

## **Forcing the Iraqis to be Free: Comments on the Question: “Can Democracy be Imposed by an External Military Force?”**

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I'd like to begin my comments by reminding us that democracy is not a good in itself. We have a tendency to think that it is, given our political education as North Americans, but democracy is a means to an end, and if it does not achieve such ends, then a different form of government might be justified.

Democracy is both a decision-making procedure and a theory of legitimacy. It is a decision-making procedure in that it gives us a method by which we can adjudicate political difference and create a common civic body with a single framework of laws. It is a theory of legitimacy because it presupposes the fundamental postulate of modern political philosophy: governance is only justified when it is based upon the consent of the governed. To be governed against one's will is to have one's essential rights violated, or so virtually every theorist after the seventeenth century has told us.

How seriously we are to take this comment is unknown. We govern people against their will all the time. We impose taxes, punishment, restrictions, social norms and expectations. Twenty five hundred years ago, the Platonic Socrates argued that we have to obey the government because we chose to remain under its care, but the right-to-exit argument is no longer applicable despite its numerous variations. First, there is no other place to go. While one might go shopping for a country more to one's liking there is no feasible way to go where there is no government at all. Second, the very act of leaving one society and entering another requires permission: immigration and emigration are heavily restricted throughout the world, and the people who want to leave their circumstances the most are the people who are usually welcomed the least. Third, the right-to-exit applies only to those with the means to leave. Money, transportation, time, physical capabilities, and awareness of one's options are

all necessary preconditions for finding a new place to live. Fourth, and finally, the right-to-exit is only a solution for those who value freedom from restriction more than any other good – more than family, more than security, more than religious association. The right-to-exit justification for tacit consent to governance falls apart in the modern world.

Most Iraqis have no place to go. Some have made their way to refuges camps, a temporary and unpleasant relocation, and some of the more wealthy have found asylum in a variety of nations around the world. Most are trapped by brute political reality. Ask yourself a simple question, would we as Americans be willing to open our borders to any Iraqi who wished to live here? Would we be willing to pay their airfare and offer them humane living conditions for as long as it took them to become self-sufficient? Most in this room would reject this possibility despite the fact that it would likely be cheaper in the short run, contribute significantly to the economy in the long run, and substitute care and respect for violence and neglect. We are willing to destroy their infrastructure – for a purpose of course – but we are not willing to have them live among us. Security, poverty, even racism may play a part in our justifications but the tenuous nature of our reasons don't change our conclusions. The Iraqis remain there and we remain here.

It is therefore incumbent upon us to counter Socrates and others by remembering that Iraqis remain within the war zone because they have to, because they have no other options, and because their presence, even their collaboration with American forces, does not *necessarily* denote consent to our being there. It does not suggest rejection of our aims either. It suggests nothing other than what may be the easiest of short-term options for those stuck in a difficult situation.

When Colin Powell introduced what he termed the Pottery Barn rule of international politics – “you break it you bought it” (a rule which, ironically, Pottery Barn immediately announced that they did not follow) – he was making a moral argument not simply a political one. We broke Iraq, again, perhaps for good reason, and therefore it is our job to repair it. It would be immoral for us to do otherwise. We are, he suggested, supposed to make it whole again, to make it even better when we were finished, and better in this context means democratic self-governance regardless of what the Iraqis may, themselves, actually want. Hence we have the question at hand: it is possible to force that kind of government, a democratic government, on a people via an external military force? This is not a new question, and a variation of it can be found in the work of the eighteenth century French philosopher Jean Jacques Rousseau.

Rousseau argued that when proper political structures were in place, any individual could be “forced to be free” by the sovereign body that governs his or her society. While these two terms may seem contradictory – in everyday terms, freedom and compulsion are in opposition to one another – Rousseau is adamant that these two notions could go hand in hand. He explains that a person who “refuses to obey the general will shall be compelled to do so by the whole body,” which, in turn, “secures him against all personal dependence” (*Social Contract* I.7). In other words, for Rousseau, coercion leads to independence.

Rousseau was no ivory tower philosopher. His writing played what most consider to be the major inspiration for both *The Declaration of the Rights of Man* (1789) and the French Revolution (1789 – 1799). In many ways, he was to France what Karl Marx was to Russia and John Locke was to the United States. And, as is the case with the former Soviet states and the American republic, France is still negotiating the meaning of its founding philosophies all these years later.

Central to Rousseau’s approach is the idea of the general will as an outgrowth of a social contract. Building off of Locke and another English philosopher Thomas Hobbes, Rousseau argued that society was formed by an agreement between individuals who wished to leave the state of nature – a situation without political organization where people were faced with both uncertainty and competition. These individuals

contract with one another to limit their natural rights, establishing a sovereign ruling body the legitimacy of which is derived from the consent of the governed. The sovereign is not the government; it is the people themselves. The government only acts out the will of the people and is only a legitimate authority when it follows this will. This much is close to agreement with Locke, and up until this point, the French model shares much with the American founding.

Rousseau and Locke differ, however, in two very important ways, both of which are connected to the notion of truth. First, for Locke, when people voted, they are asked to make political decisions based on their own self interest. They are to ask “what is best for me” and to pick representatives that will act on these desires. The multitude of interests will, in effect, offer a best-possible compromise that benefit society as a whole. This model leads to the interest-group politics that, again, Americans find so familiar.

Rousseau, on the other hand argues that voting based on self-interest corrupts the democratic process; individuals should instead cast their ballots for those people or positions that they genuinely feel are in the best interest of society as a whole even if the choices do not represent their own private desires. Each person is asked to make a judgment about what is the most beneficial for everyone collectively, and the result becomes a “general will,” an inter-subjective account of what is best for society that is both binding and correct. For Rousseau, society is governed by a direct rather than a representative democracy.

A second difference between Locke and Rousseau’s approaches is their justification of their democratic processes. For Locke, consent is self-justificatory. A government is legitimate simply because its citizens want it; they want it to protect their life, liberty, and property. According to Rousseau, however, consent is subordinate to truth. He writes that “the general will is always right and tends to the public advantage” (*Social Contract*, 2.3). He further argues that those who disagree with the general will – those who hold different positions than the majority – are, to put it simply, wrong in their judgment and must be corrected. Since truth is a precondition of freedom – one is not free if one believes that two plus two equals five, for

example – dissenters can and ought to be *forced to be free*. This is the key point. Since the general will discovers truth, any one who is not in agreement with the general will is justifiably excluded or forced to act in accordance with the newly discovered truth. According to Rousseau, the transitive nature of the sovereign means that individuals are thought to agree with the decision that they oppose. This is why he asserts that they are free. Any activity of the sovereign is a self-governed activity.

Both theories require knowledge. Locke's self-interested model necessitates self-knowledge and the ability to determine the best way to achieve their means; individuals must know what they truly want and what is in their best interest, and they must be rational creatures. In contrast, Rousseau's model requires that individuals must have a sense of what society itself needs and must be able to stand apart from their own biases and make disinterested judgments for the sake of the community. If this were not the case than one could not be forced to be free. However, since the force is a kind of correction, the individuals who are in disagreement are freer if they follow what they ought to believe than what they actually believe. Despite its being French in origin, the United States is adopting Rousseau's model in Iraq, although it may look like we are adopting Locke's. We are claiming that the Iraqis can be forced to be free and the interest groups within the society – the Sunnis and the Shiites, for example – ought to recognize that their vision of what their government ought to look like is wrong. They therefore have to reject their self-interest and subordinate their goals to the goods of society. Only when they do this will they be truly free.

Democracy is complicated by the fact that it has a tendency to devolve into autocracy – into a dictatorship. The two most powerful criticism of the democratic process, both of which are over two millennia old, are based on the fact that democracy is rule by the ignorant – there are no intellectual qualification for democratic participation – and that the majority subordinates the sometimes correct minority to its own needs. The latter references what Alexis de Tocqueville and John Stuart Mill call “the tyranny of the majority.” Individuals who are subject to a majority rule are forced to abide by the decisions of those whom they disagree with. If there are no absolute protections of civil rights – if a person's

private practice of religion, for example, or claim to legitimate property ownership is not protected, than one may end up being a slave to the dominant value. Even more fundamental, if their basic needs are not met – sustenance, housing, medical care, reproductive rights, education – their ability to exercise their civil rights are compromised too. It makes no difference to the slave whether he or she is being ruled by one person or by the multitude, without the right to self-determination, one has no freedom. Being subject to the decision of others makes one's participation irrelevant.

This is what is wrong with Rousseau's model. While it is more considerate in its approach to society as a whole, it removes self-concern and self-determination. Democracy of this form is, in a certain sense, anti-democratic. One can be completely unable to judge right and wrong and, according to Rousseau, still be free. One can be illiterate, impoverished, and oblivious, and still follow the rules of the general will.

That last part flew by quickly, so let me repeat it. Under Rousseau's model one can be completely unable to judge right and wrong, and according to Rousseau, still be free. One can be illiterate, impoverished, and oblivious, and still follow the rules of the general will. This is a peculiar definition of freedom, albeit the dominant one in the United States. Freedom, in this model, is freedom from restraint. One is free if and only if one gets to do exactly what one wants. The requirement that one is forbidden to do those things that harm others is a political compromise, a sacrifice that one makes for the sake of society.

Freedom, under this model, isn't compromised if what one wants to do is stupid or self-destructive. At the root of all this is the assumption that one is free when one acts on momentary desire. It is the operating agent known as economic preference, the choice one makes between desired options (real or imagined) as determined by pleasure, happiness, or other forms of utility (usefulness). Under this model, all preferences are emotional responses. I choose my flavor of ice cream because it gives me pleasure, I chose my presidential candidate because I like him or her better than the opponents, or because his or her political stance helps me achieve my ends. I vote for the candidate because I prefer to. The irony is that

although Rousseau sought truth, his subordination of those who disagree to those who are part of the majority reduces his political theory to the same interest-group politics that might have been overcome in his response to Locke. The fact that the interest groups aim at representing the will of the whole doesn't change the fact that factions are competing against factions.

What I wish to argue here is that as described, both thinkers, and the American policy in Iraq, misunderstand democracy. Democracy is not a simple majority rule. That would be totalitarianism with a complex despot. Democracy is self-governance by people who have the intelligence, capacities, and opportunities to make rational, informed, and publicly justifiable decisions and who continuously collectively deliberate to rediscover new rational, informed, and publicly justifiable decisions. A democracy is only possible given an educated and capable population. This, of course, answers the classical objection that democracy is rule by the ignorant. Majority rule may be, but democracy isn't.

Don't get me wrong, both Rousseau and Locke address these issues to a certain extent, and I would happily discuss their philosophies of education in more detail if time permitted; there is more sophistication on their part than my superficial account suggests. For our purposes, however, we can use the lessons we glean from their comparison to begin to answer the panel question: Can democracy be imposed by an external military force? My answer is yes, but only if, before the majoritarian structures are in place, the military provides those means by which individuals in that society cultivate what I shall call *democratic rationality*.

Before there is a democratic government, there must be basic services, long-term education, and civil rights. Before one imposes a democratic government on a non-democratic population, that military must cultivate what Amartya Sen and Martha Nussbaum refer to as *capabilities* and what I, in another context, call *the necessities of participation*. It must foster individuals who are themselves capable of being more than just a tyranny of the majority engaged in a blind search for either truth or efficacy. The irony in this situation, of course, is that such a population would never need democracy forced upon them

by an external military force. They would already have it.

The problem in Iraq is that we Americans are doing it backwards. We are building a so-called democratic government that will someday create the infrastructure that might eventually, if well-ordered, create individuals who can function well in the democracy created a long time before they were able to use it. But if individuals cannot do that now (and after decades of oppression and sanctions, there is reason to think they can't), the democracy is doomed to fail and the imposition of democracy by the military is impossible.

I am not arguing, by the way, that we should impose a dictatorial regime over Iraq as we have done in the past in Iran (which led to the Iranian revolution). Nor am I arguing that Iraqis are irrational. Being able to make rational judgments in a totalitarian regime is an advanced skill – one which I would fail at miserably – and being able to thrive under a despot is impressive to say the least. The difficulty is in the shift of context, the assumption that one can change governments the way that one can change shoes without any loss of political capacity or understanding is plainly false. In short, I am suggesting that the whole Iraq project was doomed to fail, that possibly something more akin to the Marshall Plan (the transition blueprint for Europe post World War II) should have been tried, but even that might have been precluded by American war-like actions since Europe retained many of its social institutions even as it lost much of its infrastructure. The history of religious warfare in the seventeenth century also better prepared it for tolerance. It put it plainly, in the case of Iraq, we should send teachers instead of troops, medicine instead of munitions, books instead of bombs.

If one were to ask me what to do given the current situation on the ground, my answer is simply that I do not know. I'm stumped. I offer no plan of action, only a standard of success. A democratic society is one in which decisions are made by a close to universally-participating, informed, educated, rational, deliberative populace that has their basic needs met and are therefore attending to their more advanced capabilities. Of course, given that description, I'm not convinced that the United States is truly a democracy either, but that is another conversation for another time.