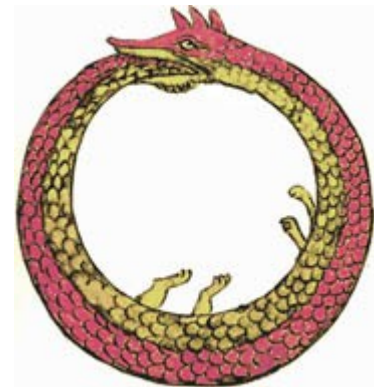


Democratic Realities: The Participatory Universe.

The world is divided into two competing concepts of reality:¹ one, expressed by experience in the physical world as Aristotle argued, and another, Platonic reality expressed by the human mind in abstract holistic terms

comprised of intellectual laws, mathematics, concepts, theories, ideals, values, and norms. Transcending these two visions of reality is the democratic participatory principle. The great theoretical physicist John Archibald Wheeler has added the essential idea that: “Physics give rise to observer-participant, observer-participant gives rise to information, information gives rise to physics.”² Thus the universe explains observers, and observers explain the universe.³ Wheeler thereby rejected the notion of the universe as a machine subject to fixed *a priori* laws and replaced it with a self-synthesizing world he called “the participatory universe.”⁴



Wheeler projected into concrete form the impact on the *entire universe* of the role of observer-participants in the evolutionary process revealed by the cosmos,⁵ just as previously

¹ Some individuals like George W. Bush are pathological liars who have difficulty relating to reality, as reported by Mary Jacoby “[The dunce](#)” in Salon.com 16 Sept 2004, The same topic was explored earlier by William Saletan, [You Can Make It With Plato: Bush’s Difficult Relationship With Reality](#), in *Slate*, Sunday, Feb. 8, 2004.

² J. Wheeler, “Information, Physics, Quantum: The Search for Links,” in *Proceedings of the 3rd International Symposium on the Foundation of Quantum Mechanics*, Tokyo, 1989, p. 354.

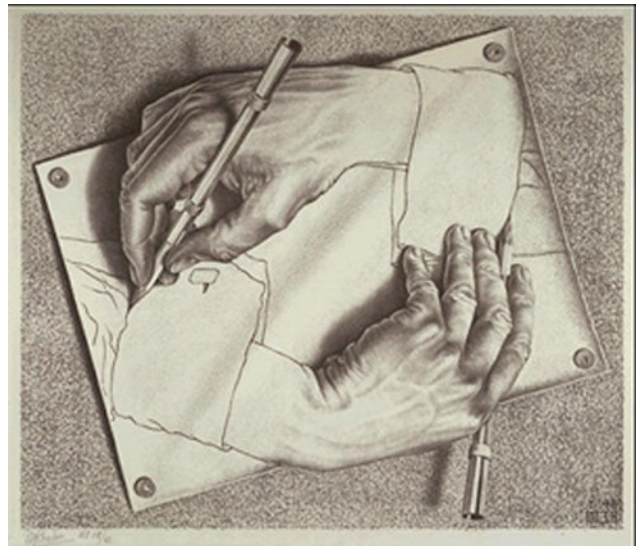
³ The concept of a self-explanatory loop is reflected in the ancient mystical symbol of the Ouroboros, represented as a snake eating its own tail. The image of Ouroboros seen here is from a drawing by Theodoros Pelecans, courtesy Wikipedia.

⁴ Wheeler’s more precise definition was “a self-referential deductive axiomatic system” [see “Information, Physics, Quantum” *infra*, note 3, at p. 357], discussed in P. Davies, *Cosmic Jackpot* 249 (2007).

⁵ Vincent G. Potter, S.J., *Charles S. Peirce On Norms & Ideals* xvii-xviii, 179-801 (1997).

depicted by the early 20th century American polymath Charles S. Peirce (1839-1914). This evolutionary process, according to Peirce, is ultimately governed by what he described as "creative love": the movement that "projects creations into interdependence and drawing them into harmony."⁶ These visions fit well within the "**highly improbable**" realities that, in fact, explain human existence.

M. C. Escher, 1948, Lithograph.
Image of Drawing Hands.
491 x. 425 pixels (55KB).



Holistic reality. Consistent with the philosophy and science of the contemporary era that defines "**the participatory universe**" we are constituted by reality and reality is constituted by us, as Escher's "Drawing Hands" depicts, not as a circular cause and effect process but as an essential recursive constitutive process. Accordingly, to understand reality we have to understand first how we are constituted by it and how we constitute reality. Planning, according to this view is not about setting goals and designing the means to achieve them. Planning is about raising consciousness of our holistic nature.⁷

The Myths of Great Men. Human civilization is marked by myths about reality. In an attempt to sustain their fantastic world-view of Earth as the center of the universe. (the "Ptolemaic theory"), in the 12th-century, the Catholic Church established an Inquisition against heretics. In an attempt by the Supreme Court of the United States to sustain the unjust doctrine of white supremacy black slaves were precluded the right of citizenship because they were "persons of an inferior position in society."⁸ African Americans were later forced to suffer the "separate but equal" treatment of discriminatory education for their children.⁹ In addition, the imposition by capital of hardship working conditions on workers was upheld as a "contract

⁶ Peirce, *infra note 5*, at 176.

⁷ E-mail from H.López-Garay, to LoD, Mon. July 16, 2007.

⁸ *Dred Scott v. Sanford*, 60 U.S. (19 How.) 393 (1857).

⁹ *Plessy v. Ferguson*, 163 U.S. 537 (1896).

right.”¹⁰ Those three doctrines were eventually given up when the leaders of church and state could no longer sustain their erroneous and unjust imposition in the face of revealed realities.

During the 1930s, years of the Great Depression and the New Deal offered by President Roosevelt, the Court ended the unjust treatment of workers that disregarded reality and authorized the exercise of legislative discretion for enacting social legislation.¹¹ This followed recognition of the adverse impact of long work hours upon the “physical and moral health of workers and upon the vitality, efficiency and prosperity of the nation.”¹² The Supreme Court, in 1954, upheld the right to “equal protection” ending discrimination against African American children in public school facilities.¹³ This followed findings of sociologists, anthropologists, psychologists and psychiatrists who documented the intangible harm to black school children caused by the doctrine of “separate but equal” public school facilities.¹⁴

Religious leaders ultimately found the wisdom, in 1979, during a centennial celebration of the birth of Albert Einstein, to recognize “the profound harmony that can exist between the truths of science and the truths of faith.”¹⁵ At that time, Pope John Paul II, called for “theologians, scholars and historians,” to study “the Galileo case more deeply and, in loyal recognition of wrongs from whatever side they come, will dispel the mistrust that still opposes, in many minds.”¹⁶

Nevertheless, the U.S. Government persists in imposing a primitive marketplace morality for allocating use of the broadcast spectrum, which is a great public resource owned by the American people,¹⁷ blind to realities of communications values for a literate, healthful, just and democratic society that is sustainable in the 21st century planetary civilization. The avowed purposes of the Communications Act of 1934,¹⁸ was to maintain the control of the United States over all the channels of communications by wire and radio, for the “maximum benefit of

¹⁰ Lochner v. New York, 196 U.S. 45 (1905).

¹¹ Nebia v. New York, 291 U.S. 502 (1934); West Coast Hotel v. Parish, 300 U.S. 379 (1937); United States v. Caroline Products Co., 304 U.S. 144 (1938).

¹² Muller v. Oregon, 208 U.S. 412, 419-20 n.1 (1908), citing brief filed by Mr. Louis D. Brandeis; Bunting v. Oregon, 243 U.S. 426, 433 (1917), citing brief of counsel Felix Frankfurter.

¹³ Brown v. Board of Education, 347 U.S. 483 (1954).

¹⁴ *Id.* at 404 n.11.

¹⁵ Proceedings of the Pontifical Academy of Sciences, November 10, 1979.

¹⁶ *Id.*

¹⁷ Columbia Broadcasting System, Inc. v. Democratic Nat'l Committee, 412 U.S. 94, 125 (1973).

¹⁸ 48 Stat. 1064 (1934), as amended 47 U.S.C.A. § 151 et seq.

all the people of the United States.”¹⁹ The statutory scheme for guidance of the Federal Communications Commission in the exercise of its specifically enumerated functions provides that in the exercise of those functions by the Commission, “the public interest, convenience, and necessity will be served ...”²⁰ However, the F.C.C. and Federal Courts have obstinately failed and refused to define and enforce the meaning of the “public interest” standard of the Communications Act.²¹ It was claimed in one appellate court opinion the “public interest” standard is “is too vague a criteria for administrative action.”²²

This objection is baseless; it is an illegitimate rejection of the normative standard that is essential to serve the holistic purposes of electronic communications in a democracy. Guiding the utilization of the broadcast spectrum to serve the “public interest” is a commitment to rules and value standards, which would serve not merely the broadcasters’ ideas in pursuit of wealth and power but rather to insure, “maximum benefit of all the people” (e.g., sustainability instead of marketability). For example, broadcast programming based on meaningful community dialogue addressing the “controversial issues of importance to the public”²³ would most likely secure significant betterment of American life and government. Instead, F.C.C. authorization of broadcasters’ discretionary control over broadcast programming allows a narrow focus on superficial infotainment, manipulative sex, and gratuitous violence without meaningful participation of communities directly affected by programming decisions. This is an abdication of the vital functions of democratic government guided by the myths that disregard reality. The purpose is to defeat the democratic “public interest” and instead, serve decadent capitalist self-interests driven by the old *laissez faire* now called “market fundamentalism”²⁴ or Kleptocracy:²⁵ “The transferring of wealth from commoners to the upper classes.”

Similarly, the practices of lawyers who assert monopoly powers over legal services required by indigent litigants, services which are not offered in the marketplace, have been

¹⁹ National Broadcasting Co. v. United States, 319 U.S. 217 (1943).

²⁰ 47 U.S.C.A. §§ 303, 307(a), 309(a) (1976).

²¹ See e.g., “[U.S. Court abdicates law for media ideology](#),” in FINS; V. Schreiber, *The Marketplace of Broadcasters’ Ideas* (Amicas 1987).

²² Banzhaf v. F.C.C., 405 F.2d 1082, 1096 & n.58 (D.C. Cir. 1968), *cert. denied*, 396 U.S. 842 (1969).

²³ Red Lion Broadcasting Co. v. F.C.C., 395 U.S. 367, 377 (1969).

²⁴ J.E. Stiglitz, *Globalization and its Discontents* (2002).

²⁵ J.M. Diamond, *Guns, Germs, and Steels* 268-69 (1997) (Pulitzer Prize winner in 1998).

imposed by an obstinate failure and refusal of Federal and State Courts to enforce antitrust laws and the constitutional rights of indigent litigants.²⁶

Photo image of Kitty and Ken Galbraith in Vermont (20K)
Richard Parker, *John Kenneth Galbraith* 532 (2005).²⁷

The threat to men of great dignity, privilege and pretension is not from the radicals they revile; it is from accepting their own myth. Exposure to reality remains the nemesis of the great-a little understood thing. All who articulate the convenient belief should never worry about their critics, only revelation of the truth.²⁸



The ability to sustain such unjust doctrines will continue only insofar as privileged groups are able to impose their fantastic perceptions of reality upon ordinary citizens. The defeat of social reality by privileged groups cannot be sustained in the long term, however, under a normative charter for democratic government.

The Constitution of the United States is a normative charter for democratic government designed as an instrument of “We the People of the United States” to link the ultimate ends of democratic government articulated in the Preamble “**to form a more perfect Union ...**” with the paramount realities of everyday life. The normative form of planning and design,²⁹ deployed in the context of the emerging planetary civilization,³⁰ could be a particularly powerful tool for realization of the vision of reality describing “**the participatory universe**” offered by philosophy and science.

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²⁶ Letter to the Chairman, Hon. John Conyers, Jr., Judiciary Committee, U.S., House of Representatives, Vigdor Schreibman, Challenging injustice in the new agora, Part II, [Courts of Robbery](#), in FINS.

²⁷ Richard Parker, *John Kenneth Galbraith* 532 (2005).

²⁸ Parker, at p. 268.

²⁹ See e.g., [FIGURE 1](#), Normative Frame for Futures Creation, in LoD.

³⁰ See e.g., Schreibman, V. and Christakis, A.N. (2007) “[New agora: new geometry of languaging and new technology of democracy: the structured design dialogue process](#)”, *Int. J. Applied Systemic Studies*, Vol. 1, No. 1, pp. 15-31, in LoD.