normative preconditions of Democracy: Cooperation

The conception of democracy as cooperation thus implies that democracy cannot simply be understood as a mechanism for the optimization of individual interests.

This does not mean, however, that individual interests are irrelevant.

On the contrary! It is precisely the widespread practice of cooperation, together with a public and deliberative process of decision-making, that ensures that, in a democracy, as many groups as possible have a realistic opportunity to advance their own interests at some point.

Structural and Normative preconditions of Democracy: Cooperation

Although decisions made under the majority rule almost invariably produce a losing minority, and the outcome of any particular vote therefore rarely, if ever, reflects the consensus of those participating in the decision, the choice of democratic voting procedures themselves (rather than, for example, decision-making procedures such as dictatorship or a three-class franchise) can be interpreted as expressing a consensus.

As argued above, this consensus renders cooperative behavior in the implementation of majority decisions reasonable from the perspective of all participants in the decision-making process.

Structural and Normative preconditions of Democracy: Cooperation

Since this consensus does not concern the outcomes of particular votes but rather the higher-order question of the procedure by which those outcomes are determined—in the terminology of the logic of collective decision-making, the aggregation rule or aggregation procedure—it can be referred to as a **second-order consensus**.

Structural and Normative preconditions of Democracy: Conclusion

The essentials of liberal democracies must also be retained when using digital participation options, as they serve the humanistic goal of strengthening the ability to make judgments and decisions and thus individual and collective autonomy.

Structural and Normative preconditions of Democracy: Conclusion

Digital information and decision-making technologies should be used as a supplement to parliamentary, representative democracies based on the rule of law - but they are merely a support, not a replacement!

**Thank you for your
attention!**