

Thought, V20 NO 77  
(June 1945)

NOTICE: This material  
may be protected  
by Copyright Law.

# Public Opinion in the Theory of Democracy

FRANCIS G. WILSON

THE DEFENSE of democracy since the beginning of the twentieth-century wars has done little to clarify the theoretical position of public opinion. One might say even that the Munchausen-like story of propaganda has confused the philosophical perception of the democrat. The growth of propaganda technique has likewise blurred the distinction between the technical procedures of democracies and other forms of government. But from classical times to the present democracy has meant a *form of government* in which the people at large participate in substantial measure in the work of government. In democracy, therefore, the opinions of those who participate in government acquire constitutional importance. On the technical side, the issue is the extent to which these opinions, whatever they may be, should be given a controlling power in government; but on the metaphysical side, the issue is the extent to which these opinions do or can embody the principles of justice.

Though clarity in democratic theory on the function of opinion is not common, the problem has not been ignored. Aristotle and his fellow Greeks were quite conscious of the problem of the *quality* of mass judgment, and Pericles' oration, as reported in Thucydides, argues that the Athenian citizen was as good a social theorist as he was a soldier. A concept of any significance implies as background an enduring philosophical debate. In the Western discussion of democracy any writer's ideas might be placed on a scale with points ranging from an aristocratic rejection of the opinions of the masses to an acceptance of them for the determination of public utility or social truth. This scale was, perhaps, as

the  
and  
hey

ism  
eft,  
dly  
ise,

clear among the Greeks as it is among us today.<sup>1</sup> The discussion of the function of opinion in democratic theory must, therefore, be regarded as a part of the evolution of political tradition. But specifically one must try to see what is implied by those elements which have gone into the democratic point of view of more recent generations.

Democratic tradition offers no illustration of a belief that the sole test of justice or utility is what any momentary majority may want. There is, in other words, always a limit on the function of opinion. But to say this is not to say very much, for the principles of limitation are quite diverse. Limitation on the democratic function of opinion is, historically, a mixture of deterministic and humanistic principles; it is both objective and subjective in nature. The theory of the function of opinion in a democracy is, therefore, an application in detail of the idea of limited function. There are, however, close approaches to extremes in democratic theory; some thinkers are almost ready to say there are no limitations on opinion, while others would go so far as to drain any significance from the principle of political participation.

A negative idea thus underlies democratic thought, and the philosophical points of view in political tradition give expression finally to the basis on which limitation is imposed. But in moving quite naturally to the positive side of the case one may observe the approved principles of popular participation in government. It is, indeed, from the idea of popular participation that, by implication, a theory of the function of public opinion is reached, as that body of opinion which is assured the right of participation in political affairs.

Central in Western political philosophy is the proposition that a just government arises from the consent of the community. This idea has been intermingled on the contrary with principles which minimize the importance of popular participation. For aside from minor religious or proletarian

<sup>1</sup>See Alban D. Winspear, *The Genesis of Plato's Thought* (1940); Benjamin Farrington, *Science and Politics in the Ancient World* (1939).

movem  
decide  
form o  
the cor  
refuse t  
erned b  
the rec  
these a  
opinion

The  
munity  
consent

ment.  
soverei  
democr  
howeve  
be call  
under  
govern  
assertin  
distinct  
first cas  
has a r  
ment. I  
ment w  
or to th

The  
stituent  
starting  
democr  
opinion  
implic

<sup>2</sup>The mc  
found in F  
West (6 v  
Thought in

remains  
reprinted in  
A Theory of  
Public Opinion

movements, it has not been assumed that the people could decide there is to be no government at all. Thus while the form of government arises legitimately from the consent of the community, it is inconceivable that the people should refuse to be governed or that they should consent to be governed by tyranny or a despotism, that is, without regard to the recognized principles of justice or law.<sup>2</sup> It is between these antithetical limitations that the theory of functioning opinion must be found.

The notion that legitimate government arises from community consent does not of itself imply democracy, since consent may be given to any of a number of forms of government. The consent of which we speak is clearly popular sovereignty, but this means that popular sovereignty and democracy must be distinguished, otherwise any government however lacking in immediate political participation might be called a democracy. Thus tyranny itself might slip in under democratic coverage. To say that ultimately all just governments are validated by community consent, without asserting that participation must be continuous, is to make a distinction between constituent and governing activity. In the first case, the opinion of the community (however organized) has a range of choice limited to the forms and ends of government. Such a consent could not imply consent to any government whose policy is inherently contrary to the moral order or to the social nature of man.

The historic distinction between the community as a constituent force and a governing force is a logical and necessary starting point for any theory of public opinion whether in a democracy or in any other form of government. Public opinion is here in action at least once, but the theory states by implication that men may not consent to have no organized

<sup>2</sup>The most elaborate tracing of community consent in the West is, probably, to be found in R. W. and A. J. Carlyle, *A History of Mediaeval Political Theory in the West* (6 vols., 1903-1936). But see also Charles H. McIlwain, *The Growth of Political Thought in the West* (1932).

society and they may not consent to moral slavery. In theory the form of this participation in constitution-making is not important; it must, however, be effective. Historically, this consent may be through coronation oaths, that is, a governmental contract, through tacit or customary consent, or through the more modern formality of the constitutional convention and constitutional referendum. In theory, likewise, it may arise through individuals alone or through groups. It may be modern individualism, Rousseau-like, or it may be corporate as through medieval estates, as emergent parliamentary institutions would show. Such a view would be true whether Catholic, or Protestant theory as represented by Althusius, is considered.<sup>8</sup>

Alternatively, under this conception it is said that all government comes from the community, the ruler or the governing order is representative of the community, and government itself must be for the common good. Within such a range, which includes both procedural and substantive limitations, the opinion of the community has a right and even a duty to function. Western political theory has illustrations to offer of thinkers who would ignore the moral principles associated with the common good, but it does not offer us examples of thinkers who, in order to increase the *power* of the people, would have the common good ignored. Machiavelli spoke to the prince and urged that morality might be ignored for the common good; Nietzsche ignored both the historic conceptions of morality and the common good, but the people were the rabble.

Another historical point may be urged here. Medieval theory assumed there was no choice as to the existence of the organized community. It was this belief that in part made the integration by St. Thomas of Aristotle with Christian

<sup>8</sup>See Wilfrid Parsons, "St. Thomas Aquinas and Popular Sovereignty," *THOUGHT*, XVI (1941), 473 ff; Carl J. Friedrich (ed.), *The Politica Methodice Digesta of Johannes Althusius* (1932); Otto von Guericke, *The Development of Political Theory*, tr. by Bernard Freyd (1939).

thought possible. God ordained the State, though in Christian thought it might have been from the fall, as St. Augustine suggested, or in addition from the social nature of man as St. Thomas insisted. Now the modern social contract doctrine, as distinguished from the ancient governmental contract theory, implied at least that there was some choice as to whether the State should be created. Yet one does not assume that Hooker, Althusius, Pufendorf, Hobbes, Locke or Rousseau really meant that men might agree not to have an organized community. At least, the implication is there and this marks the important distinction between Catholic and Protestant thought on this point.<sup>4</sup> In theory at least Protestant ideas broadened the constituent function of opinion. In practice, the social contract theory, being merely a useful fiction or "reasonable" idea, the function of opinion was in no wise broadened. Nor did the Protestant thinkers reject the principle of natural law, though in Protestant thought it tended to become a useful fiction as in Hobbes or even in Locke's conception of majority rule.<sup>5</sup> It was here, in truth, that Protestant thought broadened the governing function of opinion, though not on the constituent side of the theoretical ledger.

The historic principle of popular sovereignty has not been Procrustean, rather it has been Promethean. Its very ambiguity when removed from historical context gave it power; it might be used in a thousand different ways; it has been a misty halo that might surround all revolutions and every reaction. To the extent that limitation was ignored or rejected in particular circumstances, it became associated with the dream of all the discontented and the unfortunate. It has been a symbol that might be engineered by all who have sought power with the support of the people; popular sovereignty almost, but never quite, became the principle that work-a-day political justice is merely what the people want.

<sup>4</sup>Cf. St. Robert Bellarmine, *De Laicis, or The Treatise on Civil Government*, tr. by K. E. Murphy (1928), ch. v.

<sup>5</sup>Willmoore Kendall, *John Locke and the Doctrine of Majority Rule* (1941).

not included  
in A Theory  
of Public  
Opinion!

The transition from historic popular sovereignty to Western democracy was a product of an age of confusion beginning in the sixteenth century. On the one hand, there were specific things the power of the people should do, and therewith the whole problem emerged of the techniques the people might use. On the other hand, the basic divisions in modern theory of the function of opinion appeared as a philosophical counterpart.

In each period the sovereignty of the people has meant different things; it has been the focus of political conflict. For those resisting established order, the rights of the people have been the easiest point of rally. The sovereignty of the people has meant the rights of the many against the one or a few, against the tyrant or the oligarchy of optimates. The tyrant is, of course, one of the simplest of political symbols, and the principle of tyrannicide always slumbers in the hearts of the people, though prayers always, and constitutional controls vested in representative institutions have been available since medieval times. The divine right of the people was placed against the divine right of the monarch in seventeenth-century England, and this resulted in the formal, legal execution of a king and ultimately the constitutional control of succession to the throne. The sovereignty of the people has meant the dominance of the majority over the minority, and here the counting of votes has symbolized the will to power of whole strata of societies. In more recent times democratic idealists have seen in popular sovereignty the expression, at least ultimately, of a higher social will, though such a will might be expressed either in representative or executive leadership.

However, the continuous effort of lower classes economically to do away with the advantages of the rich has given the widest scope to the concept of popular sovereignty. The story of the class struggle does not imply, however, that mere opinion is a measure of justice. It is the function of the people against whom injustice is practiced to do justice through popular action. In the center of the discussion is the proposi-

tion, of course, that the possession of wealth is a sin rather than the idea that poverty is wrong. The leader makes his claim to popular allegiance by promising to right injustice, whether or not the technical political situation warrants such assurance to the masses. The statement of truth is a function of leadership; the acceptance of truth is the function of those who are the people. Conservative thinkers insist there is little difference between the struggles of democrats against oligarchs in the ancient world and the struggles of the masses against plutocrats in the modern world. In all such cases, however, it has not been assumed that there is to be either an active or a frequent participation of the people in the work of government. Even in revolutions the function of the people is largely to obey. Milton and Locke did not go as far as the theorists of direct democracy, whether in Switzerland or in the Progressive movement in the United States.<sup>6</sup>

In any case, the vague, theoretical conception of public opinion as it emerged from the historic principle of popular sovereignty did bring about the invention of devices for the expression and enforcement of the will of the people. Naturally, the expression of the will of the people has been much easier than the enforcement of policies which may be, or seem to be, approved by the participating public. This process of invention is still going on, though since the initiative, referendum, recall and the system of primaries there has been little development. Some today are laboring for the improvement of representative institutions,<sup>7</sup> while the real perfection of political technique is in the bureaucratic field. Even the executive is in danger of being drowned in its own administrative machine. It may be argued that the one genuinely independent force in government in the collective State is the body of civil servants. And from of old they tend constantly to

<sup>6</sup>Cf. A. R. Lord, *The Principles of Politics* (1926), pp. 120-121; Robert Shafer, *Paul Elmer More and American Criticism* (1935).

<sup>7</sup>George B. Galloway and Others, "Congress-Problem, Diagnosis, Proposals," *The American Political Science Review*, XXXVI (1942) 1091 ff.

escape the controls over government established for the benefit of the opinion of those who are governed. Granting the permanence of the newer force, it may be suggested that, short of revolution, public opinion as a force in government has already reached and passed its peak of effective political control.

Democracy is at least a form of government, but as a form of government it must be judged by the political devices it uses in the direction of public power. It is difficult, if not impossible, to determine at what particular point in constitutional history a government has become democratic. It is equally difficult to determine when a particular political system has ceased to be democratic, since formal political devices spread so easily from one system to another. For like any theoretical system, the democratic has never attained what may be called technical perfection. Democrats must accept as "democratic" the historical system which has developed in and been practiced in certain countries of the West. In these countries the diffused conception of popular sovereignty has come closest to realization.

Still, it is obvious that any technique of government must be studied in the light of the political tradition which expresses the generalized and long-run sense of a community. If there is ambiguity in democratic theory as to how the people should control, there is even greater uncertainty in the intellectual systems which have become associated with the democratic impulse. It is this problem, then, that must now be examined, in the belief that intellectual tradition is the balance wheel and governor of the invention and use of political techniques. In practical detail one must observe the values an intellectual tradition accepts as well as the treatment of minorities in the intellectual city of democracy. In approaching ultimates both politics and theology must be considered, or, more pointedly, the theology of politics adhered to by any thinker must be clear. Any theory of the function of public opinion includes finally a metaphysical conception

use of  
quots  
in ATPD

u

of  
kin  
the  
  
of  
in;  
th  
pe  
co  
th  
fu  
fr  
th  
th  
be  
na  
ar  
pe  
be  
C  
do  
si  
m  
it  
no  
ev  
m  
bi  
er  
ar  
th  
no  
h  
—  
Sc  
"C



of the nature of man and the order in which he lives. What kind of philosophical tradition is necessary to give rise to the modern emphasis on public opinion in democracy?

Every theory of opinion accepts limitations on the functions of opinion. This is merely another way of saying that governing opinion is not the creator of truth, for opinion must accept the truth as it exists. Still, there is here a very wide range of possible positions. While the critical period in the modern confusion about public opinion in a democracy dates from the French Revolution, the first question to be faced is the function of opinion under the historic Christian system. Even from classical times opinion functioned in the light of a theology of politics, that is, in the light of a conception of the nature of man in a total moral order. This problem must be stated as a balance between the rational, divinely endowed nature of man as a part of the community on the one hand, and on the other, the disorderly tendencies to evil which appear and must be disciplined in order that the common good be not destroyed. In contrast with the Enlightenment, the Christian view assumed that there are inherent in men tendencies to evil and that opinion arising from inordinate passion is not to be recognized in the custom or law of the community. The principle of restraint must be established, and it is not injustice to repress or evade the opinion which is not in accordance with order. Such restraint would operate even in the choice of government, since legitimate governments are not to be overthrown by rebellion for light causes, but it would be most important in what we have called governing opinion. Here, under natural law, the *jus gentium*<sup>8</sup> and human law, many suitable choices might be made under the principle of social utility. But policy or utility should never be recognized when it is separated from law in the higher sense. Society may always limit for the common good

<sup>8</sup>Max A. Shepard, "William of Occam and the Higher Law," *The American Political Science Review*, XXVI (1932), 1005 ff; XXVII (1933), 24 ff; Philotheus Boehner, "Ockham's Political Ideas," *The Review of Politics* V (1943), 462 ff.

the reasonable rights of the individual. Civil rights, in any case, arise from the metaphysics of the human personality and the corresponding principles of justice.

The great function of opinion, within the framework of its limitation, is therefore to be the carrier of the tradition of justice. The common good imposes through history a duty on the individual to hold his opinion subject to the truth. Rights, for example, arise from nature or the moral order, but inevitably the community through law must regulate the conditions under which rights are exercised.<sup>9</sup>

As the State becomes centralized, as it becomes an empire, and as the intellectual tradition of a society disintegrates, legislation and administration become increasingly important. It was possible, in contrast, for medieval society to emphasize custom rather than legislation as the primary basis of human law and current policy. The ruler in medieval theory represented the people's custom; his right of adjudication under that custom might be absolute, but his power in making the law was strictly limited.<sup>10</sup> Custom, whether Teutonic or Christian, was the basic summation of public opinion. Such an attitude is clearly similar to that of Burke, of English constitutionalism in general, and even today of any society that is traditional and democratic. By contrast Burke's great opponent Thomas Paine, under French influence, moved sharply toward the principle of the free-acting majority emancipated from the limits of the will of restraint in the interest of duty.

No majority despotism could be justified under the great tradition of which we have been speaking. Many of the nineteenth-century students of democracy are diluted exponents of the view that opinion may function properly only under a

---

<sup>9</sup>This view, it is urged, is contrary to the necessity of the modern, centralized, urban and industrial State. The modern State necessitates, in this view, a far greater control over the social exercise of rights than is allowed by the long-run intellectual view of the West, at least up to the Enlightenment. The contemporary demand for political decentralization must be viewed, therefore, as basically in accordance with the historic view.

<sup>10</sup>McIlwain, *op. cit.*, *passim*.

conception of moral responsibility. Both Alexis de Tocqueville and John Stuart Mill, for example, were reconciled in degree to the principle of democracy, but both were concerned with the limitation of the majority, the modes of its responsibility, and the means whereby the individual might be protected against the action of opinion. Perhaps it was not individualism so much as personality with which they were concerned. Like Christian thinkers through the centuries, they believed that the first and true basis of democracy is a respect for the person as the image of God and a correlative knowledge of why man is the image of God. To say that man is merely a psychological mechanism is to justify in effect tyranny, whether of the one or the many.

A metaphysical principle for the responsibility of opinion is found, likewise, in the fathers of our constitutional system, though such men as Jefferson accepted in a confused way both the historic principle of the divinely created nature of man and the newer scientific and positivist theory.<sup>11</sup> *The Federalist* is regarded today as a conservative document precisely because, with its doctrines of limitation and balance in the function of opinion, it considers the philosophical questions that a theology of politics must inevitably investigate. In contrast, the opponents of the *Federalist* critics of democracy never stated their own conceptions of the true work of opinion with the clarity, for instance, of John Adams. In old age Jefferson found himself in startling agreement with Adams simply because his thinking had carried for long years two traditions of the nature of man. The strength of the conservative view was that it knew why and where limitations on opinion in a democracy were to be found, while the weakness of its opponents was that they could not accept in the end a definition of justice as "what the public wants."

From early Christian times to the present the people have been recognized as having a share in government, but it has

---

<sup>11</sup>See F. G. Wilson, "On Jeffersonian Tradition," *The Review of Politics*, V (1943), 302 ff.

been held consistently that opinion must be limited by a responsibility arising from the spiritual nature of man. Out of this position have come the many proposals and institutions which serve both functions, that is, give the people a right to be heard but at the same time limit or frustrate irresponsible opinion. In Christian theory the truth must govern, though admittedly spiritual and rational ideas may be applied in many ways. The spiritual basis of self-discipline is always the limitation by the individual of his desires. The opposing and modern tradition of opinion in action seeks limitation also, but it emancipates the people from constitutional balance and the control of duties while at the same time it minimizes moral responsibility.<sup>12</sup>

Let us turn from the great tradition to the modern tradition. The changes in intellectual climate which resulted in or accompanied the French Revolution have been a subject of unceasing debate. But there is general agreement that the Enlightenment, however far back its roots may be traced, represents a profound change in the ideas of a large part of the West. For the student of politics, the debate between Burke and Paine may symbolize the divergent trends, and the partisans of either will deny that the other is a defender of liberty. Again, when we consider the twentieth-century crisis we must assign part of its complex causation to the influence of ideas.

The new rationalism attempted to emancipate man from what it considered to be unjustified limitations from principles and institutions. The French Revolution and the tradition it represented, as well as the historic Christian view, insisted that man must live in a community; both traditions held that government should be limited and that the Creator did not intend that men should suffer under unlimited power; and they both

---

<sup>12</sup>The earlier idea of the mixed constitution as the basis of limitation is one of the most persistent of the applications of the Christian idea of the function of opinion. At best it has been a mechanical device to attain the application of a philosophical principle. Today we are clearly moving toward newer forms of balance. Perhaps the basic device to enforce responsibility against public opinion in a democracy is the maintenance of civil liberty.

urged that men have rights and duties as citizens of the earthly city. But to the extent that men were freed from restraint in their opinions, the voluntaristic and the arbitrary entered into political action. Part of the mysticism of the general will was clearly that human nature is wholly and unchangeably good, and that education and science must be free to enlighten and direct us in the pathways of progress. To the critic, the natural goodness of man culminated in a belief in the rights of passion and the idea that any opinion has its value.<sup>13</sup> The latent premise of John Locke<sup>14</sup> that men under majority rule would be rational in political conviction and action ended, on the one hand, in the rejection of moral duty, and, on the other, in the justification of the irresponsible mass movement in politics. Thus the democracy of the naturally good man, say the critics, confirms the fears of Burke and repudiates the optimism of Paine. It is because of this essential divergence in our democratic tradition that we cannot define democracy satisfactorily except for partisan purposes. Thus the modern crisis is explained in part as either a logical outgrowth of French revolutionary tradition or as a repudiation of the principles of the Enlightenment.

European democracy in practice has tended to be absolutist. The right of the majority against the minority has not been subject to the same restraints as in the traditional Anglo-American system. Whereas moderation has, during the nineteenth century, been characteristic of these democracies, the continental principle has been the assertion of immoderate and untempered power on the part of those who represent a majority. The rights of the minority have either been obscured or destroyed. While the American representative, in the Burkean tradition is still supposed to speak for the whole community with a moderation imposed by the duties all men have, the continental representative has considered himself the

<sup>13</sup>Cf. Jacques Leclercq, *Marriage and the Family*, tr. by T. R. Hanley (1941), pp. 161 ff.

<sup>14</sup>See Kendall, *op. cit.*, ch. x.

representative only of those who elected him. The principle of rights and absolutist democracy have gone ill together, and revolution and fascism have been expressions in fact of the pragmatic emancipation of the individual opinion from the context of the traditional denial, morally, of unlimited power.<sup>15</sup>

None can deny the generosity and humanitarianism of the intentions of those who founded the modern democratic movement. American thought, particularly, shows the optimism of democratic leaders; it shows their support of science, education, newspapers, and all the conventional means of enlightenment. If these devices take time to produce their effects, there is also a vein of sharp impatience with those who use the means of freedom to criticize or limit the dream of freedom. That is to say, when failure must be admitted it is the result, not of the program of optimistic democracy, but of the machinations of those who are really reactionary in their viewpoint.<sup>16</sup> Most democratic reform movements are based on the idea of the unlimited goodness of human nature and the willingness of educated human beings to support the reforms and revolutions in society which will bring about the new and happy era. For illustrations we might go to the Chartist movement, the period of Jacksonian democracy, the second era of democratic reform in the United States, or to the socialist and revolutionary movements of modern Europe.

But central in the democratic movement is individualism. It is the enlightened individual who will accept the results of science and education; it is the wicked individual who leads the people astray. The democrat is the individual, it is said, who is reformable and malleable in spite of the inertia and crystallization of tradition. Man's nature being good, it is the

---

<sup>15</sup>Moorhouse F. X. Millar, "The American Concept of Man," *THOUGHT*, XVII (1942), 679-680, argues that intransigence in Latin countries in matters of opinion is at the bottom of the ineptitude in setting up governments which are able to hold the loyalty of the people.

<sup>16</sup>See in general Merle Curti, *The Growth of American Thought* (1943).

criticism of the older democratic views which must be accepted, answered or modified with a revitalized theory of public opinion in modern democracy.

One of the tasks of democracy today is, therefore, an attempt to examine a problem which has been evaded from generation to generation. That question is: given the nature of man and the character of the historical process, to what extent should and can the people govern? This quest is a pervading issue in the midst of other modern problems. It is all too easy to move from the balanced and restrained State to bureaucratic collectivism without changing the formal ambiguities which have plagued the discussion of democracy. On the one hand, the abdication of opinion, the failure of ordinary citizens to feel that they are able to grasp and discuss the technical issues of the modern State may be observed.<sup>20</sup> On the other hand, one may observe the rise of theories which insist that much discussion of public issues should be expert, technical, and value-free. The most important questions, this view will hold, are not the questions that a majority can decide even if it tries. Those who govern must know and evaluate the conditions necessary to the existence of society. The belief that there are conditions which the people must accept if they would live, quite regardless of opinion, is one of the reasons at least for the confusion in democratic thought about the function of opinion. On one side, the conservative aspects may be mentioned. Sound fiscal policy is, to the conservative, not a mere matter of choice; reason of state is a necessity not an expedient; and to some the emerging managerial revolution is an inevitability, just as the cycle of culture mentality is another.<sup>21</sup> But on the other side, those who stress the duty of public opinion in a democracy will equally insist that the condition of ultimate progress is the acceptance of the morality and justice

<sup>20</sup>See Peter F. Drucker, *The Future of Industrial Man* (1942).

<sup>21</sup>See P. A. Sorokin, *The Crisis of Our Age* (1941); N. J. Spykman, *America's Strategy in World Politics* (1942); James Burnham, *The Managerial Revolution* (1941); see also by Burnham, *The Machiavellians* (1943).

of Western tradition. The Christian view, with its long belief that legitimate government arises from the consent of the community, must argue that opinion cannot evade the duties imposed by the moral nature of man.

All theories of the function of opinion accept limitations on the proper sphere of public opinion. A theory of the function of opinion must begin with this idea and proceed, if possible, to a further analysis. The real issue in a democracy is not democratic techniques by which public opinion can direct government. However important this may be, the theoretical question arises from the necessity of restraint in the majority. What is the source of majority self-limitation? The failure and retreat of democracy arises from the lack of moderation, from the lack of restraint and compromise, even though we may acknowledge that situations arise in which compromise is no longer possible.

The historic limitations on government characteristic in Western constitutional government have been in effect limitations on public opinion. Constitutional democracy has attempted to provide limitation by fundamental law and civil or political liberty. Diversity and balance in a governing order is both a limitation on the function of opinion and assurance that it has a proper role to play in the formation of sovereign decisions. The rule of law implies as much for any factor in political control. In this there is an explanation of the proposition that constitutional government is an element in any democracy. For the tyranny or irresponsibility of public opinion is as undesirable as that of any other force in politics.

On the one hand, the exponents of the tradition of the Enlightenment have moved steadily toward the acceptance of increasing moral freedom of men because of the goodness of human nature or the deterministic character of all action. Their philosophy is sorely tested, to say the least, by the crisis of the present age, because the actual behavior of men argues that men are not as good or as rational as some democratic



prophets have assumed. In contrast, the conservative, religious tradition of the West is an attempted balance between a human nature that is fallen and capable of sin and, on the other hand, one that can participate in a divinely established order through reason, moral self-discipline and supernatural grace. Men may be rational in a democracy, or they may not. To the extent that they are reasonable creatures, they are obeying the mandates of the moral order, and they have indeed a duty to participate in the government of the community. The community in turn is obligated to establish effective means of participating in government. But the public is no longer merely asserting a right, it is accepting the moral duties upon which in the long run all democratic societies must rest.

Modern antidemocratic theories have inevitably degraded the individual to a means for the attainment of purposes of the group, that is, the class, the race or the nation. The function of opinion in the government of society is, therefore, purely contingent. It is contingent on serving an end, which by propaganda or education, the individual is led to accept. Democracy, on the contrary, builds its sense of the community on the final significance of the person; it is a philosophy which must insist that the individual comes first and that from the individual the community grows as each person accepts the duties that the moral order imposes on him.<sup>22</sup>

---

<sup>22</sup>Ralph Adams Cram, *The End of Democracy* (1937), 225, quotes with approval Señor de Madariaga: "In all that concerns functions the individual must serve the state, while in all that concerns value the state must serve the individual."

