

PUBLIC OPINION: THEORY FOR TOMORROW

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Public opinion has been studied in a variety of ways, and the method adopted in each case is dictated in large measure by the kind of results the student may seek. One may ask: what is public opinion at a given time, in a given area, on a particular issue of public policy? The characteristic method of such an inquiry is to make a survey, or take a poll, of a number of people, who by some definition may be regarded as members of the public. Statistical analysis, mathematical calculations, and just plain judgment, all play their part in such an inquiry. Even the more complicated tabulating and projection machines may be used to reach final conclusions long before complete statistical data have been assembled. Public officials may dream of a time when a competent civil service can use such investigations to determine either what public policy must be, or to what extent it retains the confidence of the general and open public. All over the world such devices for studying popular reaction have come into use, and in spite of some failures they are sufficiently attractive to have a brilliant future.

But one may also ask: what does public opinion mean to any particular individual? In other words, if we start with the self-conscious existence of a person, we can see him project his consciousness to something "other" than himself. We can see him judging something that may be called "public opinion" solely in accordance with its meaning in his own existence. Little work has been done in this area, and probably not even the most adept pollster can get very far in such an inquiry. Yet any single person must see himself as partly organic with the environment of attitude, judgment, and feeling in which he lives. He must estimate to what extent he lives in harmony with public opinion, and to what extent he is in rebellion against it. He must calculate the pressure it can bring to bear upon him, and the penalty it may exact from him if he openly flaunts what the community insists should be done or not done. In a philosophical sense, this is the real public opinion, for the collective judgment, however it is made, must be a product of the individual's conception of the significance of public opinion.

Some may escape public opinion to a varying extent, while others live in a disciplined society, such as the army or a business organization, in which the penalty of resistance is exclusion from the society itself.

In another sense, but closely related to the position just stated, one may ask: what do philosophers, students of society, or, in general, intellectuals think public opinion is? Such is the inquiry of this paper. Our inquiry has behind it the issue of the sociology of the intellectuals, just as one might inquire into the social rôle of any identifiable social class. For the intellectual, of course, the conclusions drawn by the more refined students will have a greater validity or force than the ideas of those who operate with a less complex system of concepts or techniques of investigation. On the other hand, those who are committed to quantitative and positivistic techniques of study might argue that the philosopher or the speculative mind in general has little to contribute to the subject. Here is an issue that will not be resolved quickly between those who believe that public opinion is capable of exhaustive theoretical treatment, and those who are concerned primarily with the measured fact, or fact according to a pre-arranged statistical conception of the subject. This paper assumes that even a purely factual technique must rely on some sort of metaphysical commitment in order to determine what facts are to be sought.

The issue of public opinion has been related perennially to the tension between those who govern and the general community, or the "open" population. In the large sense, a "public" has been always an issue of public law, or the organization of power and its distribution among those who hold political office. But the recognition or formalization of the rôle of the community in which government is "public," or generally known or discussed, is merely a beginning. Immediately, the question arises of the value of the "opinions" of those outside of the decision-making or governing group. The quality of opinion has been the constant object of generalization, and through most of Western history the philosopher has regarded the opinions of ordinary people as of less value than the more critical or elaborate propositions of the bureaucrat, the philosopher, or the theologian. Much of the uneasiness in the study of democracy arises from this enduring tension, projected from the study of democracy in the ancient world into the Armageddons of

political thought in our own time. However, the criticism of opinion is seldom absolute, for even the most complicated and abstruse of theoretical judgments must coincide at times with what may be generally believed by those outside of government. Is such a coincidence mere accident, that may be all but ignored, or does it arise from a more profound epistemological truth, that social and political validity itself in some degree is what "publicity-sharing" individuals may think?

Thus, the method of judging acceptable and unacceptable opinion becomes of transcending importance. In general, one may say that any such judgment must arise in the mind of the judger from his generalizations about the world in which he exists. The inarticulate premise is often the most conclusive factor in any theory of public opinion. One common principle is that public opinion is at times intelligent and well-founded and sometimes it is not. In the ancient cyclical theory of the forms of government public sentiment runs a gamut from high justice to the most abject corruption. However, from the time Christian thinkers rejected the cyclical theory of the universe, the test of corruption or purity, or authoritative and anarchic opinion, is a judgment about correct social policy that is accepted by those who share most intimately in governing the large mass of society.

The growth of technical propaganda, the administrative control and censorship of mass communication, the expanding fiscal and social efficiency of the state, and the necessities of modern war, are present in the democracies as well as in dictatorships. Political invention has strengthened the power of the governing class, and it has at the same time weakened the capacity of public opinion to control the government. Naturally, the independence of mass opinion in the modern autocracy has been destroyed, but the power of censorship, propaganda, and suppression in the democracies has restricted the influence of public sentiment. Few new devices to make public opinion stronger have made their appearance since before World War I, and such invention as there has been has worked toward the greater power of government in the manufacture of opinion, or toward the neutralization of public opinion opposition.

The unhappy conclusion is thus reached that for our time the power and influence of public opinion on government has attained its height, and that it is, considering the general political experience

of the recent generation, receding in its ability to control government. Correlative to this proposition is the fact that the denial of the rationality of public opinion has also reached its height in the modern totalitarian régimes. The trend of modern skeptical philosophy in democracies has, moreover, supported the view that the opinions of those who stand outside of government are either irrational or ill-founded. The issue of a free public opinion, that is, democratic public opinion in even a moderately ideal sense, hangs in the balance. Mass communication and government propaganda are immensely powerful in any case. Such power is squared in dictatorial societies, while it is amplified in societies where the philosophy of the governing class is stubbornly relativist and critical of beliefs in a moral order. The prolonged engagement between secularist and intellectual élitist theories, on the one hand, and those theories which attach validity to the historic and religious theories of morality, on the other hand, is not done. But it is surely the latter that turn to the common man as he is with some degree of approval, and which support the influence on government of ordinary and traditional opinion.

It is apparently true that in the United States the naturalization of the idea of public opinion has gone farther than in most European states. The American tradition of equality, of individual rights, of a religious freedom that does not mean in fact the negation of corporate religious life, the belief in the right to an education, and to economic opportunity that in the aggregate is significantly wider than in most democracies, have all aided the acceptance of the principle of public opinion in American life. Respect for public opinion is not, then, based on the relativism or scientism of secularism, but on the continuing belief that the American tradition is valid, and that these validities are a context for the right of the citizen to speak back to the state and, indeed, a context for the work of the scientist as the servant of progress. We recognize that much opinion is irrational or superstitious, but the principle of a permanent revolution toward equality, the idea of a great mass-oriented culture, the rejection of class or of status or privilege associated with class, all point toward a charitable society of free individuals. It means that no citizen need mute his voice in the presence of the intellectual, and that the contribution of each citizen to public opinion is part of the democratic process.

When the editors of *Fortune* studied the relations of the United States with Europe, they were impressed with our failure to speak the language of the European intellectual. "We have been so unaware of basic differences that we have persisted in talking to the Europeans in terms for which there is no foreign equivalent: *participation, community relations, incentive, public relations, productivity, man-in-the-street, public opinion* — the very listing itself produces a syllabus of the American philosophy. And a glossary of misunderstanding."¹

It is probably impossible, and perhaps unnecessary, to state a precise definition of public opinion. But it is likewise true that discrimination in the analysis of public opinion is a significant step toward understanding it. Definition must reach in two directions. It must seek to clarify the nature of the public as an organ of political society. But definition must also seek, in the second place, to state some of the formal and philosophical conditions of a free public opinion. It is the examination of these two radii of definition that will occupy most of the remainder of this paper.

If one speaks of the public as a *general and common idea*, it has been defined as the people at large, or every member of a defined community, or more particularly of a political society. The public is spoken of as that which is open or general, or, let us say, a single publicity; it has been defined as a large group, as those among whom there is general communication, as those who pay attention to the matter of mass communication; it is contrasted with private life, as those who speak openly to anyone, and, relatedly, to those who engage in the open discussion of controversial issues. Sometimes the public is defined as the majority, without qualification, meaning unconditional relativism as to values and an absolute power of the majority. It has been thought of as all those who are outside of the group making immediate decisions, that is, the public consists of spectators concerned more with the rules of the game than its outcome. And, finally, the general public has been defined as those who accept inarticulately the decisions of majorities or pluralities.

It is common, moreover, to speak of the public in a *specialized or functional sense*, that is, the publics of specialization. Thus a

¹"Have We Any Friends?" *Fortune* (February, 1951), 118.

public, as distinguished from the mass, becomes a functional group or minority of competence, such as a race, a party, the civil service, the lawyers, those who follow a particular sport, and so on. More particularly, it has been assumed that the public is the middle class, or it is the urban groups who enjoy specialized functions and internal communication. Related to this idea is the definition of the public as a kind of "representative" social class of intelligence and information. The leadership of a society has sometimes been defined as the public, such as some preponderant élite that may in fact be outside of the formal or parliamentary means of decision. In the larger sense, however, this concept of publics relates to groups of people who pay attention, for whatever reason, to special types of communication.

Another approach to the public is to identify it with *some sort of analysis of community life*. The most impressive and withal monistic approach to the community in modern political thought is that of philosophical idealism. One might say here that the public consists of all who are members of a moral organism or society, or all of those who are equal in such a community. Shading away slightly from idealism is the pragmatic or instrumental concept of the public, in which the public consists of all those who are affected by the indirect consequences of behavior. As to direct consequences of conduct, the public consists of spectators, but as to indirect consequences those affected become participants in community experience. Likewise, the public has been defined as all those who have either consciously or unconsciously a common interest. The emphasis on psychological unity is sometimes related to idealism and sometimes it is not, but psychological study has suggested that the public consists of people who share a unity based on communication, such as a crowd, a mob, or a group united without direct physical contact. In the extreme, such a view may identify the public with those who share membership in a group mind.

Lastly, the public has been defined in various ways as *an organ of political society*, and this view is related ultimately to a decisional theory of the state. Here, one may say that the public is simply all those who are subject to a government, who presumably have a common allegiance and some degree of common loyalty. But this affirmation makes the public essentially the object of decision rather than its subject. The public as subject may be spoken of as those

who generate public power by the mechanical force of opinion, whether such opinion or consent may be true or false. Public opinion is, then, identified with ruling or effective opinions. The public has also been defined as an attention-for-power group, or a group that will accept the decisions of a constitutional majority on commonly recognized political issues. In turn, the public has been defined as all those who share in political decisions, though only in extreme and perhaps revolutionary theory has the public as the people been identified with the government itself. More common, however, is the view that the public consists of those who share in or affect certain types of political decisions under conditions of control, that is, under a public law that assures participation in a specific sense, or the recognized forms of political behavior that receive the protection or acceptance of public law.

Under these conditions of diversity in definition of the public, it is reasonable to try to state the problematic of public opinion simply as "the public opinion situation." Public opinion, then, arises in the dynamics of a society, one phase of which is, of course, the government or the political aspect of a functioning society. For a public or a public opinion to exist there must be a division between those who rule and those who are ruled; in other words, there must be a recognition of the political distinction. But in addition there must be some body of norms of governmental conduct, which may be traditional or of more immediate provenance. That is to say, the political distinction itself implies some form of constitution or system of public law, whether it is written or customary. It is these circumstances that define the pre-conditions of the existence and action of the public.

Most significant of the implications involved here is that the public consists of those who in some identifiable way are outside of the decision-making group, the government, the political class, or let us say those who at least announce the sovereign or final decision. Public opinion, thus, always comes from the outside in, from the least influential to the most, from those who have least to do with political decision toward those who have the most to do with it. Public opinion must be finally a body of opinions on political or policy decision, but it is more than just this, for it is that opinion which shares more or less in influencing decision. Depending on the details of the public code, the public may make some decisions,

such as the election of public officials, and it may have only an ultimate and indirect share, as, for example, in the course of judicial interpretation of the fundamental law. Participation, then, in the public opinion situation is both a legal arrangement and a sociology of power. The primary public opinion situation is concerned with notions of constitutional law, perhaps in the Aristotelian sense of the arrangements of office and power, and it is to be distinguished from the decision-maker and the "public" in the voluntary social group. Such a group would at best have a quasi-public and social rather than public opinion.

Such an analysis of the public opinion situation is applicable in theory to any society, though it would, of course, be more relevant to the mature political community. But it answers none of the qualitative issues that arise in the modern theory of public opinion. In a modern democracy it is admitted, broadly, that a free public opinion carries with it the obligation of deference from the ruling order. That is to say, a public opinion of proper moral and intellectual quality carries with it the right to direct in degree the course of political decision. Philosophies of social life and obligation are, finally, the basis of judgment as to the obligatory character of public opinion.

Democratic theory states this proposition in a rather formal manner without specifying in detail the circumstances in which a free public opinion exists. It is said, for example, that we must abide by the majority decision if such a decision is made with a full knowledge of the facts, but in a different vein it appears to some that a full knowledge of the facts will be attained only if the conscience of most members of the public is inspired enough to seek it.² Otherwise, what we may have is simply "confused public thought."³ It has been said, also, that "public opinion should be the final judge on matters of policy only when all the pertinent facts have been widely discussed, so that it can be reasonably certain that interrogator and respondent are talking about the same thing."⁴ And it is recognized that democracy is not merely apply-

²See Owen J. Roberts, "Wanted: Public Opinion," *The Public Opinion Quarterly*, 9, No. 3 (1945), 261 ff.

³*Ibid.*, 85, for the opinion of the editors.

⁴See *The Public Opinion Quarterly*, 14, No. 4 (Winter 1950-51), 686, citing H. Field and P. F. Lazarsfeld, *The People Look at Radio* (Chapel Hill: University of North Carolina Press, 1946), p. 76.

ing the will of the people, for "it is the whole long process by which the people and their agents inform themselves, discuss, make compromises, and finally arrive at a decision." Moreover, such theories imply that the executive and administrative agencies are best able to see a public policy as a whole, while the legislature becomes rather a forum, more or less as in Hegelian or Wilhelman Germany, for the criticism of executive and administrative proposals.⁵

Aside from the issue of the power of any body of public opinion, democratic theory must be concerned with the conditions under which the proper action of the public creates political obligation. In general, the answer is, thus, that only a mature public opinion creates such obligation. Consent in an original sense may make a government legitimate, but such consent does not answer the issue as to any specific and subsequent political decision. The maturity of opinion is, therefore, the pre-condition of any majority rule at all. If in policy one value, or one set of facts, is more intelligent than another, leadership, in democratic theory, must offer the choice and urge the rational.⁶

An issue that has disturbed many sensitive students of our times, however, is that of the "mass man." Here, the student is concerned with the utter and abject corruption of the general public, and he shrinks with horror from the political participation of such masses in the operations of the modern state. What does one do if a preponderant number of people with the modern right of political participation turn to fascism or communism, or some variety of totalitarian society? What if public opinion expands the area of irreconcilable conflict in politics so that the customary and long-established pluralities of society are denied with violence, or with whatever denials of rights may be necessary? It is not sufficient to say that then there is no public opinion, as A. L. Lowell might, for there is still the right of participation and a public "opinion" that sustains these views. Under these conditions the "social" becomes the terrible and implacable enemy of man. A philosophy of values is inescapable, if for no other reason than that

⁵John C. Ranney, "Do the Polls Serve Democracy?" *The Public Opinion Quarterly*, 10, No. 3 (1946), 349-360. The elitist bias is always just below the surface, even in the most enthusiastic of democratic thought.

⁶Cf. Lester Markel and Others, *Public Opinion and Foreign Policy* (New York: Harper & Brothers, 1949). A judgment of the "ignorance" of public opinion is offered in this volume.

such revolutionary and divergent régimes can and do resort to war to overthrow those who disagree. It seems best to admit that the mass man represents a kind of public opinion, but that in the light of Western philosophy the corrupted reality of this opinion denies it the capacity to create political obligation. And, implicitly, obligation may then arise from some source that is not public opinion.

For tomorrow, then, one of the great issues for the student of public opinion is what to do about the mass man and his leaders, who exemplify "the treason of the intellectuals." The mass man is not a member of a mere mob or a crowd, for these form and reform, passing as the symbols of unity wane in their power. The mass man has fled from freedom and responsibility, and his political life is a selfless loyalty to a political system. He admits no personal responsibility for his opinions and his escape from freedom seems perfect. He does not care for accuracy in political communication, for he is willing to accept what his leaders tell him, and his hates and loves move with the symbolism of mass communication. Perhaps he is so because his leaders have discovered that power can be gained through his willingness to surrender his right to personality in the political process. Ours is the age, said Benda, of the intellectual organization of political hatreds; it is also the time of mass passion directed at government. Politics has been divinized with a new amorality, beyond Machiavellian conceptions, which makes "good" anything the state may do. And the "soul of Greece has given place to the soul of Prussia among the educators of mankind."⁷ The really new thing in politics, argued Benda, is that both intellectuals and mass men claim the right to feel publicly their political passions.

What can be done? Hope, patience, and even war may be the answer to the totalitarian régime, but the answer within democratic and constitutional society is to face again some of the seemingly outworn issues. Technique is not sufficient and philosophy for freedom may not be. And the fine point of discrimination is probably the point at which techniques in the democratic management of opinion become in fact harmonious with the further techniques and theories that have assisted in the destruction of the

⁷Julien Benda, *The Treason of the Intellectuals (La Trahison des Clercs)*, trans. by Richard Aldington (New York, 1928). Also, Hannah Arendt, *The Origins of Totalitarianism* (New York, 1950).

freedom of the personality. Admittedly, this is a difficult issue, for the contrast at the extreme produces agreement and a common recognition that all are really on the side of the angels. It is appropriate that the theory of democracy should be re-examined constantly, but the re-examination must, in an age of technics, consider the narrowing range between the democratic management or manufacture of opinion and the totalitarians who carry techniques a step further in order to proclaim a new freedom for their selfless followers. It is clear, thus, that the background consideration of the quality of free opinion is a consideration of philosophies that state and evaluate the norms of social existence. On these matters, perhaps, little agreement can be expected in our time.

The analysis of free public opinion coincides frequently with the discussion of democracy. In the late eighteenth century consent to government meant some procedure by which the people knowingly agreed to constitutions and the revised codes of Civil Law. Consent was first of all constituent, which was the formal context in which all other immediate consent to public officials or measures might be given. With the decline of confidence in the written fundamental law, consent has increasingly become an immediate issue. That is to say, the question is whether the day-to-day actions of a government command the assent of the thinking and functioning part of the political community. To say that since there is no revolution the people have given their consent has for a democracy, or for a believer in a free public opinion, only a negative meaning or it is an absurdity. The free opinion expresses itself in the public as an organ of the state, but it is an organ that by its pressure or influence shapes to some degree the course of governmental decision. But the quality of consent is determined in no small degree by the effectiveness of the methods of participation, for these are part of the conditions of participation. It seems clear that the means of mass communication, the art of propaganda, the existence of massive psychological factors in leadership, and the increasing functions and effectiveness of political administration, all suggest that the tide is running against the freedom of public opinion. In other words, in order to preserve or stimulate free public opinion there must be a sustained effort at social invention by which the power of opinion outside of government can be increased.

Methods to balance the power of mass communication and the secrecy of public decision must be invented if public opinion as a democratic power is to hold the political balance. At least the machinery must be there for use in normal political matters, and not merely in extreme situations in which public opinion may and does act with explosive force.

Democratic and republican theory has always held that general, popular opinion should to some extent control the government. It has held especially that fundamental decisions should be an expression of the people as sovereign, though it has not held with equal conviction the belief that the immediate decisions of a government agency should express such opinions or ideas. Democratic inventiveness was, thus, fostered during the great days of democratic and republican enthusiasm in the nineteenth century. The extension of the suffrage, the election of more public officials, and the rise of the political party system clearly worked for greater popular control. On the contrary, historic monarchic theory believed that public opinion should support the government, that its criticisms should be restrained, and that the bodies which represented public opinion should be critics of policy rather than its formulators. Such an attitude, of course, stimulated the invention of devices for the organization and control of popular sentiment in favor of the government. Had the techniques of mass communication and propaganda been as well known before the rise of democracy as they are known today, democracy itself might never have come into being. For these techniques clearly support the government against the freedom of public opinion, and they no doubt explain in part the success of the modern authoritarian régimes.

A continued search for a meaningful participation is needed in the increasingly centralized societies of the present day. Such a search is difficult at best. When citizens are resentful they may disobey the law and prevent any enforcement at all. They may explode in revolution or support the *coup d'état* among the élite, or free opinion may be at best simply the ideas commonly held by underground movements. There is then no commitment from anyone that the democratic processes of political society will be observed. The study of the democratic process, while obviously important, lags behind the study of how to make the state more efficient in its administration, or how to discover the latent trends of opinion in

order that administrative policy may either retreat or all the more vigorously create new sentiment. The areas of society in which elements of the democratic process are present can, no doubt, be increased, but the large functional organization, such as the army or the trade union, removes increasingly the control of government from the rank and file. Free public opinion retreats before the confirmation of the iron law of oligarchy.

A free public opinion is more than an opinion that has at its disposal the means of participation sufficient to balance the perennial force of those in power who want to shape opinion to their own interest. A free public opinion involves, finally, philosophical views of what justice in a society may be. We can say that a just government is one that arises somehow or other from the consent of the governed, but we can also say that the state exists for the realization of justice, and the idea of justice involves the whole content of social theory. If it is admitted that some values are better or more true than others, that justice as well as consent is necessary to a free public opinion, then majority rule or any system of participation has its pre-conditions of legitimacy.

The pre-conditions of majority rule are, indeed, more important than majority rule itself. The issue is something like this: what are the conditions under which majority rule is an agency of freedom? A majority in democratic public law is an organ of the body politic, and it is a permanent one, since even the dictatorships have preserved the formality of majority decision, however drained it may be of any implications of free opinion. However, there must be a consensus in a body politic on what majorities will and will not do; even an agreement in a state to disagree on certain fundamentals implies that the majority is limited. The statement or understanding of consensus within the public is the first and the most important of all the pre-conditions of consent, of the governmental power of public opinion, and of the peaceful existence of any type of majority rule. Moreover, the formulation of consensus is the formulation of a part of the content of a free public opinion; it is the public rather than the private system of rationality and morality in an orderly society. In a formal sense at least, a majority that is based on consensus is an agency of freedom. Consensus is the essential pre-condition of a free public opinion.

One of the persistent and traditional means by which consensus

can be stated is the bill of rights. Civil liberty implies that the rights of the person are more fundamental in ordering the state than any organ of the body politic, and that the rights of the minority are as fundamental as those of a majority. Civil liberty is the formal eighteenth-century answer to the issue of consensus. But the statement of a national social philosophy in a bill of rights is a common device that has developed since bills of rights were first placed in our revolutionary American state constitutions. The effort has reached the international stage with the United Nations Declaration of Human Rights. Here we have, without agreement on essential philosophical views, the broadest statement of consensus among modern political leaders that is in existence. A modern democracy, then, affirms both the inalienable rights of the person and the right of a majority to make decisions within the pre-conditions laid down. Free public opinion is, therefore, one that has the capacity to resist the projection of governmental influence, to thrust its own power back at the government through its means of participation, and it is one which is guided by the morality and the reasonableness of consensus.

The bill of rights, however, is hardly a completely satisfactory means of stating the pre-conditions of the majority rule of free public opinion. Declarations of rights seldom state the philosophical views on which consensus stands or falls. As instruments of democracy, they seek to reach agreement on a particular right between diverse and fundamentally hostile theories of obligation. The reluctance of democracy to insist on uniformity in philosophical view and its great effort to attain agreement on things that can be done is, withal, one of its powerful attractions as a system of government. Part of the search, then, for a free public opinion is the per-during examination of the nature of the community and the nature of man. If we deny the truth of all values, we deny that man has a nature, and we assume that the community is such a limitless experimental process that there can be no criticism of anything it does. We may well agree that there is little chance that all the Western world will ever agree on one set of theories of the nature of man or of the nature of the community. A free public opinion must rest in practice on the consensus of such documents as the United Nations statement of rights, and on the strength of philosophies that affirm those rights as rational or valid.

Implicit in such a view is the defense of some sort of pluralistic society. We can say that democracy rests on certain fundamental agreements, but it is equally true that it rests on the peaceful ordering of fundamental disagreements. In a practical sense, freedom is granted the fundamentally divergent view as a matter of public law, though it does not imply that the fundamentally diverging views are accepted as true. If one believes his philosophy is true, he must fight for it, but he can also accept the formal democratic consensus and instruct his philosophy to support that program. The pluralist notion of a free community suggests that ultimate distinction in the New Testament: Render unto Caesar the things that are his and unto God that which is His. The state, then, can be a condition of right; it may be will and not force. An arbitrary political will is by definition the denial of the rights of the person and the destruction by government of such rights. Pluralism affirms against individualism the existence of *corps intermediaires* that fiercely resented relic of the Old Régime. It does not suggest that the freedom of the person can be expressed only in the individual; rather, it implies that freedom may be found in traditional and voluntary social groupings, which by implication carry with them the inalienable rights of the United Nations Declaration; it may be found in the family, in the religious body, in the economic group, or in loyalty to the professional society. It means, withal, that a democracy may have a program, but not uniformity in its theory of the nature of man and society. It implies speech for freedom more than it implies freedom of speech; the legitimate majority is the creature of civil liberty, but civil right is not the philosophical creature of the majority.

On government and on citizen rests the most serious obligation to create a free public opinion, and the conditions of legitimate majority rule, for we have here the elements of democratic public order for our time. But there can be no perfection in any political procedure; the achievement of free public opinion is, therefore, always short of what may be considered ideal. The sovereignty of a free public opinion, as an abstract idea, for instance, is different from the modalities of majority rule, for the latter implies a formal expression under carefully defined conditions, such as election laws and existing political party activity, which may and often do in fact deviate from what might be called public opinion. The public,

on the other hand, is to be discovered through the voluntary social group and through the organization of the compulsory political community. For it is from the social group, which is the functional aspect of an idea, that public opinion through the channels of participation in public law arises to the area of actual decision.⁸

Diversity in the creation of the conditions of a free public is harder to reach than might be thought at first glance. The dominant political ideologies of our time are locked in conflict, and strength in such conflict is greater as ideological uniformity is reached. Freedom of opinion in such a conflict is an evidence of weakness, at least to the opponent. Independent corporate opinion means internal conflict in philosophy, in public policy, and in regard to the men who are granted power. Associations, once free, tend to become compulsory in social struggle, their governing orders widen the distance between them and the common members, and dissent may be regarded as treason to the recognized common cause.

But more subtle tendencies than this are involved, since Liberalism has a strongly individualistic background which has resented from the time of the French Revolution the formation of corporate thought. Liberalism has stood for freedom, but the expression of that freedom has increasingly become the unitary policy of the collective state. Tolerance is no easy matter. Can secular scientists really tolerate a public opinion that is not guided by the postulates of science? Can it accept with generosity a public opinion that is guided by religious values? Can it stop short of accepting the Bismarckian state, the German *Rechtsstaat* with its bureaucratic control, its concern with military affairs, its theory of a directed public opinion, its "idea-planners," and its belief that good citizenship means support of the government? In such a society, whatever diversity in group organization there may be is sanctioned or approved by the state, while group life that runs counter to the principles of the government may in fact be controlled by censorship and suppression. Must not the media of mass communication become increasingly the means by which public opinion is organized, rather than the means by which a vital group life imposes its wishes

⁸See Herbert McClosky, "The Fallacy of Absolute Majority Rule," *THE JOURNAL OF POLITICS*, 11, No. 4 (November, 1949), 637 ff.; Willmoore Kendall, "Prolegomena to Any Future Work on Majority Rule," *ibid.*, 12, No. 4 (November, 1950), 694 ff.

on those who rule? And the theory of communication in such a situation becomes more technical, mathematical, and scientific, and correspondingly less concerned with the values that are expressed in communication.⁹

Liberalism in more recent times has become committed to a rich group or corporate life. Against the totalitarian régimes, it stands for free communication, the emergence of the content of that communication from associative life, and diversity in policy and in basic philosophical theories of man and society. And the consensus that is accepted as the pre-condition of free communication closely resembles the ideas in the United Nations Declaration of Rights. The problem may be stated something like this: how can any ideological movement adhering to freedom yet insist that some issues must not be discussed in mass communication? How can we keep the so-called "lower levels" of opinion from the area of "outloud" opinion and discussion, and yet preserve freedom at a higher level of agreement? Can we not say that opinion in favor of race riots, race discrimination, the denial of religious freedom, and the rejection of democratic processes may be restricted within the context of free public opinion? It is only when these things are restricted to private opinion that a free public opinion is possible.

Such a conception implies no uniformity in public opinion, nor any right of a government to insist upon it. Such a restriction on public opinion is to be based on social theory; on views of the common good and of justice in the relations of men and groups. Neither the revolutionary élite nor the degenerate group can be permitted to take over politics in the name of another form of freedom. Logically, there should be no general, popular vote, and no majority action on whether the human person is entitled to freedom, on whether the process of democratic law-making and decision should be kept or rejected, and none on a multitude of issues concerning the religious, moral, philosophical, familial, and other freedoms of the individual. Assuming all of these things, however, the customary range of democratic political controversy remains hardly

⁹Cf. C. E. Shannon and Warren Weaver, *The Mathematical Theory of Communication* (1949). These authors believe, apparently, that a purely mathematical theory of communication can have some import for the content of communication.

changed, for the consensus and diversity of a free public opinion in a free society has not been attacked.

Even a free society does not have to idealize public opinion, or to say that the common man has all wisdom, as sometimes seems implied in the contemporary cult of the common man, who seems to have no family or economic associations and certainly no roots in his own history. Perhaps extreme idealism is out of place until something approximating a Greek excellence has been realized. And a democracy does not need to assume that all men must understand all things political. For there are levels of appreciation both in principle or morality and in political technics. We can admit the complexity and the danger in human motivation, but we can say that the criticism of principle goes beyond the analysis of motive. A democracy must seek through its public consensus to achieve popular support above the level of average opinion on technical and administrative matters, while it remembers it is of the greatest importance that the common man understand there is a common good and political justice, however imperfectly governments may realize them. If a free public opinion is to exist, all this must be done short of political tyranny; it must be done within the framework of constitutional society. In this way, the means accepted by public opinion may fall short of violence, except as violence is used by the state for war and the repression of the criminal. But the education of public opinion is free in the sense that it is not dominated by the views alone of those who have power, and education itself is shared by the state and private and voluntary associations or functioning groups of citizens.

Moreover, the import of this discussion is that there must be a continuous search for a common good, for social justice, or, indeed, for a general will. It is to be found in history and experience, in philosophy and religion, and in science and scientific advance. It is not to be found alone in economic satisfaction, nor alone in personal creativeness, nor in an uncriticized tradition or custom of the popular mind. It is not to be found in a surrender to the state in the name of freedom and welfare, or in the rise of a supreme legal coerciveness. When political power rather than the disinterested general will is stressed, there is, it is true, an exaltation of the prerogatives of the sovereign people. Majorities are sought rather than the common good; intransigence becomes a corroding way of

life, and tyranny may arise from what was once the protection of the presumed rights of the people. And "the way is prepared for the sophistries of modern political management, for manipulating electoral bodies, for influencing elected bodies, for procuring plébiscites."¹⁰

In our own day the issue of what is a free public opinion has become curiously and bitterly precise. One group asserts that such an opinion can be based alone on a modern, scientific view which affirms the nominalistic and empirical theory of rationalism. The other group of thinkers affirms that a free public opinion can come only from an adherence to the moral and religious values of Western tradition, in which the truth and the permanence of social values is affirmed. On the one hand, it is said that democracy arose from the denial of the moral traditions of Christian thought, from the rejection of any discussion about ends, and from the emergence of social relativism. On the other hand, it is said that democracy emerged from the evolution of Christian philosophy as it has been increasingly applied to the creation of free governments, that democracy has been a product of the affirmation of ends which have a rational foundation, and from the rejection of those philosophies that have postulated a relativism of values. On the one hand, a free public opinion is one that accepts its ends as suitable myths, being more concerned with its immediate political techniques; on the other, free opinion is one that is grounded in a philosophy of a common good that is subject to rational defense. On the one hand, all public opinion is to be judged as an anthropologist might in terms of organization, complexity, or social pattern; on the other, the free public opinion, while it may exhibit these things, is free because it has had a glimpse of legitimate government through consent and of a social justice that can be the end of political authority.

One may reach a theory of free public opinion, therefore, either by saying that nobody's opinion is any good, or by saying that the opinion of everyone on a question of values is likely to be worth listening to. In a time of prosperity one may avoid the ultimate question of whether public opinion can be a vehicle for the expression of the more profound values of the human spirit. But this is hardly a view of the procedures of democracy, such as majority rule

¹⁰See Thomas Hill Green, *Lectures on the Principles of Political Obligation*, Sec. 69.

and civil liberty, that can be defended when great injustice is sensed by public opinion, when there is an external issue such as war, or some objective crisis in the life of the state, such as the shortage of a vital raw material. There are times when a citizen must be prepared to say that a government or a majority is wrong, and to stick by that decision.

What method can be used to evaluate the philosophical basis of a free public opinion? One of the useful types of inquiry is to look at the history of democracy. Does the actual development of the democracies of our time give proof of cultural relativism, moral nihilism, and skepticism as to the attainment of truth? The great defenders of rights, of a tradition of constitutional government, and of the rise of the people toward intelligence in opinion, have believed in principles of moral judgment. Democracy in its historical emergence, its defense, and in its expansion has not been an adventure in skepticism; rather, it has been an adventure in faith. It has been, historically, very close to religious ideas.

It is not feasible in the American or in any other Western tradition to exclude the idea of a law of nature from the magistral conceptions that have served in the emergence of the pre-conditions of a free public opinion. Under that law, as interpreted variously, there seems to be agreement that the human personality is worthy of respect, that government should serve its moral and rational needs, and that each man in turn has a right in some degree to consent to the government that rules him. Much modern history has been written to underestimate the force and creativeness of moral judgment in shaping historical events. Yet, who can deny that in our opposition to fascism and communism, it is the keen sense of injustice we recognize that has led us to take positions that may put us into war? When we get a glimpse behind the iron curtain, we see that more than a fortuitous agreement exists on what the rights are which men demand.

If we can say that the historical development of democracy has been related to a principle holding that by reason and knowledge we are able to arrive at some defensible social values, we can also say that on purely logical grounds democracy is compatible with the standards of Western political ethics. By democracy is meant, of course, some system by which the participation of the people in politics is real, and in which such participation becomes the basis

of public decision. In addition, democratic theory suggests that the quality of the judgment of the citizens is or can be worth consulting.

Here we have the issue of a theory of public opinion, the analysis of which weaves back and forth between the idea of participation and the idea of the worthwhileness of public judgment. We have developed a variety of means of public expression under constitutional government, but the confusion of current democratic theory is fully apparent in the way we judge the opinions that are expressed in politics. In the extreme, it is said that the values of public judgment are myths, that they are to be evaluated purely and simply under the canon of cultural relativism, and that the only judgment that is worth considering is one that condemns itself to moral skepticism. The issue of political ethics is twofold. On the one hand, we apply legal and ethical standards to the detainers of power, but, on the other, the great issue in our time is what kind of ethics we should apply to the judgments of men in their corporate life. The issue is, indeed, whether any ethical knowledge is possible in the assessment of public opinion. In the past, writers from the Greeks through St. Augustine, to Thomas Jefferson and on to the present, have said there are times when public judgment is corrupted. If this view has any meaning at all, it is that mass judgment has lost its ethical benchmarks, and that politics has become a naked struggle for power, in which money is commonly used to purchase favor and to neutralize opposition. We find this idea among the Romans, in the Middle Ages, in such a man as John of Salisbury, and among the muckrakers of our Progressive era.

Let it be added quickly, however, that if all judgments are hypothetical, if public opinion consists solely of current myths, if participation and consent are only a phase of the technics of politics, or if all ethical values are relative to cultural accumulation and evolution, there is no basis for saying that any opinion in its political expression can be corrupted. The honest democracy is no better on rational grounds, in this view, than the one that is dominated by bribery, demagoguery, and assassination. Few democrats have held that any public in the exact moment has been a paragon of virtue, but it has been held that a public opinion reflecting the standards of Western ethics is more worthy of consideration than one that does not. In a practical sense, resistance to modern tyranny must

be based on the idea that a corrupted opinion does not preserve a decent respect for the rest of mankind. How could a Greek or anybody else resist tyranny if all views and judgments of behavior are purely hypothetical?

If we affirm the moral foundations of democracy, we make the same affirmation for the rights and evaluation of public opinion. We may then say with *The Nation* that "The voice of the people is neither the voice of God nor the utterance of Belial — it is simply the cry of man."¹¹

¹¹"Vox Populi," *The Nation*, 91, No. 2361 (September 29, 1910), 283.