

Signature Initiatives Working Group Draft Report – Appendix A3

Democracy, Values, Governance, and Freedom of Expression

April 2018

BRIEF SUMMARY:

Now is the time for a broad reflection on the values and conditions that enable democracy to flourish. All aspects of democratization must be considered in an age in which technology, wealth, globalization, political polarization, mass immigration, and inequality pose challenges to democracy. Berkeley will lead in clarifying the future of democracy, its paths of evolution, and ways to preserve and enhance it.

EXECUTIVE SUMMARY:

From its roots as a land-grant university devoted to the principle that “any resident of California, of the age of fourteen years or upwards, of approved moral character, shall have the right to enter himself in the University as a student at large,” the University of California has promoted democracy in practice, in thought, and in education.¹ Notable events include admitting women and minorities very early in its history; the loyalty oath controversy of the late 1940s and early 1950s; the Free Speech Movement of 1964-65 that increased the rights of students to engage in political activities; the Vietnam War protests of the late 1960s that exercised the rights of students to petition the government for redress of grievances; and ongoing research on democracy, the media, rule of law, human rights, voting systems, deliberative democracy, and many other topics. UC Berkeley has also devoted itself to remaining accessible to new populations of students to ensure upward mobility and a chance for everyone to be an equal citizen in a democracy.

Despite all these efforts, to our knowledge, Berkeley has never focused on a concerted effort to understand democratization and to improve democratic governance. We propose such a Signature Initiative because it fits with UC Berkeley’s history as a land-grant university with a public mission and because it will flourish by drawing upon the comprehensive excellence of the campus.

THE CHALLENGE:

With increasing frequency, we are warned that democracy is under threat or in retreat. The warnings provoke a reflexive sense of alarm and dismay. And to an extent surprising in our polarized political culture, the sense of alarm is widely felt. “Undemocratic” (alongside, perhaps, “corrupt” and “unpatriotic”) is one of the few political epithets that still has an ecumenical ring. In contrast to “liberal”

¹ UC’s history also comprises people and actions that have been non-democratic, but it seems fair to say that UC Berkeley has mostly come down on the side of democracy.

or “conservative,” we don’t need to know the speaker’s party affiliation to know that she means it as a term of abuse.²

Democracy’s spread, hand-in-hand with industrialization and the ascent of the modern nation-state, is the hallmark of the past 250 years. Democracy encompasses the practices and institutions for governing, either in actual application or in charade, almost every modern nation-state since the American revolution of 1776. Even North Korea feels compelled to call itself the Democratic People’s Republic of Korea and to undertake periodic (one candidate) elections. Democracy even reaches into the governing practices within organizations such as schools, universities, corporations, religious institutions, voluntary associations, unions, clubs, and other groups that want to combine hierarchy with a sense of membership and involvement. In addition, the process of “democratization” refers to a phenomenon in which culture becomes available to and is produced by everyone—as in the democratization of taste and opinion—and it refers to the degree to which methods of communication such as the press or the Internet become more and more available to the mass public. All these aspects of democratization must be considered in an age in which technology, wealth, globalization, political polarization, mass immigration, religious intolerance, and inequality pose threats to democracy. Despite these threats, almost every person, institution, and nation wants to democratize and to be democratic.

But what are these changes threatening? What is democracy? Why is democracy valuable? What values and conditions enable democracy to flourish and which current developments pose the greatest challenges to its future? Are human beings equipped for democracy? Here anthropology, history, politics, economics, sociology, psychology, and all the social science disciplines are indispensable. The humanities and arts, as the study of the history of human thought, expression, and values, are essential to understanding how democracy has developed, what it means to the modern world, and how it can be articulated through the arts. Professional schools such as public policy, law, journalism, education, information, environmental design, public health, social welfare, and business can also contribute to our understanding of democracy in their respective fields. The life sciences can help us understand human abilities and potentials. Finally, scientific and technological advances such as the Internet, DNA editing, new forms of energy and transportation, artificial intelligence, and many others are integral to modern democracies, and yet pose challenges to democratic governance. The rise of these innovations also requires combining democratic governance with expertise to fathom their impacts and to harness them constructively. Understanding democracy (see Appendix 1 for one possible definition) and practicing democracy pose a multitude of challenges, which are listed below.

METRICS AND MILESTONES:

Democracy, Values, Governance, and Freedom of Expression clearly presents a challenge that is ambitious, relevant, and timely. The topics listed below are fairly specific and each lends itself to time-bound and measurable goals. Since “top-down” initiatives typically fail on the Berkeley campus, we hope that once this challenge is presented to the campus, some of the specific topics will energize groups of Berkeley faculty members who will take the lead in formulating initiatives around them.

² This paragraph is lifted verbatim from a write-up by Niko Kolodny about democracy. A number of the following sentences are adapted from his excellent set of notes.

EXEMPLAR THEMES WITHIN THIS CHALLENGE:

We invite the UC Berkeley Community to submit ideas (at any stage of development). We also want to hear from faculty already working on research programs within the scope of this Signature Initiative. For any idea submitted, please limited it to 500 words at this stage. Ideas may be specific or broad, but should lend themselves to measurable and time-bound goals.

The Inclusion Challenge. The modern nation-state provided a solution to a vexing problem facing democracy: if all people are equal then how do we define the boundary of a democratic polity? The nation-state provided a boundary—namely the territory of the nation-state. But how should we define a nation-state? The notion of a nation, often defined by ethnicity, race, religion, or even a Constitutional creed (as in the United States), provides an answer. The arts and humanities, together with the social sciences, can help us understand what this answer has meant in the past for peoples, cultures, and societies, and to ask whether it is still of use in a global world of massive immigration flow. How do we define citizenship today? Is the nation-state a construct for the industrial, but not the information, age? How do we define membership? The problem is exacerbated when we consider that historically some populations (e.g., women, racial or ethnic minorities, felons, etc.) have been excluded from the rights of citizenship. Many of these exclusions have been removed, still others remain in place: resident foreigners, the homeless, the incarcerated, convicted felons, etc. The inclusion problem is especially complicated for institutions *within* the nation-state because we must ask who should have “membership” and “democratic rights” in universities, churches, corporations, unions, and voluntary organizations.

The Universalization Challenge. Historically the industrializing West provided the institutional models and political values that still frame much of the analysis concerning “democratization.” Is democracy a political form irredeemably associated with a particular political experience and set of cultural commitments? Are current democratic models and values still salient in the settings of non-Western states or under different cultural orientations? Do earlier conceptions of “nation”—associated with shared ethnicity, history, race, religion—fail in the face of decolonized political units, diversified political populations, and strong divisions and antagonistic priorities among the subgroups that comprise the democratic citizenry? Does democracy imply a commitment to a particular set of trans-cultural values, such as the rule of law, universal human rights, and political equality? Or is democracy better understood as a political ideal with resonant meanings across a wide range of collective histories, political experiences, and value systems?

The Historical Memory Challenge. What role does historical memory play in democracy? Groups within democracies often have distinctly different memories of the past. Estonians in Estonia “remember” the inter-war Estonian republic in quite different ways from Russians in Estonia who focus on the post-World War II period of Soviet rule. Are these differences inevitable? Can we construct cultural memories, through art and literature, that bridge across groups? How does the specificity of historical memories relate to the universality of democracy? For example, how do monuments such as those in Estonia for soldiers of Russian ethnicity who fought in World II or those in the American south for soldiers who fought in the Confederacy relate to basic democratic values of patriotism, freedom, and equality? What role do monuments, national anthems, museums, parades, movies, and textbooks play as times change? What can the arts and humanities tell us about the ways in which cultural memories are crafted—and historical forgetfulness sometimes induced—through literature and the arts?

The Weighting Challenge. Although democracies typically endorse “one-person, one vote,” they often engage in practices that can multiply some people’s influence. Constitutional designs (such as the US

Senate), gerrymandering, money in politics, ownership of the media, time devoted to politics, expressive ability, and many other factors can multiply the impact of some people over others. What kinds of multiplication enhances democracy and what kinds detract from it? Is wealth a problem for democracy? Can democracy survive the rise in economic inequality within developed nations since the 1980s—a story chronicled by such leading lights at Berkeley as Emmanuel Saez, Paul Pierson, and Robert Reich? What kind of voice do people have in the new gilded age (see the work by Henry Brady and his collaborators)?

The Mechanisms Challenge. What mechanisms of democracy work best? Which democratic procedures operate to advance certain kinds of policy outcomes and which operate to enhance or inhibit democratic values? What is the proper mix of deliberative, representative, or populist democracy? What institutions—parliamentary or presidential, proportional multi-member or plurality single-member districts, and unitary or federal systems—work best? What kinds of separation of powers should there be? Do new technologies such as the internet change the way democracy operates? Can they contribute to democracy?

The Mechanics Challenge. How can the mechanics of elections and campaigns be improved so that all votes are counted properly, so that elections are free from fraud or interference, so that the sources of messages are clear, and so that candidates interact with one another through fruitful debates? What is the proper relationship between democratic mechanics and democratic participation? How can low-turnout populations (e.g., low income, young) be brought into politics? Can they be represented by proxy or do they have distinctive needs and desires that require their participation? Can new advances in engineering help us solve these problems?

The Information Challenge. How can inattentive publics be energized to think about political issues? What information do they need to be responsible citizens? Is it enough to know your own needs and desires? How can the socially engaged arts create political awareness and motivation to participate in civil society? What do biology, psychology, and cognitive science tell us about people's capacities to operate in a democracy? Does a functioning democracy require citizens who understand the complexities of policy choices, or can representatives in a democracy translate needs and desires into good policies? Can modern neuroscience inform us about the degree to which people are able to process the information they need to be good citizens? Can it tell us about to help form cooperative and informed citizens?

The Communications Challenge. How can new forms of cultural production be created that will allow for democratic expression? Carla Hesse shows how new forms of cultural production for publishing were invented and reinvented several times after the lifting of censorship in the French Revolution. In our own age, the democratization of expression through the internet has led to a crisis in the production and certification of knowledge. Can democracy survive the re-routing of the pathways by which citizens get their information: the decline of the print media, the demise of the major networks, and the rise of social networks? Is the sort of free speech that democracy needs compatible with speech that takes the form of targeted misinformation and online intimidation?

The Evidence and Experts Challenge. When the media have been democratized, how does one separate truth from fiction? Societies have a number of ways of developing evidence. Universities use academic debate, peer review, norms of professional behavior, and replication to check on their research. Newspapers and television use fact-checking, editorial teams, norms of good journalism, and public criticism to check on their stories. How can assertions be checked on the internet? How can institutions be created that are trusted to provide truth? What happens when they are attacked for producing “fake news” or “junk science?” How should scientific experts be incorporated in the decision-making of

democracies? Experts are citizens, but citizens are seldom experts. Can we find models where expertise will be validated and accepted? Can we help citizens judge the reliability and validity of experts?

The Polarization Challenge. Polarization in America and other societies has created opposed camps of people who distrust one another and fail to communicate. How do we communicate with the “other?” What does an effective conversation look like and how do we create it? How do polarized societies draw back from their differences to find common ground? Is the answer to polarization better people, better institutions, or better democratic mechanisms?

The Education Challenge. One cure for the ills of democracy, dating back to Cicero and running through John Stuart Mill and John Dewey has been civic education. Yet most observers agree that civic education in America is of poor quality. What can be done to develop better civic education that teaches people about the necessity of compromise?

The Expectations and Performance Challenge. With the downfall of the Soviet Union, many people in Eastern Europe and the former Soviet Union thought that “democracy” would cure the problems of inequality, poverty, ennui, poor public services, and many other difficulties. After confronting the difficulties of solving these problems, some countries such as Hungary, Poland, and Russia have turned away from democracy towards more authoritarianism. How should democracy be understood in these situations? How do we think about flawed, hybrid, and other forms of partial democracies? Can flawed democracies (e.g., Hungary, Colombia, Indonesia, Malaysia, Mexico, or Singapore), hybrid democracies (e.g., Uganda, Thailand, or Pakistan), and even authoritarian regimes (e.g., China, Kazakhstan, or Russia) offer some democratic virtues? For example, dissent, as long as it is not directed at Putin, is much more tolerated in Russia than it was in the Soviet Union from the time of Lenin to that of Brezhnev. For those countries that remain democratic, how can we improve their performance so that authoritarianism seems less attractive? What are the fundamental features of democracies that impede their performance? In what ways and in what areas do they perform well compared to other methods of governance? Are there ways to retain democracy but improve performance?

The Institutions Challenge. Organizations, including government, benefit from hierarchical command systems that can accomplish endeavors that are unthinkable for uncoordinated bodies of people. At the same time, these institutions want people to accept their legitimacy—often by suggesting that people consider themselves members of the organization. What role should democracy play in the governance of these institutions? How does democracy operate in congregational religious institutions? How does it work in membership associations? How should it work in universities and corporations?

The Myopia Challenge. Citizens and their representatives tend to be myopic. Citizens care about the here-and-now and representatives worry about their next election, not the burdens that current policies may be imposing on the society. Myopia causes politicians to deny climate change, to postpone investment in infrastructure, to promise unsustainable entitlement and pension programs, to ignore low-probability but possibly devastating events such as earthquakes. How can we develop democratic institutions that discourage myopia and reward forward-looking thinking?

CAMPUS UNITS THAT MAY DRIVE THIS SIGNATURE INITIATIVE:

As noted in the text, many disciplines across the Berkeley campus could make important contributions to this effort. In addition, a large number of centers and institutes could become involved. Some of the larger or most directly relevant ones are the following:

Berkeley Center for New Media
Blum Center for Developing Economies
Center for Civility and Democratic Engagement
Center for Effective Global Action
Center for Information Technology Research in the Interest of Society (CITRIS)
Doreen B. Townsend Center for the Humanities
Haas Institute for a Fair and Inclusive Society
Human Rights Center
Institute for the Study of Social Issues
Institute for Governmental Studies
Institute of International Studies
Kadish Center for Morality, Law, and Public Affairs
Regional Studies Institutes (Africa, Canada, China, Europe, Japan, Korea, Latin America, Middle Eastern, Southeast Asia, South Asia, East Asia, European, and Slavic, East European, and Eurasian Studies)

In addition, some of the following might also deal with specific aspects of this initiative:

Arts Research Center (ARC)
Berkeley Arts + Design Initiative
Berkeley Food Institute
Berkeley Center for Law and Technology
Berkeley Institute for Data Science
Berkeley Laboratory for Information and System Sciences (BLISS)
Berkeley Law Clinical Program
Berkeley Law Thelton E. Henderson Center for Social Justice
Berkeley Opportunity Lab
Berkeley Population Center
Berkeley Program in Science Technology Studies
Berkeley Water Center
California Institute for Energy and Environment
California Policy Lab
Center for Augmented Cognition
Center for Child and Youth Policy
Center for Environmental Design Research
Center for Hybrid and Embedded Software Systems (CHESS)
Center for Human Compatible Artificial Intelligence (HCAI)
Center for Law, Energy, and the Environment
Center for Race and Gender
Center for Research in Energy Systems Transformation
Center for Responsible Business
Center for Science, Technology, Medicine and Society
Center for Studies in Higher Education
Center for the Study of Law and Society
Center for the Study of Sexual Culture
Center on the Economics and Demography of Aging
Dado and Maria Banatao Center for Global Learning and Outreach from Berkeley Engineering (GLOBE)
Emma Goldman Papers Project
Energy Institute at Haas

Helen Wills Neuroscience Institute
Institute for Legal Research
Institute for Research on Labor and Employment
Institute of Cognitive and Brain Sciences
Institute of Human Development
Institute of Personality and Social Research
Institute of Transportation Studies
Institute of Urban and Regional Development
Jacobs Institute for Design Innovation (JIDI)
Renewable and Appropriate Energy Laboratory
Robert D. Burch Center for Tax Policy and Public Finance
Social Science Data Laboratory (D-Lab)
Social Science Matrix
UC Transportation Center

IMPLEMENTATION: We recommend that UC Berkeley differentiate itself from other efforts across the country by taking on a select number of the problems described above and creating teams across disciplines and professional schools that will strive to do the following:

- Define the problem in detail, suggest new approaches, and describe the likely impact of changes.
- Undertake demonstration projects involving collaborations with governments and institutions that use experimental methods when possible to determine if the new approaches will ameliorate the problem.
- Commit to making changes in at least some of the areas identified above in the next ten years.

The goal would be to involve researchers across the campus in order to make real contributions to advancing democracy in America and in the world.

Appendix 1—One Approach to Describing the Dimensions of Democracy and Measuring Them

As an approach to governing a modern nation-state, democracy typically denotes a number of important features that penetrate deep into the operations of modern societies. Each of these dimensions implies issues that must be confronted in the construction and de-construction of a democracy. First, democracy requires free and fair elections in which candidates are free to run and citizens are free to make choices. Elections cannot be democratic if they repeatedly involve only one candidate. Second, it demands the active participation of a broad array of the people in a society who are eligible to become involved as voters or as members of civic and political organizations. Third, elections are not meaningful if governments are ineffectual or failed states. Fourth, democracies require a free press, freedom of speech, and freedom of association so that there are channels for expressing opinions. Fifth, the human rights of voters, organizational members, protesters, journalists, and others involved in the political and media systems must be protected so that they will not be persecuted for or feel endangered by their expressions of opinions or involvement in elections. Finally, democracies must have a rule of law in which laws and procedures apply equally to all citizens.

Historically, there have been societies that have had one or more departures from these requirements. There are societies that have had elections without choices or no elections at all (e.g., Saudi Arabia and Uzbekistan today)³; severe limits on who could become involved as voters or in political organizations (e.g., America at the time of the revolution; the American south during the Jim Crow era)⁴; countries with ineffectual governments (e.g., Somalia, South Sudan, Syria today)⁵; restrictions on free speech and association (e.g., China and Saudi Arabia today)⁶; dangerous human rights situations (e.g., Russia)⁷, and no appreciable rule of law (e.g., Afghanistan and Egypt).⁸

³ See: Freedom House: <https://freedomhouse.org/report/freedom-world/freedom-world-2018>, especially the electoral process index.

⁴ See: U.S. Voting Rights Timeline: <https://a.s.kqed.net/pdf/education/digitalmedia/us-voting-rights-timeline.pdf>

⁵ See: Fragile States Index: <http://fundforpeace.org/fsi/methodology/>; also: https://en.wikipedia.org/wiki/Fragile_States_Index

⁶ See: Reporters without Borders, World Press Freedom Index: <https://rsf.org/en/ranking>; Freedom House: <https://freedomhouse.org/report/freedom-press/freedom-press-2017>

⁷ See: Human Rights Risk Index: <https://reliefweb.int/report/world/human-rights-risk-index-2016-q4>

⁸ See: World Justice Project: https://worldjusticeproject.org/sites/default/files/documents/RoLI_Final-Digital_0.pdf