

THE FUTURE OF 'REAL-EXISTING' DEMOCRACY

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A 'Real-existing' Democracy (or RED in my terminology) has three characteristics: (1) it calls itself democratic; (2) it is recognized by other self-proclaimed democracies as being "one of them;" and (3) most political scientists applying standard procedural criteria would code it as democratic.

Its relationship to democracy as advocated in theory or as described in many civics texts is coincidental. All REDs are the product of a complex sequence of historical compromises with such other ideas and practices as liberalism, socialism, monarchism, and, of course, capitalism. They are certainly **not** governments "**of**" or "**by**" the people, as is implied by the etymology of the generic term. It is even debatable whether many of them are governments "**for**" the people. However, in the immortal words of Winston Churchill, they are still more "of, by and for the people" than all alternative forms of government.

Back in the late 1960s, Robert Dahl classified only 26 polities as "full polyarchies" (to use his term for REDs), all of them in Western

Europe or former British colonies – with only Costa Rica, Israel, Japan, Lebanon, Philippines and Uruguay as exceptions. Chile, Switzerland and the United States were placed in a sort of waiting room due to the prevalence of different forms of voting discrimination.¹ Since the mid-1970s, this number has more than tripled and one can now find more or less consolidated REDs all around the world – even in such ostensibly inhospitable places as Albania, Mongolia and Mali.

The great political paradox of our times is that precisely at the moment when so many aspiring **neo**-REDs emerged these **archo**-REDs entered into crisis. Their citizens have been questioning these very same “normal” institutions and practices that new democratizers have been trying so hard to imitate and finding them deficient – not to say, outright defective. The list of morbidity symptoms is well-known (if not well-understood): their citizens have become more likely to abstain from voting, less likely to join or even identify with political parties, trade unions or professional associations, more likely not to trust their elected officials or politicians in general and much less likely to be satisfied with the way in which they are being governed and the benefits they receive from public agencies.

Part of this malaise stems precisely from the demise of their only “systemic” competitor, so-called popular democracy. The political

regimes of Communist or State Socialist systems had served as a reference in relation to which REDs could successfully claim to be “much better” – in both material and ethical performance. Much of the stability and self-assurance enjoyed by these polyarchies after World War II depended upon the existence of this “much worse” alternative. Now that this hardly exists any longer, it will not suffice for established democracies just to be better. Henceforth, their practices will have to be “good”, when measured according the generic criteria for the quality of democracy. These impose much heavier burdens of argument and proof before existing institutions are legitimated, thereby, increasing the likelihood that citizens in seemingly well-entrenched democracies will grow “disenchanted” with their rulers and the way in which they got into power.

The celebrations that accompanied the shift from ‘real-existing’ autocracy to ‘real-existing’ democracy since 1974 have tended to obscure these dangers and dilemmas. Together, they presage a political future that, instead of embodying “the end of history”, promises to be tumultuous, uncertain and very eventful. Far from being secure in its foundations and practices, modern, representative, liberal, constitutional, political democracies (i.e. REDs) will have to face serious and unprecedented challenges in the future.

The Challenges

Robert Dahl is famous (among many other things) for the observation that 'real-existing' democracy (or polyarchy) has radically transformed itself – re-designed itself, if you will – over the centuries. The same word, democracy, has prevailed while its rules and practices have changed greatly. In other words – those of de Lampedusa – only by changing has it remained the same. And Dahl does not even hesitate to label these changes as “revolutionary” – even if most of them came about without widespread violence or institutional discontinuity.

Dahl identifies three such revolutions in the past:

The first was in **size**. Initially, it was believed that RED was only suitable for very small polities, i.e. Greek city-states or Swiss cantons. The American constitution re-designed the practice of democracy by making extensive use of territorial representation and introducing federalism – thereby, irrevocably breaking the size barrier.

The second revolution was in **scale**. Early experiments with democracy were based on a limited conception of citizenship – severely restricting it to those who were male, free from slavery or servitude, mature in age, literate or well-educated, paid sufficient

taxes and so forth. Over time – some times gradually, other times tumultuously -- these restrictions were re-designed until, today, the criteria have become almost standard and include all adult “nationals” regardless of gender or other qualifications.

The third Dahlian revolution was in **scope**. REDs began with a very restricted range of government policies and state functions – mostly, external defense and internal order. Again, over time, they became responsible for governing a vast range of regulatory, distributive and re-distributive issues – so much so that a substantial proportion of gross domestic product is either consumed by them or passes through their processes.

Dahl makes a second important general observation about these revolutions. **Most of them occurred without those who were involved being aware that they were acting as “revolutionaries.”** Democratic politicians most often responded to popular pressures, externally imposed circumstances or just everyday dilemmas of choice with incremental reforms and experimental modifications in existing policies and these accumulated over time until citizens and rulers eventually found themselves in a differently designed polity – while still using the same label (democracy) to identify it. Indeed, one could claim that this is the most distinctive and valuable characteristic of democracy:

its ability to re-design itself consensually, without violence or discontinuity – even sometimes without explicitly diagnosing the need for such a ‘radical’ change in formal institutions and informal practices. The contemporary challenge is precisely to make that diagnosis and, thereby, to guide the selection of future institutions and practices so that they will improve and not undermine the quality of RED.

I am convinced that we are (again) in the midst of a democratic revolution – in fact, in the midst of several simultaneous democratic revolutions. Two of them seem to have exhausted their innovative potential and already become well-entrenched (and irrevocable) features of politics – at least, in Europe and North America. Two others are still very active in their capacity to generate new challenges and opportunities, and have still to work their way into the process of re-designing contemporary polyarchies.

The first of these “post-Dahlian” revolutions concerns **the displacement of individuals by organizations as the effective citizens of REDs**. Beginning more or less in the latter third of the 19th Century, new forms of collective action emerged to represent the interests and passions of individual citizens. James Madison and Alexis de Tocqueville had earlier observed the importance of a multiplicity of “factions” or “associations” within the American polity,

but neither could have possibly imagined the extent to which these would become large, permanently organized and professionally run entities, continuously monitoring and intervening in the process of public decision-making. Moreover, whether or not these organizations of civil society are configured pluralistically or corporativistically, the interests and passions they represent cannot be reduced to a simple aggregation of the individuals who join or support them. They have massively introduced their own distinctive organizational interests and passions into the practice of REDs and become their most effective citizens.

The second “post-Dahlian” revolution has to do with **the professionalization of the role of politician**. Earlier liberal democratic theory presumed that elected representatives and rulers were amateurs -- persons who might have been somewhat more affected by “civic” motives, but who were otherwise no different from ordinary citizens. They would (reluctantly) agree to serve in public office for a prescribed period of time and then return to their normal private lives and occupations. While it is difficult to place a date on it, at some time during the Twentieth Century, more and more democratic politicians began to live, not **for** politics, but **from** politics. They not only entered the role with the expectation of making it their life’s work, but they also surrounded themselves with other professionals – campaign consultants, fund-raisers,

public relations specialists, media experts, and – to use the latest term -- “spin-doctors.” Whether as cause or effect, this change in personnel has been accompanied by an astronomical increase in the cost of getting elected and of remaining in the public eye if one is so unfortunate as to become un-elected.

In my view, these two revolutions seem to have run their course, but still pose serious normative challenges. There are signs of a reaction against them settling in among mass publics. The usual permanent organizational representatives of class, sectoral and professional interests – especially, one has to admit, trade unions – have declined in membership and even in some cases in number and political influence. New social movements have emerged that proclaim less bureaucratic structures and a greater role for individual members – even some enhanced mechanisms for practicing internal democracy. Candidates for elected public office now frequently proclaim that they are not professional or partisan politicians and pretend as much as is possible to be “ordinary citizens.” Movements have emerged in some countries, especially the USA, to limit the number of terms in office that a politician can serve. Whether these trends will be sufficient to stop or even invert these two “post-Dahlian” revolutions is dubious (to me), but they do signal an awareness of their existence and of their (negative) impact upon the quality of REDs.

And, now, let us turn to a diagnosis of the two more recent – indeed, contemporary and simultaneous – revolutions going on within REDs.

The first regards (again) the scope of decision-making in democracies. And, again, I can borrow a concept from Robert Dahl. Over the past twenty or more years – indeed, much longer in the case of the United States – REDs have ceded authority to what Dahl has called “**guardian institutions.**”² The expression is taken from Plato and refers to specialized agencies of the state – usually regulatory bodies – that have been assigned responsibility for making policy in areas which politicians have decided are too controversial or complex to be left to the vicissitudes of electoral competition or inter-party legislative struggle. The *locus classicus* in the contemporary period is the central bank, but earlier examples would be the general staffs of the military, anti-trust agencies or civil service commissions. In each case, it is feared that the intrusion of “politics” would prevent the institution from producing some generally desired public good. Only experts acting on the basis of (allegedly) neutral and scientific knowledge can be entrusted with such a responsibility. A more cynical view would stress that these are often policy areas where the party in power has reason to fear that if they have to hand over office in the future

to their opponents, the latter will use these institutions to punish the former or to reward themselves.

The net effect of guardianship upon REDs is rather obvious – although usually well-concealed behind a rhetorical “veil of ignorance,” interwoven with claims to “Pareto-Optimality” or scientific certainty, namely, that contemporary polyarchies have been increasingly deprived of discretionary action over issues that have a major impact upon their citizens. “Democracies without choice” is the expression that has emerged, especially in neo-REDs, to describe and to decry this situation. Even more potentially alienating is the fact that some of these guardians are not even national, but operate at the regional or global level – *vide* the ‘conditionality’ imposed by the IMF or the EU.

Which brings me to the second contemporary revolution within REDs – or, better, with particular intensity among European REDs: **multi-level governance**. During the post-World War II period, initially in large measure due to a shared desire to avoid any possible repetition of that experience, European polities began experimenting with the scale or, better, level of aggregation at which collectively binding decisions would be made. The most visible manifestation of this is, of course, the EEC, EC and now European Union (EU). But paralleling this macro-experiment, there

emerged a widespread meso-level one, namely, the devolution of various political responsibilities to sub-national units – *provinces, regioni, Länder, or estados autonómicos*. As a result, virtually all Europeans find themselves surrounded by a very complex set of authorities, each with vaguely defined or concurrently exercised policy *compétences*. The oft-repeated assurance that only national states can be democratic is no longer true in Europe, even though in practice it is often difficult to separate the various levels and determine which rulers should be held accountable for making specific policies. European politicians have become quite adept at “passing on the buck,” especially at blaming the European Union (or the Euro) for unpopular decisions. New political parties and movements have even emerged blaming the EU for policies over which it has little or no control – for example, over the influx of migrants from non-EU countries.

Multi-level governance could, of course, be converted into something much more familiar, namely, a federal state, but resistance to this is likely to remain quite strong for the foreseeable future – *viz.* the rejection of the EU’s draft Constitutional Treaty by referendums in France and the Netherlands and the Lisbon re-draft by the Irish citizenry. Which means that the confusion over which policy *compétences* and the ambiguity over which political institutions are appropriate for each of these multiple levels will

persist. And, when it comes to the design question, there seems to be a general awareness that the rules and practices of real-existing democracy at each of these levels can not, should not be identical. Especially when it comes to ensuring the accountability of a polity of the size, scale, scope and diversity of the European Union. This demands a literal re-invention of democracy, a task that was not even attempted by the Convention that drafted the unsuccessful Constitutional Treaty or by the committee that produced the revised Lisbon version.

What is to be done?

Faced with these insidious revolutions, my guiding presumption has been that the future of 'real-existing' democracy, especially in Europe, lies less in fortifying and perfecting existing formal institutions and informal practices – say, by increasing citizen participation or encouraging citizen deliberation within them – than in changing them. What is needed is not **more** of the same democracy, but a **different** type of democracy. “Whatever form it takes, the democracy of our successors will not and cannot be the democracy of our predecessors:” (Robert Dahl). In other words, in order to remain the same, that is to sustain its legitimacy, democracy as we know it will have to change and to change

significantly and this is likely to affect all of Europe's multiple levels of aggregation and sites of decision making.

In the book that we – Alexandre Trechsel, myself and a number of scholars and politicians – put together on The Future of Democracy: Trends, Analyses and Reforms for the Council of Europe, we tried to use our collective imagination as theorists and practitioners of politics to come up with suggestions for reform that could cope with the simultaneous revolutions noted above, improve the quality of REDs in Europe and, thereby, make them more legitimate in the future. We came up with 28 suggestions. Some of these have already been introduced – usually on an experimental basis at the local level – in a few polities; most, however, have never been tried. I admit that not all of these proposed reforms are equally urgent or feasible, and some may not even be desirable. It is the task of democratic rulers and citizens to decide collectively which are best for themselves and which deserve priority treatment.

In putting together this volume, I became convinced the major generic problems of contemporary REDs concern declining citizen trust in politicians and the diminished status of representative institutions, especially political parties and elections. Therefore, those reforms that promise to increase voter turnout, stimulate membership in political parties, associations and movements and

improve citizen confidence in the role of politicians as representatives and legislators deserve prior consideration, especially in those cases where they also make politics more attractive, even, entertaining, for citizens. The second most important problem concerns the increasing number of foreign residents and the ambiguous political status of these denizens in almost all European democracies. Measures to incorporate non-nationals within the political process should also be given a high priority.

Time prevents me from providing any details about the reform proposals. They can be found *gratis* online at the website of the CoE under publications. All I can do is give you a flavour of some of those that we came up with:

- Lotteries to be attached to elections;
- Specialized elected councils for various minority group's;
- Democracy kiosks for voting electronically and conducting normal business with state agencies;
- Voting rights for resident foreigners (denizens);
- Incompatibility of electoral or administrative mandates;
- Electronic support for candidates and parliament ("smart voting");
- Electronic monitoring and online systems for deliberation;
- Discretionary voting systems;

- Universal citizenship from birth;
- Shared legislative mandates;
- Citizenship mentors for foreign residents;
- Inserting a "Right to Information" into the usual list of equal citizen rights;
- Participatory budgeting;
- Legislative guardians to monitor the regulatory guardians;
- A "yellow card" provision for legislatures in multi-layered systems;
- Variable thresholds for election to reduce incumbency advantage;
- Vouchers for financing political parties;
- Vouchers for funding organizations in civil society;
- Extended recourse to referendums & citizen initiatives;
- Extensive, even exclusive, use of postal and electronic voting;
- Financial incentives for intra-party democracy;
- A Citizen's Assembly with randomly selected deputies to accept or reject specific pieces of legislation.

I conclude: 'real-existing' democracies can be reformed and improved in conformity with its two enduring core principles: **the sovereign equality of citizens and the political accountability of rulers**. This has happened several times in the past and I see no reason to believe that it cannot happen again. For that is the

true genius of democracy – the capacity to re-invent itself for the future by consensually using the rules of the present. Which is not to say that it will be easy. Trying to convince politicians who have won by one set of rules to change those rules has never been easy – although a crisis that threatens to make everyone worse off can help. And we have plenty of that at the present moment.

¹ Polyarchy (New Haven: Yale University Press, 1971), p. 248.
²