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In Benhabib's review of *Democracy Incorporated*, she more or less praises Wolin for pointing out the blind belief people have about, "The Bible and Revelation," while ignoring scientific advancement.ⁱ I will interpret this to mean the blind submission to government without questioning its policies or *modus operandi*. However, Benhabib accuses Wolin of being too quick to associate corporate power, the government sphere, and capitalism. They coexist with one another, the government uses corporate power to save capitalism from its utter demise.ⁱⁱ

Benhabib's second criticism is the assumption of the totalizing power Wolin's Inverted Totalitarianism possesses without considering the freedom movements that have taken place such as the Civil Rights Movement, the Sexual Revolution, Afghanistan War Protests, and so on.ⁱⁱⁱ For Benhabib, Wolin's blindness to the causes for the Occupy movement belies an *aporia* in his thinking concerning the autonomy of the *demos*. Benhabib considers the populous to be autonomous beings capable of autonomous discourse. Contra Benhabib, Wolin is more skeptical of this assumption. For example, Wolin raises a legitimate question concerning national elections. Are political contests conducted between different visions of how a nation should be conducted? Or, is it the same individual with different clothing and personalities?^{iv} Benhabib would say that the world is more colored than the black and white world Wolin puts forth in his democratic theory. Benhabib's criticism of Wolin's project is quite insightful because she presents a legitimate criticism of Fugitive Democracy and she hints to her strict democratic theory that sounds appealing to all liberal democracies. However, Democratic Iterations belie a number of aporias involving critique and power within her own neo-Kantian brand of democratic theory. My paper will criticize Benhabib's conception of Democratic Iterations by critically examining the Kantian and Habermasian foundations of her democratic theory. Secondly, I will demonstrate how Democratic Iterations fail to account for the cultural and economic malaises of corporate capitalism. I will finally, demonstrate how

Sheldon Wolin's work on Inverted Totalitarianism can assist in giving substance to the Benhabibian project.

This paper will attempt to intellectually marry Wolin's Inverted Totalitarianism and Benhabibian structured Democratic Iterations. Although Benhabib criticizes Wolin, my goal is to prove that Benhabib, in actuality needs Wolin's democratic vision to help her filter her democratic situations (to make judgements on democratic behavior via the citizens on one another or to judge the behavior of the government). Fugitive Democracy without structure is incoherent and wild, but structured Benhabibian Democratic Iterations without considering situations of Inverted Totalitarianism is blind. Each section will attempt to lay a foundation on the next. I will begin with setting up Democratic Iterations by discussing the Habermasian and Kantian foundations of her work. In the second section, I will give the argument that Benhabib gives for Democratic Iterations. In sections three and four, I will attempt to address the aporias in Democratic Iterations. In the third section, I will address how, one, the Status Quo is perpetuated if strict Benhabibian Democracy is followed. Second, I will attempt to critique the underlying presupposition of tolerance in Benhabib's democratic Iterations. I will attempt to show that tolerance in Democratic Iterations may not be so democratic because of a self and other demarcation cause by tolerance. In the Fourth section, I will try to address the Kantian and Habermasian underlining of Benhabibian Democratic theory and Discourse Ethics. I will address Max Horkheimer's criticism of positivism, the Culture Industry, and the concept of myth or the ethos of a nation. I will address the concept of the American Dream as an example of how enlightenment of *bourgeois* myths can fail and fall on themselves. In the final two sections, I will attempt to put Benhabibian Democratic Iterations and Wolin's observation of Inverted

Totalitarianism together to attempt to purify Benhabibian structures. My conclusion is that Benhabib is not wrong to set up Democratic Iterations because that is the goal of all liberal democracies. However, she is too quick to assume a vibrant public sphere and is blind to the situations we can say are undemocratic, sometimes done in the name of democracy.

The Benhabibian Roots of Democratic Iterations: The Habermasian and the Kantian

In order to ground Democratic Iterations, this section will ground Benhabib's democratic theory in both Habermasian Communicative Action and Kantian Deontology. To begin, Benhabib describes Discourse Ethics as a system of communication that, more or less, normalizes Discourse. Because of the norms set between us that are universalized, if I make a claim to action, I must, with good reasons prove my claim to be true.^v In this, we will soon see that this line of thinking has influence her criticism of Wolinesque political philosophy, her own democratic theory, and yet her and Habermas' criticism of Instrumental Reason. So, as we dialogue, we argue and demonstrate to one another our reasoning. In doing so, Benhabib and even Habermas would say that we would be advancing populous participation in democratic situations. The Habermasian concept of communication, we can say is the grounding of both Habermasian and Benhabibian Discourse Ethics.^{vi} To better understand the basis of discourse, Benhabib cites from Habermas two components for discourse which are (ideal speech situations and unconstrained dialogue.^{vii} The ladder is said to counter the effects that scientism has on the *demos* and the use of such technologies to limit choices and participation of the *demos*.

Unconstrained dialogue is said to be in the democratic soul of a nation.^{viii} The former are the conditions in which discourse must take place.^{ix} Habermas has two additional sets of norms of discourse prior to the formulation of ideal speech conditions. The first involves the logical principle and the other is the dialectical component of discourse.^x Benhabib takes all three levels into account to formulate her "universal pragmatics," which are presuppositions necessary for discourse, which are based off the principles of Universal Moral Respect and the principle of Egalitarian Reciprocity.^{xi} From this, we can see the structure of dialogue as a systematic event. There are different behaviors and so-called rituals required for ideas to come across from one participant to the other. This is in contrast to Wolinsque Fugitive Democracy which is spontaneous in nature.

To go further into the roots of Benhabibian Democracy, I would like to spend a little time unpacking the Kantian strains of Habermasian and Benhabibian Discourse Theory. To do this, I will examine the formulation of Kantian deontology and its presuppositions. In *The Fundamentals of the Metaphysics of Morals*, the Kantian categorical is necessary for logical consistency and is said to be good in and of itself.^{xii} In Habermas' conception of Principle U in his theory of argumentation, the imperative is refined so that universal debates can be legitimized. Like the Principle U, and Discourse Ethics and Egalitarian Reciprocity must be presupposed as Kant's famous lines that one should will their maxim to be universal law.^{xiii} We too can picture the relationship between Kantian deontology and the Habermasian principle of discourse.^{xiv} Furthermore, the Habermasian Universability Principle is the foundation of Habermasian communicative deontology, which we can say is the categorical imperative for

discourse.^{xv} In the theoretical sense, we too can see Habermas and Benhabib's work grounded in the hypothetical Kingdom of Ends, where individuals are self-legislating autonomous beings.^{xvi}

A more contemporary example of Kant's thought experiment is seen in Habermasian/Benhabibian concepts of human rights. Habermas noted that in 2006, the German high court struck down a law that would allow the government to shoot down any aircraft suspected of being under terrorist control.^{xvii} For a Kantian, when we apply the Categorical Imperative, it would violate the human rights of the people on board the airplane because of the people on the plane are seen as merely collateral damage, rather than rational beings. Hence, the people on the plane are used as mere means to a greater ends (protecting the people on the ground). With the use of the Kantian Categorical Imperative, if we will that we shoot down planes overrun by terrorists, we would contradict ourselves because if we were on one of those planes, we would not want the plane shot down. Hence, the argument to shoot down terrorist ran planes with passengers involved would simply fall on itself. Benhabib not only grounds her conception of Discourse Ethics, but she also grounds her concept of cosmopolitan norms in Kant's ethical system. Benhabib uses Democratic Iterations to ground her cosmopolitan norms and to attempt to answer questions such as immigration, cultural plurality, and other issues in her cosmopolitan world. Benhabib also adopts the Kantian doctrine of hospitality.^{xviii} For the most part, Benhabib agrees with Kant, but takes him a step further. Kant would suggest that in order for a person to become a citizen in the nation state of their choice, the sovereign must grant a treaty to do so.^{xix} Benhabib would challenge that by saying that it is a human right to freely move throughout the states and via discourse ethics, the procedure to obtain citizenship must be known to all who wish to join.^{xx}

Benhabibian Democratic Iterations: Muslims At The School Gate

In the previous section, I established the Kantian and Habermasian strains in Benhabib's work. In this section, I will put forth Benhabib's argument for Democratic Iterations and examine her democratic theory. Although Benhabib uses multiple examples to attempt to justify Democratic Iterations, for the sake of this paper, I will focus on the Head Scarf Affair in France. I will also examine the evolution of this concept through her academic career. I will conclude this section of Democratic Iterations by examining the similarities between Benhabib and Habermasian democratic theory. I will show how habermasian democratic theory can help explain Democratic Iterations. To do this, I will examine Habermas' argument for a Liberal Democracy in his book, *Between Facts and Norms*. This will help clarify Benhabib's debt to Habermas. We should first, look at the genesis of Democratic Iterations. Benhabib points out that the concept of Interactive Universalization as a genesis of her concept of Democratic Iterations.^{xxi} Benhabib's definition of Interactive Universalism is a clear starting point for Democratic Iterations. Because each individual is able to freely bring up fair points for debate, each person in the debate must recognize each person's autonomy via the principle of Universal Moral Respect. Benhabib defines Democratic Iterations as a process of deliberation between multiple parties where legal and universal norms are discussed and debated upon. Benhabib says that there is a strong version that takes place in houses of legislation (Congress, Parliament, etc.) and in the streets amongst persons.^{xxii} Democratic Iterations in itself is rooted in what we discussed in the previous section on Discourse Ethics. In the strong sense, Benhabib would say

that although conservatives and progressives in the United States Congress may have several ideological differences on economics and social issues such as same sex marriage, abortion, etc, there are several values that everyone shares such as fairness. In the weak sense, Benhabib and Habermas share the optimism of the vibrant public sphere. The streets, classrooms, coffee shops, and televisions are filled with political talk. Benhabib's assumption of the demos to conduct pure discourse mirrors that of Hannah Arendt's concept of legitimizing power.^{xxiii} Benhabib presents three separate issues to highlight her concept of Democratic Iterations. The first is the head scarf affair in France and Germany and a question if immigrants from a European Union nation can vote in another nation that is still a member of the European Union? For the sake of this paper, I will focus on the Head Scarf Affair in France. In summary, the French Muslim Scarf Affair began when students in a French school were not allowed to put the *Hijab* (Muslim veil for women) while on school grounds.^{xxiv} According to Benhabib, the exclusion of these three Muslim women sparked a massive discussion about the freedom for Muslims to freely express their beliefs.^{xxv} As for the three students who tried to enter the school grounds, Benhabib says that they decided to veil themselves despite an agreement between the parents and school administrators that they were not going to wear the Hijab. However, out of possible defiance and to send a political message with the blessing of *Youssef Leclercq* (head of Integrite) which is a group that supports Muslim integration into French culture, the girls chose to wear the Hijab anyways.^{xxvi} Benhabib would state that throughout the end of the 20th century and the beginning of the 21st, political discussions were occurring. It was not until a law was passed in 2004 that banned all religious symbols in public schools. Though all symbols were banned, lawmakers were targeting the Hijab in particular. The genesis of even having a discussion about the *Hijab*

in French culture was sparked due to the effect on "reverse globalization" (the migration of third world persons who look to immigrate to the more affluent nations like America and into the Euro Zone.^{xxvii} As a result, a discussion arose concerning the effect of religious and cultural pluralism in France and other nations. The wearing of the *Hijab* in not only schools, but in the work place too was discussed among the populous. Benhabib sites one woman who says, "I cannot find work here because of my headscarf . . . But my headscarf is part of me. I won't take it off."^{xxviii} I would like to point to Benhabib that the discussions that occurred since 2004 (before and present) has more or less perpetuated the Status Quo. I would suggest that there were various background forces that could be influencing discussion, even outside the discourse between persons in the streets. Autonomy is stressed greatly in Democratic Iterations. Benhabib says that none in these cases are these docile bodies, but are active participants in the political process.^{xxix} I would affirm that yes, the three muslims students possibly did begin an overdue discussion about the role of the Islamic head scarf in today's political world. Post-September 11, there has been hostility toward muslims and the clear ignorance about Islamic teachings on the role of the head scarf. Although, almost correct, I will demonstrate shortly, the clear *aporias* iterations can raise.

It is safe to assume that Jurgen Habermas' Democratic theory gives birth to the possibility for the concept of Democratic Iterations to occur. As I have mentioned above, the principle of discourse takes laws that have already been universalized via Kantian deontology (in the abstract case).^{xxx} From which, consensus can be built. We can assume that the following, from where we are now, free will is assumed by all persons to participate. That is a given at the individual level.

At the regional and national levels. The collective will is formed by discourse into a collective will, formulated via the discourse principle.^{xxxii} Secondly through the art as bargaining (under the condition that all have a chance to bargain and that all sells meet the fairness principle or that all do have the chance to bargain and agree on the fairness of the deal).^{xxxiii} We can see this too by expanding the field to include the European Union and United Nations. Habermas says that in the time of supernational politics, the nation state and its *demos* must still retain a level of autonomy. For nations to pass relevant laws.^{xxxiii} Habermas still recognizes the value of civic republicanism in setting boundaries, but yet his liberal democratic ideals feul his notion of cosmopolitanism which I have already described via Kant's relationship to Benhabib. Along the lines of Habermasian liberal cosmopolitanism, we can see the furthering of Habermasian communicative rationale. The solidarity of a people's must developed within the border of a nation and outside it.^{xxxiv} The development can be concluded in a potential global parliament that would balance national sovereignty and the will of the populous as global citizens.^{xxxv} From Habermasian cosmopolitanism, we can see how his democratic principle can influence his cosmopolitan norms. On a further point, we can also see how Habermasian democracy has influence Benhabibian Democratic Iterations. Both concepts rely on the same presuppositions and demonstrate the same result, that through constant deliberation (discourse) between the strong group (government) and the weak group (the *demos*) *either amongst themselves or the intermingling of the groups legal and universal norms are created.*

Undemocratic Iterations: Occupy, Muslims, and Gays

In the previous two sections, I have established two facts. One, Benhabib's intellectual dependence on Kant and Habermas in order to ground her political theory. Second, I demonstrated the structure required for what Benhabib would call democracies. This section will attempt to call the justification behind Democratic Iterations into question. In the proceeding section, I will point out the potential for discourse to be co-opted by corporate capitalism to pervert democracy. In the first half of this section, I will point out the *aporia* that rises in strict Democratic Iterations by pointing out how such discourses perpetuate the Status Quo. Second, I will address Benhabib's hidden assumption in her democratic theory (tolerance). I will demonstrate through the work of Wendy Brown that using tolerance as an underlying assumption can yield undemocratic answers. In my reading of Democratic Iterations, I tried to highlight the beneficial attributes of its concept. Strict structural democracy gives shape to civil society and potentially a purpose for its governance. As compared to the wild nature of fugitive democracy, Benhabibian Democracy allows for people to properly discourse with one another. However, as much as strict structural democracy may sound, pure proceduralism is blind at best and unjustifiable at worse. I charge Benhabib of this due to the fact that she is too quick to assume that an ambivalent public sphere exists here and now without justification of its possible existence. What someone like Sheldon Wolin would like to point out is the acts of Inverted Totalitarianism occurring within the government, although the streets, coffee shops, and classroom appear to be a beacon of discourse.^{xxxvi} What this means is that I am not after failed iterations, although I believe Wolin would charge Benhabib of that, but the perpetuation of the Status Quo and discourses being framed within the spaces of the Status Quo. Although Benhabib uses the example of the Head Scarf affair in France, a modern example that I will use

to highlight this phenomena is the Occupy Wall Street Movement. These individuals, are asking, not only for relief from corporate greed, but a transformation of the Status Quo, including better transparency between the government and Wall Street, the return of jobs that have gone overseas, among others. Wolin would also point out the attempts to silence the Occupiers. Some of these methods include the use of police and other security apparatuses to shepard the *populous* and squash dissent and epistemic silencing via corporat mass media.^{xxxvii} As I will point out in the next section, culture too has attempted to silence the Occupiers by relegating them to obscure places on the internet and the use of catharsis to desensitize our feelings of the Occupy Movement. Having this knowledge, if we return back to the Head Scarf Affair, the situation for Muslim Women has gotten worse via the ban of public prayer in the Paris streets. Now, it may be charged to me that one, iterations are a long standing process. An example that could be raised against me are movements that saw racial and gender equality granted to African Americans and women. However, someone like Wolin would claim that these concessions would be granted, but the price to pay ends up being the disenchantment of the issue which brings about a *populous* that is passive and indifferent to the issue. Finally, the problem falls into obscurity and is later forgotten by the *populous*.^{xxxviii} For example, issues like the minority prison rate and the conditions in the workplace for women (unequal pay for equal work) are still ongoing issues. The prison rate for minorities is rarely brought up in discourse and if it is discussed, it is always in the framework of the Status Quo. Bonnie Honig, a critic of Benhabib would go even further and accuse Benhabib of making an unjustifiable claim. Although, blatent racism may be seen as immoral in American society today, Honig is justified to say that there is still no equality and hence, Benhabib cannot use that as an example of Democratic Iterations.^{xxxix} Benhabib is too

quick to assume that a vibrant citizenry are discussing these issues honestly, but it is safe to assume that these people are simply echoing talking points that they have heard somewhere else. I am not at all saying that Benhabib is wrong. After all, Democratic Iterations, is the goal that I would say that all liberal democracies should strive for, but the constant systemic problem of distortions of the life world (to use a Habermasian term) ultimately renders Iterations unjustifiable. This is why I assert that seeing Democratic Iterations via the framework of Inverted Totalitarianism could help Benhabib structure her democratic project by throwing out potential distractions, and help explain why democracy can promote and behave in antidemocratic ways. This is a perfect tie in to my second section of critiquing Democratic Iterations by pointing out that underlining assumption of tolerance, though needed for democracy, can serve as a false sense of security for justifying Democratic Iterations.

The second point I would like to make is the examination of the presupposition of tolerance in Benhabib's democratic theory. I will demonstrate that since Democratic Iterations and cosmopolitan norms are grounded in the concept of tolerance, undemocratic behavior can arise due to the creation of selves and deviants. In its American form, tolerance can be used as a weapon to justify prejudices, practice the arts of biopower, and even legitimize state violence. I will give a brief reading of Wendy Brown's book of Tolerance, then I will demonstrate how tolerance in Benhabib's Democratic Iteration can demonstrate incompleteness in her work. Through Brown, I will point out two important points that democratic Iterations fail to account for Brown's work on tolerance. One, the use of tolerance as a weapon to create a self and other demarkation differential. From this self and other antagonism, prejudice and intolerance can

arise. Examples include the double speak of the government's call for tolerance and the creation of the State of Exception, which Foucault pointed out via *Raison D'etat* and Agombin's observation that such prisoners of war in Guantanamo are simply bear life. It does not have to be this serious though, it can also be the experience of same sex individuals, minorities, and more others. Second, the substitution of equality and assimilation for tolerance.

In *Regulating Aversion*, Brown points out several of the *aporias* that arise when we think of tolerance. *she* traces it from its historical roots to the use of the word tolerance today. Brown's examination of tolerance can help illuminate another shortcoming of Democratic Iteration. What I will charge Benhabib of doing is going after the symptom rather than the cause root of the problem. So, when the three students attempted to enter their classroom, they were sending the message that they wanted to be equal French citizens. However, in the French's objective for tolerance, *Lacite*, they have created an other (Muslims). Brown highlighted something similar in the quest for the Jewish population in France in the 19th century to be tolerated. Benhabib also agrees that their should be toleration for the Muslim population in France. Though a noble task, this raises a tolerance paradox, in which Muslims via *Lacite*, must be normalized into French culture, IddE, potentially give up their Muslim faith and take up the faith of the majority^{xl}

Horkheimer and Adorno pointed out of noncompliance is not death or harsh punishment, unlike the times of old, but it is public shunning. You can practice whatever religion you chose,s, say what you want, write what you want, and be with whomever you want, but if you fail to

accept national norms, you will be considered a stranger among the people of the land.^{xii} Today, unlike the times of old, as Brown would point out, we will not kill homosexuals and others unlike us, but what will do, is normalize and tolerate their behavior rather than recognize their humanity. Benhabib may charge me that Democratic Iterations already does such, however, what should be addressed that noone seems to address is the self/other distinction. By singling out Muslim women, Benhabib has unintentionally created an other that appears to be an oppressed population by their own choice. Benhabib's Democratic Iterations, though assuming tolerance, Benhabib is merely addressing the symptom rather than the actual condition. Brown highlights this when addressing president Bush's speech concerning Muslim Americans (post 9/11). Though he stressed Americans to be tolerant of their Muslim neighbors, he unintentionally created a differentiation between self (Christian America) and the other (alleged Islamic Fundamentalist).^{xiii} This self and other demarcation ultimately led to people committing acts of Islamophobia, which was not the intention of Bush's speech of tolerance towards the Muslim community. After the Patriot Act was signed we were asked to help police our neighborhoods and be cognizant about our surroundings. Though good advice, this was done under the pretense of 9-11. This law generated an Islamophobic response, in which Muslim Americans were scrutinized if they were good patriotic Americans or enemy sympathizers. This meant that free speech was also policed. So, any anti-American or even fair criticism of American foreign policy can convict someone in the public square as being an enemy sympathizer.

Wolin would point out that this enemy that Americans are alluding too was a shadowy

character, whose identity was unknown.^{xliii} Tolerance now is appearing to look like the Inverted Totalitarian state. Yes, you have free speech. Yes, you have freedom of conscious, and yes, you have the right to peacefully protest. However, if you do these things, you will be branded as un-American, a troublemaker, a deviant, and an enemy sympathizer. Secondly, Brown points out that the War on Terrorism was fought in the name of Tolerance.^{xliiv} So, the Obama drome strikes, Guantanamo Bay's brutal treatment of prisoners of war and other imperialistic acts done in the name of the "war on terror," turns out to be double speak to have American perceive Muslims and those friendly to Muslims as bear life. (Agombin) So, what I have been saying is that Benhabib's call for tolerance is not only makes her Iterations dangerously incomplete by not considering the psychic violence created by putting the Muslim students on a pedestal, but because of events like 9-11, Islamophobic responses have come about in the name of Tolerance.

The second point I want to raise is that tolerance, though necessary to function, seem to work as a weapon to legitimized inequality. I have pointed out that the "war on terrorism has invoke unintentional Islamophobia, including racial profiling, psychic demarkation between Christian America and the other. What I think noone, but Wendy Brown is asking the question of why not invoke full equality and diversity. I will revisit the double speak effect, but I will point out how President Bush's stance on same sex marriage is a clear example on this phenomena. George Bush said the following about same sex marriage, which we can see numerous contradiction and a self and other demarkation.

I think marriage is a sacred institution between a man and a woman... \$ I'm going to be

respectful for [*sic*] people who may disagree with me... \$ I'm a person who respects other people. I respect their—I respect—... I will be a tolerant person. I've been a tolerant person all my life. I just happen to believe strongly that marriage is between a man and a woman." 28

Bush's stance, which has remained consistent throughout his presidency and which undergirded his 2004 press for a constitutional amendment to ban same-sex marriage while tacitly endorsing civil unions, couples a rejection of the petition for same-sex marriage with the advocacy of tolerance for people who disagree with him *and* for homosexuals (his syntax, or lack of it, implicitly equates the two).^{xlv}

This statement is telling about the difference between actual equality and tolerance. For one, we can see that Raison D'eTat says that same sex partners should be respected and "tolerated," but not equal to heterosexual partners. So, the idea that tolerance acts as a substitute demonstrates a shortcoming that tolerance has when it comes to its masking as part of the citizenry, but controlled by the states. This is why someone like Wolin would point out that concessions would be granted (tolerance) and after that, the issue is no longer discussed. This is why I claim that underground racism in our drug laws, school system, and many others exist. George Bush's reaction to the gay marriage issue was expected, but yet, it creates a problem that tolerance, rather than equality should be promoted by the state. I fail to see in Benhabibian strict structural democracy how equality is granted over tolerance in her cosmopolitan world? If the ththree students wanted to go to school with their religious attire, then equality rather than tolerance should be promoted. Even Wolin would see this too like Brown. Equality is the base of any liberal democracy. This means equality of status, resources, and so on. So, as for

Benhabibian Democracy, I see that she strives that all are universally treated well. This, I can see as tolerance on her part. She wants tolerance for the Three Muslim French students, but what I should ask is what the role equality would serve? Any liberal democracy should be blind to the culture of its citizens when passing judgement.

Discourse and Cronie Corporatism: Capitalistic Dreams Gone Wild

In the previous section, I pointed out the blindness of Democratic Iterations as a stand alone democratic form of political philosophy. I examined two possible strains of arguments that can be launch against Benhabibian Democracy. The first is that Democratic Iterations cannot see anything outside the Status Quo. If someone tries to see something outside the Status Quo, that person or idea is labeled an outsider (deviant). Second, I addressed the underlying assumptions of tolerance in Democratic Iterations and pointed out that Democratic Iterations do not appear so democratic because a self and other demarkation is created. In this section I will show how Discourse, coupled with corporate capitalism can pervert democracy. I will do so in three ways, Horkheimer's critique of Positivism, the Culture Industry, and nation building by means of myth. Before we start, we should remember that each of these examples are rooted in what Horkheimer calls, Instrumental Reason.^{xlvi}

To begin, Horkheimer defines positivism is the appeal to the scientific method to philosophical and sociological findings.^{xlvii} The concern Wolin and the First Generation Frankfort school have is the highjacking of natural and/or social science as disciplines for truth by corporate capitalism and tyrannical government. Furthermore, the effect capitalism can have on the integrity of such

disciplines can not only be catastrophic on the scientific discipline, but dangerous to the citizenry of the tyrant. The example Horkheimer gives is Hitler's use of science to conduct propaganda experiments to the populous. Though not the same, the pollsters of CNN and their corporate media friends poll the public on public policy questions such as their opinion on capital punishment, if women ought to have the right to access to an abortion, presidential and congressional approval ratings and so on.^{xlviii}, some of which could be said to be nothing more than political showmanship and theater to those uneducated about the American pseudo democratic state. The same could have been said about the propaganda shown during Nazi rule, but even more cynister. In terms of the intertwining between science and corporate capitalism, Horkheimer sites the fact that companies who do research, betray the purpose of scientific inquiry. In fact, Horkheimer calls the radical form of scientism, "something that leads to oppression."^{xlix} Likewise the corporate takeover in scientific research can be seen in the commodification of that research including the invention of the best baby food, non-addictive cigars, and we can even include breaking ground medication for a noncurable diseases, like persons with HIV.^l Wolin alludes to the fact that instrumental reason, seen in corporate science has ruined the reputation of science as a knowledge seeking discipline and converted it into a business.^{li} We can see this with people who work for, "Big Tobacco," for example. Where consumer health is just seen as everyday business.^{lii}

Wolin points out that researchers in every discipline can also receive the same moneys. All they have to do is follow and have others follow the government position.^{liii} What we can see from this, the co-opting of money into the university, which is seen as the bastion of intellectual freedom and integrity can become the home of academic dishonesty simply because of money. Benhabib may agree that yes, neo-Liberalism has cause the *bourgeois* capitalist to co-opt with the university, however, this is not to say that learning and excellent scholarship still take place in those places. This, I feel is a legitimate

criticism. However, the spread of neo-Liberalism is not only the problem, but the intermingling with money and scholarship will lead some to commit fraud for the sake of money. Secondly, education, being a public good is extremely expensive, this also includes so-called public universities. Finally, the for-profit schools have made millions of dollars educating and some would even say bankrupting former students.^{liv} In sum, the spreading of neo-Liberalism has co-opted with centers of higher learning, which has perverted scholarship and has made centers of higher learning dependent on *bourgeois* corporations to donate and contribute to scholarship. Although Benhabib is saying that discourse is occurring in such classrooms, one can point out that such discussions are also constrained with individuals claiming that their particular nation is the best.

Previously, I pointed out how science as a pathway to knowledge has been co-opted by corporate elites for research purposes. The Culture Industry is a key component to illustrate an Inverted Totalitarian state (Wolin) and the perversion of proceduralistic democracy. First, we can define the culture industry as the use of art or participants of art as commodities or paths to commodification. For example, Kobe Bryant of the Los Angeles Lakers is a Comodity of the NBA (National Basketball Association). He too is a pathway to commodification via his Nike shoes. Yes, the Culture Industry can serve the needs of people who use mass media as their source of news. Fox News and MSNBC are accused to be on polar opposites of the ideology spectrum. I do agree with that. However, I would give a second example, our choices for political leaders. They are the same people with different clothes, but they give the same pitch. Right here, two objections can be raised against me. One is that I am glossing over the differences. Someone may say

that there is a clear difference. One is pro-choice, the other is anti-abortion, one says that he would like to pass sensible gun laws, the other wants more gun rights and so on. Like I said, they may be cosmetically different, but both perpetuate and talk within the Status Quo. The second is that Benhabibian Democracy uses mass media as part of her Democratic Iterations. Both Benhabib and Habermas accept that media is a legitimate medium of communication. I will give three different responses to counter this point. One is that the culture industry legitimizes itself through culture. A modern example is the content of modern songs.^{lv} Because people are buying songs with explicit content, culture perpetuates itself. We can call this a form of totalitarianism. A second point is the docility of people who view television or hear music without question. An example used by Horkheimer and Adorno is Hitler's talks on radio, where people were made to be docile hearers.^{lvi} I am not suggesting that today's television programming are like Hitler's talks, but the point made is that we take in information by news pundits and politicians without question. We become docile to our own ideology that we do not see or want to see the problem in our thinking. Because of our docility, we are easily manageable by the sovereign. A third response is the critique of liberalism that Horkheimer levies by the use of the culture industry. I would like to argue that the Culture Industry co-opted with Liberalism amounts to near totalitarianism. The reason is because although, one has a choice to go outside the mainstream, they will not be heard.^{lvii} This is why stations like Fox News and MSNBC dominate the political discussion in the United States. Other programming or ideas (though legitimate) outside the mainstream is rarely shown and even scoffed at.^{lviii} Finally, Benhabib and Habermas

can charge that today's media is interactive. For example, gameshows like American Idol require us, the *demos* to participate and vote. I agree that certain medias are more interactive. Horkheimer had no conceptions of the social media used today via the internet. However, I have to return to the Occupy Wall Street Movement. If we think about how many people visit the blogs of Occupiers, we cannot think of many people, except people part of the movement itself. So, as similar to response 3, the group is marginalized. Hence how discourse can be perverted. Secondly, We can have shows like South Park, The Daily Show with John Stuart, among others. Yes, they will show news, even about obscure news like Occupy Wall Street, but what happens after they view the program? It appears that those shows help us find catharsis in those serious matters and then we can go on our everyday business the next day. Although mass media may appear to be a legitimate form of communication, it can find its way to pervert discourse and democracy. In viewing programs like South Park, not only certain prejudices are reinforced, but it allows us to see reality in a light-hearted way. Rather than having us think about reality as it appears to us, it allows us to scoff at serious ideas, then we can worry about our own lives without considering the issues being discussed on those shows.

Concluding our discussion of Culture Industry, we should examine the concept of myth and enlightenment as forms of discourse. I will demonstrate that the concept of myth for Wolin and the First Generation Frankfurt School can have the *demos* remain in a docile state. Thus, the sovereign can easily manage our thought processes and values. To begin, we should look at the

bigger picture that both Horkheimer and Adorno share with Wolin's conception of myth. In the Protestant Ethic and the Spirit of Capitalism, Max Weber famously says that capitalism has more or less been stripped from its religious roots and has developed this hard casing of bureaucratic capitalism.^{lix} When I say stripping away from its religious roots, I mean that capitalism, at one time, was once considered an ethic of the church.^{lx} I am not suggesting it is not recognized as an ethic today, but Weber is suggesting the disenchantment of the world, creates this hard casing in which capitalism has moved from the church itself to the government. This creation of bureaucratic capitalism has made capitalism similar to sports. This is the starting point of both Wolin and the First Generation Frankfurt School. Furthermore, Weber goes on to say that the disenchantment affects the sciences as well. We see science as the savior of humanity from any and all superstition. However, science ultimately finds itself in the same superstition it tried to save itself from.^{lxi} In other words, science to us is a fundamental discipline of discovery that is said to knock out any belief in superstition, but in order to address superstitious thought, it must appeal to its mythological roots. Weber is essential to understand both Wolin as well as the Frankfurt School. For Wolin, we should remember that after September 11, Bush, himself was appealing to myth to achieve his goals. This is what Wolin describes as the Cosmic Myth or that the power beyond this world are at war in an epic proportion. We were told that the powers beyond us are at war between that of good and that of evil. Of course, the United States and its friends represented what was good and holy about the world and the shadowy enemy was seen as demonic and evil.^{lxii} As we will see soon, what Wolin and the First Generation Frankfurt School share is that the disenchantment of the world has probably eliminated any, if all superstition, however, enlightenment in itself is a brand of myth as well. For example, we can examine the

desires of libertarians for limited government. We can call this, the disenchantment of government from the divine right of kings. From that, we derive a liberal state. However, in the liberal state, the power held by the king is channeled in different ways. For example, the power of corporate elites to manipulate elections by donating millions of dollars to a candidate. So, the Inverted Totalitarian state can claim that they are enlightened, however they fall back into the mythological sense that somehow unchecked corporate freedom and corporate capitalism can solve every problem. In the time of myth, this could be seen as when the magic man tried to make it rain by pouring water over a screen.^{lxiii} Horkheimer and Adorno dealt most prominently with the positivists, which I have already spoken about in the first part of this section. This is why Horkheimer and Adorno view science on one side as oppressive. This was done by co-opting corporate capitalism and science. The flip side is that the appeal to enlightenment actually spells out its mythological background.^{lxiv} I will address the second part. For one, we see science and the enlightenment as the saving grace of human reason. Actually, it blinds itself to strictly facts and numbers. If it cannot be measured, it is not reality. This means that ideas that are so-called abstract, cannot be measured. So, it is myth, but enlightenment as well. Also, myth, like enlightenment records and documents itself.^{lxv} Secondly, the enlightenment has caused an acceptance of the oppression of the everyday worker. As we will see from the American Dream myth, Wolin, Horkheimer and Adorno see the illusion of saying that science, technology, and corporate capitalism can solve the world's problems. Furthermore, this instrumentalized reason can blind us from what is true and what is fiction.

After discussing the concept of myth for Wolin as the public ethos of a nation and the concept of myth for Horkheimer and Adorno as an enemy out of enlightenment that reverts back to itself, (myth) we should look at one myth as an example to see the power of myth to have a functional government. One of the myths that influences American culture, one that we tell one another is the myth of the "American Dream." The American Dream as we know it is defined as working hard to achieve the aims of wealth and the expansion of capital. We hear the rhetoric behind the American Dream. In politics, the American Dream is used as a weapon to justify welfare cuts to the poor in the attempt to have people recognize their human capital. One can work day and night and the American Dream says that they will be able to buy a house on 740 Park Avenue in New York.^{lxvi} however, as much as people work hard enough, we need to remember that the outcome has already been decided.^{lxvii} Two examples come to mind when thinking about the American dream. One is the character Gatsby from F. Scotts Fitzgerald's novel, *The Great Gatsby*. In the novel, Gatsby's life from clam fisherman to bootlegger represents his rise to power and fame. However, his failed romances and social instability demonstrates the emptiness of the *bourgeois* life.^{lxviii} The second character that I will use to examine the myth of the American Dream is Barbara Ehrenreich's social experiment in *Nickle and Dime*. In the book, she attempts to live the life as a modern day proletariat while trying to see if she can survive on minimum wage jobs and see if someone who starts at that level can end up living the American dream or going from minimum wage proletariat to picket fence *bourgeois*. Her experiment demonstrates two key points. First, the corporations she worked for was similar to what Wolin would call the Inverted Totalitarian state which include shadowy leaders and constant demonstration of biopower via drug tests. Secondly, In her experience working at Wal-

Mart, discourse among the workers and the *bourgeois* elites was nearly impossible. Hence, the elites mostly forbade workers from unionizing.^{lxix}

At this point, I may be accused of not acknowledging the fair criticism that Benhabib and Habermas levy on the first generation Frankfurt School and by extension, Sheldon Wolin. In particular, the identity confusion between subjects and objects via Horkheimer's critique of Instrumental Reason as well as the "disrespectful assertion" concerning our autonomy in a *bourgeois* capitalistic state. In addressing these *aporias*, my goal is not to unshackle Horkheimer and Adorno from their potential inconsistencies, but to show that critical theory, that Horkheimer and Adorno present, can also be used, not as mere ideology, but as a tool to critique the Status Quo. A further criticism of my work may be my blindness to Habermas' recognition of the system's dependence on the life world. I will show, though Habermas comes close to seeing the effect of state capitalism, he fails to recognize that there is more than an interdependence between system and its life world, but (lack of a better term) the system has infected its life world, causing a constant systemic distortion of communication. First, Yes, Benhabib and Habermas correctly point out numerous *aporias* in the Dialectic of Enlightenment. None more damning as the charge that the critique of enlightenment uses the tool used to critique enlightenment (reason) which leads critique and Critical Theory to collapse on itself.^{lxx} This criticism can also be seen in the criticism of Wolin's work which I pointed out earlier of a *aporia* concerning the use of the term Inverted Totalitarianism, while on the other hand, participating in a form of discourse (writing a book on Inverted Totalitarianism). However, this criticism, though legitimate fails to account for external forces of writing a book on Inverted Totalitarianism or

pointing out the social pathologies in the Culture Industry and the telling of myths. Also, this criticism presupposes that the *populous* has the ability to recognize its manipulation (which is not assumed, but proven). From Superbowl Sunday to the filtering of websites, we, at times, fail to see the manipulation forest for the trees and even in cases that we do know about our manipulation, we celebrate the freedom to be manipulated. Like the choices we have for our leaders, we are hoodwinked to thinking that we have a choice in the matter about what information we receive from mass media, politicians, and so on. Habermas' *symbolic interactionism* tells him that money and power are legitimized via communicative rationale in the life world. This is why money and power (prior to the *bourgeois* revolutions of the 19th and 20th centuries) were still used and justified by its users. Hence, the use of livestock and other goods were simply capital during tribal societies.^{lxxi} While power, we can safely assume, follows the same pattern of change, because we subscribe power to our definition and via discourse, we are able to bring up abstractions like American Democracy. From this, Habermas would say that because of the influence various social systems have on the life world, Weber's thesis of the Iron Case collapses due the replacement of communicative rationale.^{lxxii} Although, I agree with Habermas on his main thesis to an extent, I would like to posit that the collapse of the hard casing of reason can yield contradictory reasoning. I will grant Habermas that it is true to reenchanted the world via communicative tools. One can be a *bourgeois* revolutionary and have an investment in the new regime. As much as communicative rationale has influenced a liberal approach to certain ideologies, occupations, etc, it too has contributed to the distortion of the communication between the government and its *demos*. A good example is the bank bailouts of 2009.^{lxxiii} This is a clear example of the *aporia* of systemic infection into the life world. Rather

than subjection of this question to the public or even giving the money to Americans struggling with their mortgages, they gave the money to individuals who will be willing to fund them for their next election. Another clear example push by Wolin is the attitude of the United States to convert nations (even by threat of force) to the political religion of republican democracy.

Inverted Totalitarianism involves the strengthening and weaking of the Weberian notion of this Iron Case of Reason. Though Habermas raises a legitimate claim that corporate capitalism is not suppose to infect discourse,^{lxxiv} The constant involvement of system and life world suggests the inevitable *aporia* that will arise.

Sheldon Wolin's Inverted Totalitarianism: Purification of Democracy

In the previous two sections, I attempted to show how strict Benhabibian Democracy can fall on itself because it cannot address when democracy goes awry. In Section III, I showed how Democratic Iterations is dangerously incomplete because it simply perpetuated the Status Quo whether such iterations were successful or not like the Scarf Affair in France and the dying out of the Occupy Wall Street Movement. . However, I did acknowledge that Benhabibian Democracy in itself is very useful, though incomplete. It provides a structure that democratic situations can take place. What I would like to propose is that Democratic Iterations needs the vision of Inverted Totalitarianism to judge democratic activities of the citizenry and among the *demos*. This section will first, give a brief reading of Inverted Totalitarianism by using Sheldon Wolin and Alexis De Tocqueville and second, how Benhabibian Democracy needs Wolinsque's democratic vision. Before I begin, I should clear up a misconception that may arise when I say

Inverted Totalitarianism. I am not suggesting that the United States has a tyrannical dictatorship as a government because Wolin would call that classical totalitarianism.^{lxxv} However, what Wolin is suggesting is that in America, totalitarianism is inverted or that it is inward powered rather than outward.^{lxxvi}

The definition of Inverted Totalitarianism, according to Wolin is simply put as a conceptual abstract idea that strives for totalizing power, like it's classical counterpart, but rather, it strives to disengage the *demos* by the use of mass media and other technologies to police and reinforce norms of the society, and the infiltration of cronic corporate capitalism in the everyday lives of the American *demos*, including government, education, etc.^{lxxvii} Because of the corporate takeover of civil society, we can say that it has completely biased the *demos*. So, if strict Benhabibian Democracy is practiced, pure discourse is not occurring. Rather, what is occurring is the shouting of talking points by intellectually dishonest news pundits, which are puppets from either the left or the right. Alexis De Tocqueville described the Democratic Despot as the precursor of Inverted Totalitarianism. The Democratic Despot is a person who works within the constitution or binding documentt of the state. However, the despot attempts to appease the *demos* by appealing to all of their desires. As a result, the despot can have full control of the nation by pleasing the people. Self determination and political freedom are all but an illusion. Rather, what is championed is individualism as a substitute for critical thinking and the thing is that each politician today appeals to these values, there is no true choice.^{lxxviii} The Democratic Despote hopes to manage individuals, giving them the illusion that there is unlimited freedom and equality. They are hoodwinked to thinking that there is a true choice who they elect for public office. For example, ask yourself if there is an actual difference between Barack Obama and Mit Romney in the 2012 presidential election? The *demos* in Tocquevilles soak up the luxury of being in a

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democratic state. All their desires can be pursued as they see fit. All that is required from the demos is a low dosage of interest in politics and a high dose of patriotism and faith in the American system. Plato already saw this as a potential danger of a reversion from a structured society, as what De Tocqueville's vision is to one driven by unnecessary desires and unchecked freedom.^{lxxix} Today's American presidents behave in the same way. As long as the leaders are able to grant the people's desires at any cost, they will do so to keep their power. At the same time, they will keep their power via their appeals to *bourgeois* elites, who are preserving their power. Likewise, as long as the *demos* are happy and making money, they will not have a care in the world, while some will be flag waving praising the sovereign like a god.

Previously, I gave a brief reading of Inverted Totalitarianism and its genesis. I will demonstrate here how Benhabibian Democracy needs Wolinsque Democracy in order to be complete. In Section IV, I spoke about the effect of the Culture Industry to influence the *demos*. So news pundits and stations like Fox News and MSNBC, say that they have the whole truth. People in fact debate over their favorite news pundits like Coke and Pepsi. The sovereign, will attempt to manipulate communication between the pundits and *demos* to better manage the *populous*. *Yes, Benhabib's notion of discourse can help us come to a better understanding of various issues and ideas of those issues. However, as I mentioned above, Kantian proceduralism is blind to the various perversions of democracy. Like the corporate takeover of various communication pathways (mass media, corporately ran places of learning, and the ethos creation (myth telling of a nation). With an Inverted Totalitarian lense, Benhabib can see the various perversions of democracy, such as the media belittling of Occupy Wall Street.*^{lxxx} Although they brought up a legitimate question, a self other demarkation between hard working Americans and deviant Occupiers were created in the media and other policing mechanisms were also used. In the case

of the Head Scarf Affair, yes, a discussion of the role of Muslims in the Christian west is important for solidarity and understanding. However, with an Inverted Totalitarian lense, she can quickly see if there are background forces that are preventing lawmakers from going forward.^{lxxxii} Benhabib may accuse me that Wolin's concept of Fugitive Democracy, as a result to resolve Inverted Totalitarianism is just as empty as proceduralism. First, Wolin defines Fugitive Democracy as democracy with a spontaneous nature.^{lxxxiii} Yes, In other words, pure democracy is free from borders, constitutions, and any other restriction.^{lxxxiii} Yes, I will agree that Fugitive Democracy as a stand along event is just as blind as strict proceduralism. Democracy needs an aim and purpose. Without that, you may as well have anarchy. So, yes, I agree that Benhabib needs Wolin to complete her democratic theory and vise versa. Proceduralism in itself gives a democracy shape and Inverted Totalitarianism is able to help us judge the behaviors of the *demos* and of the government if they are behaving democratically.

Closing Remarks:

In this paper, I have shown how Benhabib's criticism of Wolin demonstrates her own *aporias* and problems in her democratic theory. Throughout my criticism of Benhabib and Habermas, I have shown how discourse theory, though important for democratic operations, can be poisoned by the effect of corporate capitalism and various other forces. Furthermore, I have tried to show that Benhabib's own democratic theory, as a result, is one unjustified because it does not account for the economic effects of corporate capitalism and its cultural influences such as the role of equality versus tolerance. Despite the fact that Benhabib and Wolin have

fundamental differences, I would argue that both Wolin and Benhabib have multiple things in

commun. The Bridge between Wolin and Benhabib can be seen in the work of John Stuart Mill's work on liberty and the power of discourse.^{lxxxiv} Like Mill, both Benhabib and Wolin acknowledge the power of discourse in democratic life. I too recognize the power of pure discourse (free from coercion and corporate interest) to effect a *demos* seeking the truth. This is what, Occupy is asking for, but in a different frame of mind. I appreciate her conception of Democratic Iterations, though I have pointed out its weaknesses, if she considers the use of Inverted Totalitarianism as a standard to judge democratic activities, it would hold liberal democracy to a higher standard. So, in an Inverted Totalitarian framework, not only will the *demos* be informed via intellectually honest politicians, news organizations, researchers, etc, but the *demos* will be able to hold people accountable for telling the truth.^{lxxxv} Benhabib, as I have said, assumes that the *demos* will figure it out if they have been lied too by politicians and news pundits. However, if that were the case, then any action would be scrutinized by both sides, rather than serving puppets (news pundits) for one side or the other. I have to agree with Wolin on the state of autonomy of the *demos*. Benhabib has not provided much of any evidence to the contrary, but she does make a good attempt of providing a system that can work.

A second item needed to encourage pure discourse along with intellectually honest politicians and news pundits is a well-versed civic education. In ancient Greece, Pericles demonstrated the importance of civic education for the Athenians. Pericles would claim that education was good for the citizen because it not only assisted him in his personal life, but allowed the *demos* to make judgements about their body politic.^{lxxxvi}) Pericles is correct about how education can effect a *demos*. If we are able to be educated about the successes and failures

of liberal democracy, each individual will autonomously be able to determine the course of action for him or herself, but the course of their respective nation. It is similar to Brown's suggestion to teach tolerance in school. Even further, I would couple the teaching of equality with Benhabib's suggestion of teaching the role of personal human rights. E. M. Forester was right to praise democracy by acknowledging the good that it has given to our society.^{lxxxvii} To conclude, this paper is a praise and encouragement to the Benhabibian project, to incorporate a more critical outlook at democracy and its corporate influence on the *demos*. Though I believe that the Wolinsque project of Inverted Totalitarianism demonstrates a failure of representative Democracy and possibly democracy as a brand name, structured spontaneous democracy with Habermasian discourse may be its saving grace.

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ⁱ Seyla Benhabib, "A Review of Democracy Incorporated," *Perspectives on Politics Vol. 8, No. 1* (March 2010): 353-355

ⁱⁱ *Ibid*, A clear example is the 2008 housing crisis, displacing individuals from their homes, which is the basis of Benhabib's project of locality and democracy.

ⁱⁱⁱ *Ibid*

^{iv} Sheldon Wolin, *Democracy Incorporated: Managed Democracy and the Specter of Inverted Totalitarianism* (Princeton: Princeton University Press, 2008), 67

^v Seyla Benhabib, *The Rights Of Others: Aliens, Residents, and Citizens* (Cambridge: Cambridge University Press, 2004), 131-132

"Which norms and normative institutional arrangements would be considered valid by all those who would be affected if they were participants in special moral argumentations called discourses. The emphasis now shifts from what each can will via a thought-experiment to be valid for all, to those justificatory processes through which you and I in dialogue, and with good reasons, can convince each other of the validity of certain norms by which I mean simply general rules of action."

^{vi} In *The Theory of Communicative Action*, Habermas differentiates between communication with the ends of mutual understanding (communicative action) and communication with an ends to persuade (strategic action). Although they appear antagonistic *prima facie*, the root of persuasion is still understanding the speaker's point of

view. This is the basis of both Benhabibian and Habermasian theories of discourse. Please see Jurgen Habermas, *The Theory of Communicative Action Volume 1*, trans. Thomas McCarthy, (Boston: Beacon Press, 1984), 286-287

^{vii} Seyla Benhabib, *Critique, Norm, And Utopia: A Study of the Foundations of Critical Theory* (New York: Columbia University Press, 1986), 284

^{viii} Ibid

^{ix} Seyla Benhabib, *Critique, Norm, And Utopia*, 285

^x Jurgen Habermas, "Discourse Ethics: Notes on a Program of Philosophical Justification," in *The Communicative Ethics Controversy*, ed. Seyla Benhabib and Fred Dallmayr, (Cambridge: MIT Press, 1990), 84-86

The logical component of discourse includes that (1.1) that a person should not contradict him or herself, (1.2) one should be fair in applying conditions of language, and finally, (1.3) one should not equivocate. The dialectical component of discourse includes, (2.1) one should argue only what he or she truly believes and (2.2) someone who would like to add a point of contention to the agenda should give a legitimate reason that it should be discussed.

^{xi} Seyla Benhabib, *Situating The Self: Gender, Community and Postmodernism in Contemporary Ethics (New York: Routledge, 1992), 31*

^{xii} Allen W. Wood and Immanuel Kant, "The Fundamental Principles Of The Metaphysics of Morals," trans. Thomas K. Abbot, in the *Basic Writings of Kant* (New York: Modern Library, 2001), 172

^{xiii} Allen W. Wood and Immanuel Kant, *The Fundamental Principles Of The Metaphysics Of Morals*, 178

^{xiv} According to Habermas, the principle of discourse is a metanorm derived from the principle of universalibility. It states that, " that only those norms can claim to be valid that meet (or could meet) with the approval of all concerned in their capacity as participants in a practical discourse." Principle D's maxim is found as a practical metanorm grounded in the form of Kantian Deontology. Please see Jurgen Habermas, *Discourse Ethics*, 90

^{xv} Jurgen Habermas, *Discourse Ethics*, 72

^{xvi} Allen W. Wood and Immanuel Kant, *Fundamental Principles Of The Metaphysics Of Morals*, 189-191

^{xvii} Jurgen Habermas, *The Crisis of the European Union*, trans. Ciaran Cronin, (Cambridge: Polity Press), 2012), 72

^{xviii} Allen W. Wood and Immanuel Kant, "To Eternal Peace," trans. Carl J. Friedrich, in the *Basic Writings of Kant*, (New York, Modern Library, 2001), 441-4488

Benhabib recognizes two important points that transcend her cosmopolitan and democratic theory. The first is Kant's prescription that every constitution should be republican because it would be able to grant political

freedom to the *demos*. Second it prevents a tyrannical takeover by the sovereign. The second, and probably the most important for Benhabib's purposes, a foreign nation should not treat sojourners with hostility if the sojourner poses no threat.

^{xix} Ibid

^{xx} Seyla Benhabib, *The Rights of Others*, 138

^{xxi} Seyla Benhabib, *Situating The Self*, 153

^{xxii} Seyla Benhabib, *The Rights of Others*, 177

According to Benhabib, Democratic Iterations are, "Complex processes of public argument, deliberation, and exchange through which universalist rights claims and principles are contested and contextualized, invoked and revoked, posited and positioned, throughout legal and political institutions, as well as in the associations of civil society. These can take place in the "strong" public bodies of legislatures, the judiciary, and the executive, as well as in the informal and "weak" publics of civil society associations and the media."

^{xxiii} Hannah Arendt, "On Violence," in *The Crises of the Republic*, ed. Hannah Arendt Boston: **Houghton Mifflin Harcourt, 1972**, 153

Hannah Arendt defines power as "Human ability not just to act but to act in concert. Power is never the property of an individual; it belongs to a group and remains in existence only so long as the group keeps together." Both Arendt and Benhabib share the underlying assumption that legitimizing *demos* power is actual power. In this paper, I will grant Arendt the definition of what I will call legitimizing power. This power, according to Arendt is power that can be squashed by acts of violence (Ibid) or we can say coercive discourse, which renders such communicative acts illegitimate for Habermas and Benhabib and illegitimate power for Arendt.

^{xxiv} Seyla Benhabib, *The Rights of Others*, 185

^{xxv} Seyla Benhabib, *The Rights of Others*, 187

^{xxvi} Seyla Benhabib, "**Democratic Iterations: The Local, the National, and the Global**," in *Another Cosmopolitanism: The Berkeley Tanner Lectures*, ed. Michael Post (New York: Oxford University Press, 2006), 53

^{xxvii} Seyla Benhabib, *Democratic Iterations*, 50-51

^{xxviii} Seyla Benhabib, *The Rights of Others*, 193

^{xxix} Seyla Benhabib, *Democratic Iterations*, 67

^{xxx} Jurgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge: MIT Press, 1998), 113-114

^{xxxi} Jurgen Habermas, *Between Facts and Norms*, 157

^{xxxii} Jurgen Habermas, *Between Facts and Norms*, 165-168

^{xxxiii} Jurgen Habermas, *Crisis of the European Union*, 19-21

^{xxxiv} Jurgen Habermas, *Crisis of the European Union*, 45-48

^{xxxv} Jurgen Habermas, *Crisis of the European Union*, 59-60

^{xxxvi} Sheldon Wolin, "Inverted Totalitarianism," *The Nation*, May 19, 2003.

<http://www.thenation.com/article/inverted-totalitarianism>

In the Article he says the following to further differ itself from German Totalitarianism. "I Weimar Germany, before the Nazis took power, the "streets" were dominated by totalitarian-oriented gangs of toughs, and whatever there was of democracy was confined to the government. In the United States, however, it is the streets where democracy is most alive--while the real danger lies with an increasingly unbridled government."

^{xxxvii} It could be argued that the Occupiers are victims of Testimonial quieting or the fact that hearers are unable to recognize the speaker as a legitimate source. This is accomplished through the prejudices we already possess against the Occupiers, or talking points echoed by the mass media. Words such as, "Unamerican," "against American values," "anticapitalist," and many others are used as snarl words to have us tune the deviant (in this case, the Occupier) out. These acts of silencing are necessary for Inverted Totalitarianism. Kristie Dotson has written extensively on the practices of silencing and acts of Epistemic Violence. Please see, Kristie Dotson, "Tracking Epistemic Violence, Tracking Practices of Silencing," *Hypatia* 26 No. 2 (2011): 236-257

^{xxxviii} Sheldon Wolin, *Politics and Vision: Continuity and Innovation in Western Political Thought (Expanded Edition)* (Princeton: Princeton University Press, 2004), 592

^{xxxix} Bonnie Honig, "**Another Cosmopolitanism? Law and Politics in the New Europe,**" in **Another Cosmopolitanism, 112**

^{xl} Wendy Brown, *Regulating Aversion: Tolerance in the Age of Empire* (Princeton: Princeton University Press, 2006), Chapter 3

^{xli} Max Horkheimer and Theodor Adorno, *Dialectic of Enlightenment: Philosophical Fragments*, ed. Gunzelin Schmid Noerr, trans. Edmund Jephcott (Stanford: Stanford University Press, 2002), 104

Horkheimer and Adorno express the connection between the co-opting of liberalism and tolerance of various ideas. We will see later when we discuss the Culture Industry. Horkheimer and Adorno say, Horkheimer and Adorno expresses the connection between the co-opting of liberalism and the Culture Industry when they say, "The ruler no longer says: Either you think as I do or you die. He says: You are free not to think

as I do; your life, your property—all that you shall keep. But from this day on you will be a stranger among us. Anyone who does not conform is condemned to an economic impotence which is prolonged in the intellectual powerlessness of the eccentric loner. Disconnected from the mainstream, he is easily convicted of inadequacy.”

^{xlii} Wendy Brown, *Regulating Adversion*, Chapter 4

^{xliii} Ibid

^{xliiv} Wendy Brown, *Regulating Adversion*, Chapter 1

^{xlv} Wendy Brown, *Regulating Adversion*, Chapter 4

^{xlvi} Max Horkheimer, *Eclipse of Reason* (New York: Seabury Press, 1974), 5

Horkheimer also differentiates between formalized subjective reason or reason (instrumental reason) and objective and subjective reason. The latter is concerned with means only and the former is concerned with ends, usually related to the highest ends. Formalized reason usually dealt with means to survive or as he called it, “self-preservation.”

^{xlvii} Max Horkheimer, *Eclipse of Reason*, 59

^{xlviii} Sheldon Wolin, *Politics and Vision*, 590

^{xlix} Max Horkheimer, *Eclipse of Reason*, 71-72

ⁱ Ibid

ⁱⁱ Sheldon Wolin, *Democracy Incorporated*, 126

ⁱⁱⁱ In a 2008 New York Times article, Dr. Claudia Henschke was caught receiving money from the Vector group, who received money by a Tabbaco company in order to influence a study. Whether or not she knew about the origins of the money, it demonstrates that all codes of ethics go out the window when money is involved and if you do not get caught. Please see, Gardiner Harris, “Cigarette Company Paid For Lung Cancer Study,” New York Times, March 26, 2008 http://www.nytimes.com/2008/03/26/health/research/26lung.html?pagewanted=all&_r=0

^{liii} Sheldon Wolin, *Democracy Incorporated*, 68

^{liv} According to the PBS FrontLine documentary, College Inc, Anne Cobbe was living on \$7,000 a year and receiving welfare. She too was supporting two minor children. After graduating from the University of Pheonix, she was \$30,000 in debt. After a struggle to find work and penalties, the debt has risen to \$60,000. The school has no responsibility, it is the tax payer who has to pay the bill. She is not alone, former students have become irate at the lack of job opportunities their for-profit degree gives them. Please see, John Maggio & Martin Smith, *College Inc.*, Documentary, Correspondent Martin Smith (2010 PBS FrontLine.), <http://video.pbs.org/video/1485280975/>

^{lv} According to a 2007 study by the American Academy of Pediatrics, up to forty percent of popular music in the 1990's refers to sexual themes or detail sexual behavior. I would suggest that the trend has remained the same. Please see, Steven Martino et al., "Exposure to Degrading Versus Nondegrading Music Lyrics and Sexual Behavior Among Youth," *Pediatrics* (2007): 430-441, <http://www.pediatrics.org/cgi/content/full/118/2/e430>

^{lvi} Max Horkheimer and Theodor Adorno, *Dialectic of Enlightenment*, 130

^{lvii} Max See Note XLI

^{lviii} I do stress that anything outside the mainstream is rarely heard, when it comes to political news. Noam Chomsky highlightts this point well in his article in the Gardian., "Take the US invasion of Iraq, for example. To everyone except a dedicated ideologue, it was pretty obvious that we invaded Iraq not because of our love of democracy but because it's maybe the second- or third-largest source of oil in the world, and is right in the middle of the major energy-producing region. You're not supposed to say this. It's considered a conspiracy theory."

Noam Chomsky, US control is diminishing, but it still thinks it owns the world, The Gardian, February 4, 2013, <http://www.guardian.co.uk/commentisfree/2013/feb/04/us-control-diminishing-own-world>

We can see the same exclusions in movies that create self and other demarkations or the creations of stigmas. On one side, we have humanitarians, honest Americans, soldiers in the arm forces, and so on. On the flip side, we have deviants, Islamic terrorist, and poor hippie liberals.

^{lix} Max Weber, *The Protestant Ethic and The Spirit of Capitalism (Third Edition)*, trans. Stephen Kalberg (Los Angeles: Roxbury Publishing, 2002), 124

^{lx} In his study, Max Weber describes the ethos of the churches that promoted capitalism. Luther suggested capitalism allows one to be of service to his neighbor and that time in the monastery can be spend elsewhere (Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, 40). Likewise, Calvin suggested that one should practice capitalism to test if they are of the elect (Doctrine of Predestination) (Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, 59-60).

^{lxi} Max Weber, "Science as a Vocation" in *Max Weber: Essays in Sociology*, ed. H.H. Gerth and C. Wright Mills, (New York: Oxford University Press, 1946), 137

^{lxii} Sheldon Wolin, *Democracy Incorporated*, 10

^{lxiii} This is an example of Sympathetic magic, like how for Horkheimer, a magician would mark the area of the sacred area in the ceremony. Sir James George Frazer suggests in the era of magicians, Peoples could control the myths, before the myth conquered enlightenment. Frazer says, "There is a saying everywhere current in India: The whole universe is subject to the gods; the gods are subject to the spells (mantras),, the spells to the Brahmans; therefore the Brahimns are our gods." What this means in a nutshell, for their to be magic, you need high priests and magicians to look at the situation. Frazer writes

plenty about the evolution from magic to religion or what we can call the mythological. Please see Sir James George Frazer, *The Golden Bough*, ed. Robert Frazer (New York: Oxford University Press, 1994), 48-59

^{lxiv} Max Horkheimer and Theodor Adorno, *Dialectic of Enlightenment*, 4

Horkheimer and Adorno express the mythological aspects of enlightenment when they say, "The mythologizing equation of Forms with numbers in Plato's last writings expresses the longing of all demythologizing: number became enlightenment's canon. The same equations govern bourgeois justice and commodity exchange. "Is not the rule, ... If you add like to unlike you will always end up with unlike an axiom of justice as well as of mathematics? And is there not a true coincidence between commutative and distributive justice, and arithmetical and geometrical proportion?" Bourgeois society is ruled by equivalence."

^{lxv} Max Horkheimer and Theodor Adorno, *Dialectic of Enlightenment*, 5. When I mean record and document, I mean to record or observe as in a science experiment.

^{lxvi} 740 Park Avenue, is said to house the most wealthiest people in America, from oil refinery owners, to hedge fund operators. Please see, Alex Gibney, *Park Avenue: Money, Power and the American Dream* (PBS, 2012) <http://video.pbs.org/video/2296684923>

^{lxvii} Ibid, Social Psychologist, Paul Piff, conducts an experiment to demonstrate the economic disparity between a *Bourgeois* hedge fund operator and an individual from the South Bronx, the same area the documentary calls the poorest congressional district in America. The experiment is the game, Monopoly. To imitate economic disparity, the game was rigged. So if the rich player landed on a positive square, he gets double the amount, while the poor player only got half the value. The Rich player was able to roll two dice, while the poor player was only allow to roll one. At the same time, their body language was monitored. The player imitating the rich player was said to feel more entitled to the food on the table than the poor player. The American dream is simply, anyone can do anything, you just need to be willing to play. However, as we saw, in life like the game's outcome has already been decided.

^{lxviii} Although Gatsby threw lavishing *bourgeois* parties, where hundreds of guests walked through his home, no one came to his funeral when he was murdered. The narrator admitted, "No one came." Please see

F. Scott Fitzgerald, *The Great Gatsby*, ed. Matthew J. Bruccoli (New York: Simon and Schuster, 1992), 189

^{lxix} During her travels she met various people who she interviewed and got greater insight into the working poor. The moral of her experiment is that we should be paying more attention to America's poor because we tend to either pass judgement on their work ethic or we just care about us.

Barbara Ehrenreich, *Nickel And Dime On, (Not) Getting By In America* (New York: Metropolitan, 2001),

^{lxx} Seyla Benhabib, *Critique, Norm, and Utopia*, 168-169

^{lxxi} Jurgen Habermas, *The Theory of Communicative Action Volume 2*, trans. Thomas McCarthy (Boston: Beacon Press, 1987), 159-160

^{lxxii} Jurgen Habermas, *The Theory of Communicative Action Volume 2*, 318. What is meant is that rather than religious ethics regulating *bourgeois* capitalism, it becomes radified through laws that are agreed upon via discourse.

^{lxxiii} According to the New York Times, billions of dollars were given to banks that were underwater to save them from collapse. However, it appears that they circulated the money elsewhere to make a profit or used bailout money to pay the employees millions of dollars. Over 5,000 individuals made at least one million dollars due to the financial crisis and bailouts. Some of which made even more. Please see, Louise Story and Eric Dash, “Bankers Reaped Lavish Bonuses During Bailout,” *New York Times*, July 30, 2009, http://www.nytimes.com/2009/07/31/business/31pay.html?_r=0

^{lxxiv} Jurgen Habermas, *The Theory of Communicative Action Volume 2*, 150

^{lxxv} Sheldon Wolin, *Democracy Incorporated*, 56

^{lxxvi} Sheldon Wolin, *Democracy Incorporated*, 46

Wolin is not suggesting that the American government behaves in a totalitarian way like Hitler or Stalin, however the totalitarianism is pointed inwards into the system. For example, we may have an illusion of choice for a candidate in the national election, but in actuality, it is the same people in different clothes. So that is how it is inverted.

^{lxxvii} Sheldon Wolin, *Democracy Incorporated*, 44

^{lxxviii} “I see an innumerable crowd of men, all alike and equal, turned in upon themselves in a restless search for those petty, vulgar pleasures with which they fill their souls. Each of them, living apart, is almost unaware of the destiny of all the rest. His children and personal friends are for him the whole of the human race; as for the remainder of his fellow citizens, he stands alongside them but does not see them; he touches them without feeling them; he exists only in himself and for himself; if he still retains his family circle, at any rate he may be said to have lost his country. Above these men stands an immense and protective power which alone is responsible for looking after their enjoyments and watching over their destiny. It is absolute, meticulous, ordered, provident, and kindly disposed. It would be like a fatherly authority, if, father-like, its aim were to prepare men for manhood, but it seeks only to keep them in perpetual childhood; it prefers its citizens to enjoy themselves provided they have only

enjoyment in mind. It works readily for their happiness but it wishes to be the only provider and judge of it. It provides their security, anticipates and guarantees their needs, supplies their pleasures, directs their principal concerns, manages their Page industry, regulates their estates, divides their inheritances. Why can it not remove from them entirely the bother of thinking and the troubles of life”

Alexis De Tocqueville, *Democracy in America* (Volume 2), trans. Gerald Bevan (New York: Penguin, 2003), 805-806

^{lxxxix} Plato, *The Republic of Plato*, trans. Allan Bloom (New York: Basic Books, 1968) 561A-561C

^{lxxx} **James Oliphant**, “Herman Cain steps up attacks on Occupy Wall Street protests,” **Los Angeles Times**, October 9, 2011

<http://articles.latimes.com/2011/oct/09/news/la-pn-cain-occupy-wall-street-20111009>

^{lxxxix} When I am saying background forces, I am alluding to the corporate or special interest forces that may influence the decisions of lawmakers.

^{lxxxii} Sheldon Wolin, *Politics and Vision*, 602

Wolin defines Fugitive Democracy as, "Democracy is an ephemeral phenomenon rather than a settled system. We might think of it as protean and amorphous, embracing a wide range of possible forms and mutations that are responsive to grievances on the part of those who have no means of redress other than to risk collectivizing their small bits of power. Elsewhere I have called it "fugitive democracy" in order to emphasize its necessarily occasional character."

^{lxxxiii} Sheldon Wolin, “Fugitive Democracy,” in *Democracy and Difference: Contesting The Boundaries Of The Political*, ed. Seyla Benhabib, (Princeton: Princeton University Press, 1996), 34

^{lxxxiv} "In general, opinions contrary to those commonly received can only obtain a hearing by studied moderation of language, and the most cautious avoidance of unnecessary offence, from which they hardly ever deviate even in a slight degree without losing ground: while unmeasured vituperation employed on the side of the prevailing opinion, really does deter people from professing contrary opinions, and from listening to those who profess them. For the interest, therefore, of truth and justice, it is far more important to restrain this employment of vituperative language than the other; and, for example, if it were necessary to choose, there would be much more need to discourage offensive attacks on infidelity, than on religion. It is, however, obvious that law and authority have no business with restraining either, while opinion ought, in every instance, to determine its verdict by the circumstances of the individual case; condemning every one, on whichever side of the argument he places himself, in whose mode of advocacy either

want of candor, or malignity, bigotry or intolerance of feeling manifest themselves, but not inferring these vices from the side which a person takes, though it be the contrary side of the question to our own; and giving merited honor to every one, whatever opinion he may hold, who has calmness to see and honesty to state what his opponents and their opinions really are, exaggerating nothing to their discredit, keeping nothing back which tells, or can be supposed to tell, in their favor. This is the real morality of public discussion; and if often violated, I am happy to think that there are many controversialists who to a great extent observe it, and a still greater number who conscientiously strive towards it.”

John Stuart Mill, *On Liberty* (Dover Publications: Toronto, 2002), 51

^{lxxxv} Sheldon Wolin, *Democracy Incorporated*, 262

^{lxxxvi} I would like to thank Dr. Don Matthewson of California State University, Fullerton for a lively discussion on Pericles and allowing me to cite his paper (forthcoming)

^{lxxxvii} “Democracy is not a Beloved Republic really, and never will be. But it is less hateful than other contemporary forms of government, and to that extent it deserves our support. It does start from the assumption that the individual is important, and that all types are needed to make a civilisation. It does not divide its citizens into the bossers and the bossed—as an efficiency-regime tends to do. The people I admire most are those who are sensitive and want to create something or discover something, and do not see life in terms of power, and such people get more of a chance under a democracy than elsewhere. They found religions great or small, or they produce literature and art, or they do disinterested scientific research or they may be what is called “ordinary people,” who are creative in their private lives, bring up their children decently, for instance, or help their neighbours. All these people need to express themselves; they cannot do so unless society allows them liberty to do so, and the society which allows them most liberty is a democracy. Democracy has another merit. It allows criticism, and if there is not public criticism there are bound to be hushed-up scandals. That is why I believe in the Press, despite all its lies and vulgarity, and why I believe in Parliament. Parliament is often sneered at because it is a Talking Shop. I believe in it *because* it is a talking shop. Page 70

I believe in the Private Member who makes himself a nuisance. He gets snubbed and is told that he is cranky or ill-informed, but he does expose abuses which would otherwise never have been mentioned, and very often an abuse gets put right just by being mentioned. Occasionally, too, a well-meaning public official starts losing his head in the cause of efficiency, and thinks himself God Almighty. Such officials are particularly frequent in the Home Office. Well, there will be questions about them in Parliament sooner or later, and then they will have to mind their steps. Whether Parliament is either a representative body or an efficient one is questionable, but I value it because it criticises and talks, and because its chatter gets widely reported. So Two Cheers for Democracy: one because it admits variety and two because it permits criticism. Two cheers are quite enough: there is no occasion to give three.

Only Love the Beloved Republic deserves that." E. M. Forster, *Two Cheers For Democracy* (Boston: Houghton Mifflin Harcourt, 1951), 69-70