



The Future of Representative Democracy

<http://www.thefutureofrepresentativedemocracy.org/>

On the Future of Representative Democracy

(comments on the Future of Representative Democracy project)

By Frank Ankersmit

1. Introduction. Present challenges to representative democracy

Representative democracy was the self-evident variant of democracy in Continental Europe and the USA in the first decades after WW II. Alternatives to it were rarely discussed and taken seriously only by some intellectuals such as Hannah Arendt, Sartre or Foucault. Presently the situation is more complicated.

Think of representative democracy as an equilateral triangle. On the lower left corner of the triangle we will find the citizen or the voter. From there we move, with political parties, upwards to the State, located at the top of the triangle. Political sense is made there of the input from the electorate in one way or another. Next, the the State's output goes downwards again from the triangle's top to the corner below on the right side. There we will be back again with the citizen, now confronted with the outcome of the State's political decision-making. Within this model, *political representation* is to be found at the *left* side of the triangle exclusively; whereas the right side gives us the domain of *the execution* of political decision-making.

In most Western contemporary democracies, we may observe a gradual fossilization of the triangle's left side, whereas the right side is flourishing more than ever. Many factors have contributed to this evolution – but this is not the place to discuss them at length. Arguably the death

of ideology has been the single most important factor here. For as long as ideology was around, the left side of the triangle embodied a political reality that was simply impossible to ignore. But this now definitely is a thing of the past, and the right side of the triangle took over. As for the USA, think for example of how the Bush-administration compelled Congress to delegate competencies to the executive in the so-called War on Terrorism. In Europe things are a little more complicated. In European democracies there is no strict separation between the legislative and executive powers. This has, on the one hand, the immense advantage that Parliament can send home an unpopular and incompetent executive. But the price to be paid for this advantage is that the legislative and the executive tend to behave like communicating vessels, so that power may always leak from the one into the other. In the first decades after WW II power tended to go from the executive to the legislative. But since the 1980s power moved into the opposite direction in all European democracies. With the result that the left side of the triangle (voter, political party and Parliament) weakened to the point of becoming a constitutional ornament: nice to look at, but largely irrelevant. Self-evidently the same must then be true of political representation.

So the executive tends to take over everywhere, autocratic tendencies multiply in our democracies and the citizen's grasp on political decision-making is weakening.

There is, by the way, a funny irony in all this. For the political right and the left strangely unite in stimulating this emasculation of traditional representative democracy always having its centre of gravity on the left side of the triangle. As for 'the right', think of its customary trust in economic rationality. The citizen's political choices will then either agree with the requirements of economic rationality (reducing them to irrelevance), or be at odds with it (exposing them as being politically irresponsible). All the real work is then done by the executive figuring out the requirements of economic rationality and how to implement them for the nation's benefit. The left side of the triangle then has no real function anymore. But oddly enough a much similar story can be told for 'the left'. For recall the left's crown jewels, such as citizen's fora, referenda, variants of direct democracy, internet-democracy, consociationalism, interactive policy-making, deliberative democracy, participatory democracy *e tutti quanti*. All of these should *also* be situated in the right part of the triangle. And then the good news is that these novelties may counteract, to some extent, the autocratic implications of the right's appropriation of the triangle's right side. But the bad news is that the power-relationship between State and citizen is systematically quite asymmetric here and in favor of the former. Politicians fear elections and not the citizens they encounter on the right side of the triangle. Only on the left side of the triangle are politicians truly at the citizen's mercy and in

danger when failing to do justice to the electorate's wishes. Cynics might surmise that this (partly) explains why democracy's centre of gravity did shift from the left to the right side of the triangle. For autocracy is what all politics naturally gravitates to, if left to its own devices.

In sum, representative democracy presently is on its way out (as once was true of so many political systems of the past) and about to be replaced by a new variant of autocracy mitigated by variants of direct democracy. In order to assess this development, we would do well to place it in wider historical and theoretical context. *The Future of Representative Democracy* attempts to do just this. Below I shall present some comments on how this most valuable collection of essays succeeds in doing so.

2. *Representative democracy*

For most people the phrase 'representative democracy' is as unproblematic as that of 'the national government', 'provincial estates' or, to take a wholly different example, as that of 'asocial behavior'. In all of these cases both adjective and substantive noun have their own range of applications and they combine items in these ranges that are perfectly compatible with each other (unlike phrases such as 'the round square'). However, this was still far from being the case when the phrase first came into use in the last quarter of the 18th century. At that time it still had an odd, if not outright oxymoronic ring. And for good reasons as Professor Urbinati makes convincingly clear. Illustrative is the future Count Roederer's most perceptive comment of 1801 on representative democracy:

'l'aristocratie électorale, dont Rousseau a parlé il y a cinquante ans, est ce que nous appelons aujourd'hui démocratie représentative. (...) Que signifie le mot électorale joint au mot aristocratie? Il signifie que ce petit nombre de sages qui sont appelés à gouverner ne tiennent leur droit que du choix, de la confiance de leurs concitoyens; en un mot, d'une élection entièrement libre et dégagée de conditions de naissance. Et bien! N'est-ce pas justement ce que signifie le mot démocratie joint à celui de représentative? Aristocratie électorale, démocratie représentative sont donc une seule et même chose'¹.

The suggestion is that if we aim at terminological precision, the term representative democracy must be abandoned in favor of that of elective aristocracy. The phrase 'representative democracy' is,

¹ Rosanvallon, *Démocratie inachevée*; 114, 115.

in fact, a *contradictio in terminis*². By insisting that representative democracies really are elective aristocracies, Roederer hoped to prevent people from associating representative democracy with Robespierre's Regime of Terror, and that was often seen as prototypical of the dangers and the excesses of democracy. Large part of Professor Urbinati's argument is a brilliant and erudite exposition of what we miss when ignoring these very important semantic issues and how they were most lucidly discussed two centuries ago.

As is to be expected, Professor Urbinati begins by focussing on where frictions between the terms 'democracy' and 'representation' might, or will announce themselves. Equally obviously, contrasts between classical Athens (the birthplace of democracy) and the Middle Ages (where political representation came into being) will be a good guide here. The contrast in question is that in 'Athens' there are, at least in principle, no intermediaries between the people and collective decision-making. There is, so to speak, a straight and unbroken line running from the former to the latter. Such is, at least, our intuition behind direct, 'Athenian' democracy. This is different with representation. For then the line will inevitably get crooked or twisted somehow and somewhere. Take Medieval representation. One might argue that the line remains still nicely straight, as long as you have to do with the representatives of the Estates, acting as their *delegates* in their interaction with the Prince. It seems reasonable to say that these representatives may succeed in properly expressing the wishes and desires of clergy, nobility and the third Estate and their members, insofar as this is humanly possible. So this part of the line still is not yet necessarily at odds with the logic of direct democracy.

But the straight line stops right before the Prince's feet when he is listening to the exhortations of the Estates' delegates. For now it will be up to him to decide what will be done with the delegate's recommendations. And at that very moment the line will become crooked. For what then happens is outside the control of the Estates themselves and of their delegates. We have then moved on to a different level. Admittedly, most Medieval Princes, being painfully aware of the limitations of their political power, knew quite well that they'd better heed these recommendations in order to avoid worse. But, in principle, it was at their own discretion to decide about this.

However, when the idea behind Locke's notion of 'government by consent' gradually spread in 18th century political thought, Medieval practice tended to become regarded as a matter of constitutional principle. Thus parliamentarism came into being and the Medieval delegates now became *representatives* in the modern sense. From the perspective of direct democracy the good

² As was also argued by Bernhard Manin in his *Principles of representative government*, Cambridge 1997.

news was that ‘the people’ (I’m well aware of the many pitfalls surrounding that word – but let’s leave that aside for the moment) now had better guarantees that their wishes would actually be satisfied. But the bad news was that a high price had to be paid for this. Namely, that the trustworthy delegate had now become a representative with his own judgement and agenda (as Burke had so cogently and eloquently explained in 1774 to his perplexed voters in Bristol).

As opposed to constitutional *theory* the representative had now *in practice* become a ‘Princeling’ himself, so to say. For he had overstepped the boundary between the Estate’s delegate and the Prince and he now lived on *both* sides of that boundary. Indeed, it was as if ‘the people’ had appointed its own *rulers* when electing its *representatives*. However, rulers will be rulers, and we should no less distrust them when we elect them ourselves than when they rule by Divine Right. So this is why the doctrine of popular sovereignty was always immediately added to the acceptance of political representation (as different from delegation). That doctrine was meant to underline who was supposed to be the real boss in the system. To put it all somewhat pessimistically, whereas the line between the public and public decision-making still was straight all over in ‘Athenian’ direct democracy (in theory at least), you had *both* a straight *and* a crooked traject in the Middle Ages - whereas nowadays, with representative democracy, *the line is crooked all over*.

We will now understand Rousseau’s scepticism with regard to political representation and his well-known argument (also quoted by Professor Urbinati) saying that the people’s Will cannot be represented: for either its representation is identical with what it represents (and then it is a useless redundancy) or it is not (and then representation is an ugly lie). We can now also agree with Professor Urbinati’s observation that for Rousseau representation is, unlike delegation, ‘infected’ (I deliberately use here a word with a pejorative connotation) by sovereignty – though replacing representatives by delegates will only be a shift in where we must *locate* the sovereign, and *not* its actual abolishment. And, finally, why Rousseau would describe our contemporary political realities as ‘elective aristocracies’ rather than as ‘representative democracies’ and why he had excellent reasons for doing so. This, then, is why Rousseau, unlike Montesquieu, saw representation as ‘illegitimate because the people lost their political liberty along with the power to vote directly on legislation’, as Professor Urbinati puts it. And, indeed, if one has direct democracy as one’s model, one cannot conclude otherwise. Rousseau’s logic thus truly is impeccable.

However, Professor Urbinati discusses two attempts to circumvent Rousseau’s criticism of representative democracy. In the first place, Schumpeter shifted Rousseau’s emphasis on the quasi-sovereign powers of the representative to how he is elected; and he then went on to argue that this

election-process satisfies all that one might reasonably require from a democratic point of view. In the second place, democratic formalists such as Hans Kelsen, insisted that the representative is no less bound to whom he represents than the delegate (sanctioning us to speak of democracy) but that this binding is an imperfect binding in much the same way that ‘moral duty is imperfect to legal obligation’ (Urbinati). And this would also justify us to characterize our political systems as ‘democracies’ instead of as ‘elective aristocracies’ (Rousseau).

Though she is rather short on this, Professor Urbinati remains sceptical with regard to Schumpeter’s and Kelsen’s effort to reconcile representation and democracy and she therefore proposes a different approach for overcoming Rousseau’s argument. Point of departure is her claim:

‘the seed of the democratic character of representation germinates from the paradox that although a representative is supposed to deliberate about things that affect *all members* of the polity, she is supposed to have a sympathetic relations *only to a part*’.

At first sight one might surmise that this must be grist to Rousseau’s mill: could one think of a better argument for the claim that the representative possesses competencies not granted to him by (most of) the voters? But Professor Urbinati argues differently. She goes on to say that in democratic politics “representation does not mean ‘acting in the place of somebody’, but being in a political relation of sympathetic similarity or communication with those in the place of whom the representatives act in the legislature” (I note in passing that this quote both denies and confirms the idea that a representative acts in the place of someone else). If I understand Professor Urbinati correctly here, the idea is that this ‘political relation of sympathetic similarity’ must be extended as widely as possible over all of the electorate. And this will inevitably take *time*³. Only in the course of time such a thing can be realized. Hence, as Professor Urbinati emphasizes : “ ‘political process’ is the key term’: it is a process that will require a continuous and ongoing interaction⁴ between the representative and the electorate – and where the electorate is the norm or ultimate touchstone. Precisely this justifies the use of the term representative democracy.

³ As Kari Palonen has rightly insisted in a recent book, the dimension of time has been wholly neglected in contemporary political theory. See K. Palonen, *The Struggle with Time. A Conceptual History of ‘Politics’ as an Activity*, Hamburg 2006.

⁴ Reminding the reader of the hermeneutic circle .

Though I see her point Professor Urbinati's argument has not completely convinced me. Think of Guizot's scathing remark about the doctrine of popular sovereignty: 'il y a un souverain qui, non seulement ne gouverne pas, mais obéit, et un gouvernement qui commande, mais n'est point souverain'⁵. Indeed, the doctrine of popular sovereignty is completely contrary to the actual, positive facts about representative democracy. Probably it's not much different here. Our democratic sensibilities may have been pleasurably affected when, at the end of the political process that Professor Urbinati has in mind, this sympathetic similarity between the citizen and the representative has been expanded to encompass all of the electorate. But even this will not satisfy Rousseau. And for good reasons. For the representative is then not merely like an thermometer objectively registering the political feelings of the electorate and whose presence does not enter *itself* in what is registered – no, it must truly be part of what Professor Urbinati's political process aims at that these political feelings should be adequately registered by the representative. That's also part of the machinery, as devised by Professor Urbinati. And as long as the representative has not succeeded in doing this, we're still not where we should be. *So, again the representative has the last word*. As Rousseau would have predicted. And we must conclude, again, that our political systems are elective aristocracies rather than representative democracies.

In my own view, however, they are neither; representative democracy is a political system *sui generis* that we should not try to fit somehow in the list of political system that we have inherited from Aristotle and Polybius. Of course one might now protest that it makes little sense to waste time and energy on whether we should call our political systems elective aristocracies or representative democracies. Think, after all, of Shakespeare's 'what's in a name? That which we call a rose, by any other name would smell as sweet'.

But naming sometimes does deserve all of our attention – and I agree with Professor Urbinati that this is the case here. It really goes to the heart of our political systems whether we see them as aristocracies or as democracies and we cannot afford to dismiss this as mere terminology (just as many chemists would stake their life for H₂O and against HO as the name for water) .

When dealing with this issue of political nomenclature, it will be clear that the adjective 'representative' occasioned the problems discussed above. It was this term that made us uncertain about whether our political systems are essentially democracies or aristocracies. So let's have a closer look at the notion of representation and, above all, at the relationship between the representative (or a representation) and what it represents. The essential facts are as follows. We

⁵ F. Guizot, *Histoire du Gouvernement Représentatif*. Vol. 2, Paris 1851; 88

intuitively mold representation on the logic of the singular true statement and on how it relates to what it is about. And then the situation typically is that we have a subject-term, picking out uniquely an object in the world and a predicating-term attributing a property to what has been picked out (e.g. 'this house is white'). But this is different with representation, for here the picking out systematically fails.

Think of the difference between 1) 'Napoleon' and 2) 'Napoleon's foreign policy'. On the face of it there seem to be no interesting differences here. Both terms seem to refer to an object existing in the past and to which certain predicates can be truly or falsely attributed, such as 3) 'Napoleon was ambitious' and 4) 'Napoleon's foreign policy was ambitious'. Now, we should note that in 3) reference is wholly unproblematic: the phrase 'Napoleon' refers here to the human being of flesh and blood who lived from 1769 to 1821 and who was Emperor of the French. But what thing or things does the phrase 'Napoleon's foreign policy' refer to? That is *not* so easy to say - and, in fact, we will find that each historian having written on it, will come with a different proposal. So the question of what is *referred to* automatically becomes here a question of what *representation* we have in mind. There is not just *one* entity in the past that we all are acquainted with and all agree to have been 'Napoleon's foreign policy (and about which true and false statements can be made) as unproblematically is the case when we speak about Napoleon *himself*. Instead, what we have are a number of representations of Napoleon's foreign policy, each producing its own represented. And that is all we have.

That does not mean that rational historical debate should be impossible, but it's not a matter of 1) picking out the right referent of the historian's discourse and 2) establishing, next, whether the right predicates have been attributed to the right referents. The situation is more complicated here since each representation goes together with its *own* represented, just as we are all followed by our shadow on a sunny day. This narrow tie between a representation and what it represents is not ineptly captured by the dictum 'esse est representari' (being is being represented). However, the dictum makes sense only when we have to do with representation; and not when we think of true statements about things in the world. It would, of course, be ridiculous to say that, for example, Napoleon's being would be dependent on what is said about him or on how he has been represented. Napoleon was who he was, regardless of what historians may decide to say about him. So representation and true description are logically different and we must avoid projecting our intuitions about the former on the latter, and vice versa.

All this applies to political representation as well. Here we must also heed the dictum ‘esse est representari’, that is to say that political reality only comes into being thanks to being represented. Only thanks to political representation do we have a (political) nation and not a mere assembly of a-political individual human beings.

This will allow us to formulate a response to Rousseau’s and Guizot’s claim that representative democracy is not democratic in the exact and technically correct meaning of that term. In the first place, they are right when saying that in representative democracies the representative possesses a power and competencies that the citizen has not. The representative decides about legislation, taxation, war and peace – and in that sense he unquestionably exercises power over the citizen. But of the greatest interest here is that this power came into being *only thanks to the process of political representation* - in agreement with this dictum that ‘esse est representari’.

To give to the story some of the aura of the myth of natural law: we begin with an assembly of individuals; having decided to become a nation, they then split up into two groups: 1) the far smaller group of those citizens whom all agree will represent all the nation’s individuals (with the exclusion of themselves, for nothing can represent itself) and 2) those individuals, who are represented by their representatives. *This is the origin of all legitimate political power.* For it was part of the deal when the nation was split up that the representatives should have the political power to make laws, of taxation and of declaring war and peace etc. But this legitimate political power is the *nation’s* property, and not of either the *representatives* or of the *electorate* they represent. For this legitimate political power came into being when they split up into these two groups; it welled up, so to speak, in the empty space between the two groups (and will disappear again when the two groups would reunite again in direct democracy).

It is true, the nation’s legitimate political power is entrusted to the representatives for a certain period. But that does not make the representative into a possessor of that legitimate political power: it’s merely entrusted to him, just as we may entrust our money to the bank without this thereby becoming the bank’s property. Even more so, since legitimate political power emerges in the space between the representative and whom they represent and not on the domain of either the representative or whom he represents, it cannot be claimed by either King, aristocracy, the people, or whatever social or political group or individual. It is born where nobody is. So we must abandon the doctrines of Divine Right, of popular sovereignty etc. Legitimate political power has no ground or foundation in any social or political group, but only in the legal fiction of the nation, insofar as

the nation encompasses all individuals and groups and what results from their interaction. In this way legitimate political power can be said to be anti-foundationalist in the sense meant by Rorty⁶. If only for that reason representative democracy is a political system *sui generis*: all other political systems, such as (direct) democracy, aristocracy and monarchy are openly and irrevocably foundationalist.

Finally, it follows that the concept of *the nation* is an absolutely indispensable component of each theory of representative democracy: for without it we would be unable to designate the context within which the electorate and its representatives interact with each other. This also means that there is some extra trouble for institutions like the EU trying to reconcile representative democracy with supra-nationality. For, in principle, no such reconciliation is possible: representative democracy excludes supra-nationality. And, speaking more generally, politicians responsible for the construction of the EU seem to have little, or no grasp at all of even the most elementary knowledge of constitutional law. What to think, for example, of a so-called Constitution for the EU having *two* (!) legislative assemblies (the Council of Ministers and the European Parliament)? I don't think that such constitutional monstrosities have ever been dreamt up before.

3. *Public and Private*

Point of departure in Professor Saward's essay is the idea that "representative democracy as we know it is (...) Statebased, or 'statal'", but this 'does not exhaust democratic representation which is found, unevenly, through civil society'. So then the question arises whether, and in what way experiences with democratic procedures in civil society may deepen our insight into the nature of representative democracy at the level of the state. It may also help us to see how to improve the democratic state's performance.

The essay's substance is devoted to a discussion of past attempts to demarcate State and civil society (always implying that political representation should be basically different from the variants of presentation that we may find in civil society). Saward first discusses, in this context, Weber's definition of the State as the possessor of the monopoly of violence in a community. And we can only agree with Saward when arguing that the definition fails to do justice to the facts since many States did and do not actually possess this monopoly of violence. Similarly, Weber's three criteria for the state's legitimacy ('tradition, charisma and legal-rationality') belong

⁶ R. Rorty, The priority of democracy to philosophy, in id., *Objectivity, relativism and truth. Philosophical papers. Volume I*, Cambridge 1991; 195 – 197.

culturally and socially to the wider, uneven and unsettled, societal canvas, as Saward puts it. And he concludes ‘the contingency of State legitimacy that is revealed in the critique of Weber opens up points of continuity between statal and societal claims – and in turn sites and practices of (democratic) representation outside the State’. Much the same is true of David Easton’s definition of politics as ‘the authoritative allocation of values’. For obviously, this is done at many places in civil society as well.

Having thus bored some holes in the allegedly watertight compartments of State and civil society, Saward asks us to consider the case of the ‘unelected representative’. Examples of the ‘unelected representative’ mentioned by Saward are NGO’s such as Greenpeace, Amnesty International, Oxfam or Band Aid. Indeed, organizations like these do not represent the people in the strict sense of the word; but precisely our willingness to use the word in a wider sense may make us aware of how such organizations may contribute to public decision-making in ways not identical, but closely similar to what we are used to in representative democracy. This might widen the scope of democratic decision-making and, in this way, guarantee that our Western democracies are better able to deal with the complexities of contemporary social and political life. Following this suggestion, Saward dresses up a list of criteria that could be adopted when trying to incorporate the novelty of the unelected representative in our existing political systems.

All this seems to me a most valuable and welcome proposal and one can only hope that it will be taken over by those people whose prerogative it is to decide about constitutional matters. Perhaps I am allowed to adduce an example of my own to be added to those given by Professor Saward himself. As is well-known Hobbes also discusses the issue of representation in the *Leviathan*:

‘a Person , is he, whose words and actions are considered, either as his own, or as representing the words and actions of an other man, or of any other thing to whom they are attributed, whether Truly of by Fiction. When they are considered as his owne (...), then he is called a *Naturall Person*: And when they are considered as representing the words and actions of an other, then he is a *Feigned* or *Artificiall* person. (...) Of Persons Artificiall, some have their actions and words Owned by those whom they represent. And then the Person is the Actor; and he that owneth his words and actions is the AUTHOR: in which case the Actor acteth by Authority’⁷.

⁷ Hobbes, *Leviathan*; 83. 84.

Most readers of this passage having contemporary representative democracy in mind will not be able to make much sense of this passage. But their perplexity can be dissolved if it is pointed out that Hobbes transposes here the conception of representation, as defined in Medieval private law, to the domain of politics. Indeed, in private law I may appoint a solicitor to promote my interests; and then the situation is that the solicitor may act in my place, whereas I will nevertheless be seen as the real ‘author’ or ‘owner’ of his actions. And any objections to his actions will also primarily be directed at *me*.

So now the question is what would happen if we were to transpose this conception of representation to contemporary politics. And then one might argue that this might be a useful and welcome correction on theories of political representation as defended by Burke and Sieyès. In these theories the representative always has a certain autonomy with regard to whom he represents. Even more so, without this autonomy parliamentary debate would merely be an exercise in idle exclamation and, furthermore, political decision-making would be impossible in Parliament. The representative would simply lack the mandate for doing these two things. This has become accepted wisdom about representative democracy – and for good reasons.

Nevertheless, it may be that the representative either wittingly or unwittingly overstretches the freedom granted to him in deciding what he will do in Parliament with his voter’s wishes. In almost contemporary Western democracies voters complain that this should be the case – and this has powerfully contributed to the dramatic decline in the trust that electorates nowadays have in their representatives. Ordinarily one hoped to find the remedy for this so wide-spread political disease in variants of direct democracy. But as we have seen in the previous section, direct democracy and representative democracy truly are essentially different and it is, therefore, not advisable to mix up these incompatible systems with each other. However, Hobbes’s notion of political representation succeeds in combining what is expected from direct democracy, on the one hand, and traditional representative democracy, on the other. It brings the representative and whom he represents into a closer union, while, at the same time respecting the logic of political representation. So one might consider adapting existing representative democracy to Hobbes’s definition of political representation⁸. And doing so would certainly be in agreement with Professor Saward’s suggestions.

⁸ For an exposition of how to translate this into actual constitutional practice, see F.R. Ankersmit and L. Klinkers, *De Reformatie van de Staat. Parlement en Regering*, Den Haag 2006.

Nevertheless, we had better be quite careful here. So much is clear already from Professor Saward's own notion of the 'unelected representative'. Many citizens will not be eager for having 'unelected representatives', hence for people claiming to speak for them, but without having obtained their explicit permission for doing so. It may cause confusion, if not worse. Perhaps the notions of 'voice' and 'exit' mentioned by Professor Saward at the start of his essay can be helpful here. There is no exit-option in the State⁹, but as long as you are the State's citizen you are free to express any 'voice' you like. With 'unelected representatives', such as Greenpeace, it is exactly the other way round. You can 'exit' any time you wish, but as long as you are in you are no longer free as far as your 'voice' is concerned. It makes no sense to be a member of Greenpeace and to be, at the same time, opposed to all that Greenpeace does and stands for.

It follows that the State had better listen to those organizations whose members have voice and where exit is impossible, difficult or simply unwise (such as trade unions, Chambers of Commerce, professional organizations etc.) than to those where it is the other way round (such as Greenpeace or Amnesty). For deliberation in these organizations will come closest to those in the State, and can therefore best serve as an objective indication of when and where the State's decisions might be either right or wrong. Such organizations are a kind of 'mini- Parliaments' and that have been constructed for dealing with a specific subset of the problems that the State has to address.

But there is an even more important *caveat* to be remembered with regard to Professor Saward's proposals. At several occasions in his essay Professor Saward suggests that the distinction between State and civil society should be difficult to defend and that precisely this should invite us to transpose models of representation existing in civil society to the domain of the State and of national politics. Especially in our era of neo-liberalism it is of the greatest importance to warn against this blurring of the distinction between the domains of the public and the private, between State and civil society. Let's recall Ulpianus's statement made during the reign of Septimius Severus, so some 1,800 years ago:

'Publicum ius est quod ad statum rei Romanae spectat, privatum quod ad singulorum utilitatem: sunt enim quaedam publice utilia, quaedam privatim'.

Indeed, there is such a thing as private interest and such a thing as public interest, and there are few more fallacious arguments in politics than the one suggesting that the public interest is nothing but

⁹ Though, admittedly, you can emigrate to another country

the sum of all private interests, that we serve public interest best by giving free reign to private interest and that the public interest is, in the end, reducible to private interest. Arguments to that effect always presume that there should be some Leibnizian ‘harmonie préétablie’ between all private interests. But this is a monumental prejudice which is at odds with all we know about human society. Only if one were to elevate Adam Smith’s ‘invisible hand’ argument (against Smith’s own better wisdom!) to the status of metaphysical necessity, this fairy-tale of the *apriori* harmony of all private interests might have the appearance of Truth. But this merely is the traditional religion of the rich and the powerful.

Moreover, the confusion between public and private interest will inaugurate a return to Medieval feudalism entrusting public competencies to private hands.

4. Unelected representatives

Professor Saward’s issue of the ‘unelected representative’ is taken up again in the essay by Robyn Eckersley:

‘if I want to speak on behalf of orange bellied parrots whose habitat will be destroyed by a proposed development, in which sense can I act as their representative? I have no basis upon which to claim I am their delegate because I have no mandate or authorization from parrots to speak on their behalf and I cannot justify my arguments or actions to them’.

This is a most urgent problem – as is, perhaps, obscured by taking orange bellied parrots as example. For in its ruthless exploitation of its environment humanity is invited to a course of action that it might, in all likelihood, refrain from if what is acted upon so ruthlessly would have been endowed with a political existence itself. Not only in order to make this hitherto so silent object of human action be heard itself and to defend its own interests, but also in order to make us more aware than we presently are of where this object of human action has interests coinciding with our own. Indeed, the exploitation of nature could become so amazingly self-destructive from humanity’s point of view as it has been, because nature never protests that what we are doing to it will, in the end, dismally harm ourselves as well. So what we need are ‘unelected representatives’ of nature assuring that ‘the interests of nature’ will be adequately respected in how we decide to deal with it.

This makes clear already the nature of the problem involved in this extension of the notion of representation. For in the argument in the previous paragraph the decisive consideration was where we might hurt ourselves by hurting (unrepresented) nature. So, what is, in the end, at stake, when demanding that the interests of nature should also be represented in our public decision-making? Should nature be represented there only insofar as its own interests happen to be in harmony with our own? Indeed, much of the strength of the environmentalist argument is based on the idea that by destroying our environment we are also destroying ourselves. But a conflict of the interests of nature and of humanity is the more likely situation. Suppose you have a beautiful lawn grown to perfection in many years of careful mowing and manuring – and then suddenly a mole has decided to settle underneath your lawn. What will you do then? Acquiesce in the unpredictable vicissitudes of nature? Or rather ask the mole-catcher to get rid of the destroyer of your lawn? Furthermore, think of ticks, of malaria mosquitos, cholera bacilli etc.: surely you are not serving their interests by asking your GP for a cure against them. So what about having their interests represented in how we deal with the world? And even if we were to grant to them some kind of ‘virtual representation’, how to weigh their interests against our own? Which Jeremy Bentham will be able to figure out the balance between the interests of human individuals and those of cholera bacilli?

The heroic answer is the claim that weighing our interests against those of moles, mosquitos and bacilli is precisely what we should avoid and that this is exactly what environmentalism is all about. As Professor Eckersley puts it: ‘for environmental pragmatists, the God-like task of assessing precisely which bits of nature ought to be designated intrinsically valuable (thereby condemning the remainder to a State of ‘thinghood’) has itself emerged as an arrogant and distinctly undemocratic exercise’. However, such value-judgements simply seem inevitable. Again, suppose you have cholera and decide taking antibiotics in order to recover. Recovery will involve the death of myriads of cholera bacilli. So you value your own life higher than that of all these cholera bacilli. Who would decide otherwise? And if you were to decide otherwise, what would justify your choice for the death of the billions of cells or your own body to that of the cholera bacilli? Why should these cells have no rights, whereas you would readily grant them to the cholera bacilli?

Now, this is where representation comes in. A representation always emphasizes some features of the represented at the expense of features assumed to be less important. So as soon as you think of the issue of ‘the representation of nature or the environment’ you automatically have given room to value judgements about what is, and what is not (or less) important, and about what

needs to protection and what not. So the heroic answer of the ‘environmental pragmatists’ (why are they called *pragmatists*, by the way?) not only condemns each action undertaken for the environment as wholly arbitrary (including undertaking no action at all, for that matter), but also disregards how the notion of representation might uniquely help here.

Nevertheless, we may have some understanding for the ‘environmental pragmatists’: surely we should agree with them when saying that we should always be on the alert for what Rodman called the ‘Argument from Human Analogy’. There are animals that clearly respond to us and on which we can easily project our own emotions, our joys and sadnesses. This is where dogs, cats and panda’s have an unreasonable advantage over pigs or chickens and why the latter must suffer the fate of factory farming, whereas a spontaneous revolution of animal-lovers would break out if dogs and cats were to be exposed to similar atrocities. I have, therefore, my doubts about Professor Eckersley’s proposal ‘that all those potentially affected by ecological risks should have some meaningful opportunity to participate or otherwise to be represented in the making of the policies or decisions which generate such risks’. And where participation or representation is entrusted to what Professor Eckersley calls a moment later ‘nature’s political representatives’. Valuable in the proposal is that it adds a practical dimension to the issue of the representation of nature. The danger is, however, that it will be for ‘nature’s political representatives’ to decide what they see as ‘ecological risks’ and that then Rodman’s Argument from Human Analogy will be difficult, if not impossible to avoid – even for those who are well aware of the danger.

5. Parliamentary government versus presidential government

In his rich and erudite essay Professor von Beyme offers an all-encompassing survey of all variants of representative democracy that were developed either in theory or in practice since the 18th century. As becomes clear from his exposition, the decline of confidence in representative democracy always went together with a celebration of the promises of variants of direct democracy. So it was in the late 1960s, and so it is now again. As Professor von Beyme puts it at the end of his essay : ‘there is a stubborn belief that the real question is not whether we should embrace direct democracy but how we had best put it into practice’. So this raises the question – as formulated in the title of the essay’s conclusion: “‘direct plebiscitarian democracy’: the way out of liberal representative, merely procedural democracy?”. And he answers the question with an emphatic ‘no’. Professor von Beyme is much aware of the deficiencies of representative democracy and he can quite well understand that many people presently are disappointed by its performance. But

direct democracy is not the answer to contemporary challenges of representative democracy. Whenever models of direct democracy were put into practice “no Habermasian ‘power-free discourse’” emerged, in the end one always had to rely on the procedures of representative democracy to solve the nation’s most urgent and difficult dilemmas. Next, direct democracy failed to realize its promises of a de-centralization of politics and it was useless, if not counter-productive when confronted with issues of social policy, welfare and health care. So our conclusion must be that we had better try to improve our existing representative democracies than to have (unrealistic) expectations of what direct democracy has on offer.

Professor von Beyme’s essay is most helpful if we wish to deal with the question of how to improve representative democracy. For, obviously, trying to answer it will require us to start with making an inventory of existing variants of representative democracy – as is done in his essay - and of investigating, next, which variant is likely to respond best to the challenges of the present and the future. If, then, we consult Professor von Beyme’s long list of all these variants, the two most promising variants undoubtedly are parliamentary and presidential government (not incidentally the two major and most important of them all). Hence, the American system based on a strict separation of powers, on the one hand, and the European system of ministerial responsibility, on the other. The debate on this problem has been going on for one and half centuries¹⁰ already and this is not the place for even the briefest summary of it. So I shall restrict myself here to a few comments that seem to be of particular relevance at this moment (autumn 2008).

In 1991 Michel Albert published his *Les deux capitalismes*¹¹. Point of departure of the book was that the Fall of the Wall in 1989 had decisively shown that there is no viable alternative to democracy. So now the real and most urgent question is what variant of democracy we should prefer. And, next, Albert quite rightly insists that the most interesting dilemma then is the choice between Anglo-Saxon democracies and what he referred to as the ‘Rhine-democracies’ (hence the kind of representative democracies that you have on the European Continent). Albert plainly and straightforwardly opted for the latter:

‘with the collapse of communism, it is as if a veil has been suddenly lifted from our eyes. Capitalism, we can now see, has two faces, two personalities. The neo-American model is based on individual success and short-term financial gain; the Rhine-model, of German

¹⁰ Walter Bagehot’s *The English Constitution* of 1867 being a good starting-point.

¹¹ Translated into English as M. Albert, *Capitalism against capitalism*, London 1993.

pedigree but with strong Japanese connections, emphasizes collective success, consensus and long term concerns. In the last decade or so, it is this Rhine-model – unheralded, unsung, and lacking even nominal identity papers – that has shown itself to be the more efficient of the two, as well as the more equitable¹².

When Albert mentions capitalism here, he also has democracy in mind. Both concepts are often – though not always – interchangeable in his book. Not because he should have forgotten that democracy is a political and capitalism an economic system. But because he operates in his book on the Tocquevillian assumption that politics and economics are closely intertwined, that economic practice has an elective affinity with a certain kind of politics, and vice versa. Both share a certain mentality or ethos and it is precisely this ethos which is at stake in his book.

Albert's book had a brief success after its publication – and his distinction between Anglo-Saxon and Rhine-democracies never wholly disappeared from the agenda. Nevertheless, the book was soon forgotten. The explanation is that the hard facts seemed to refute his main thesis of the superiority of the Rhine-model and this invited the evident *non sequitur* that his distinction made no practical sense. With regard to these 'hard facts', it was pointed out that Albert had also included Japan in his list of Rhine-democracies (most unwisely, as I would wish to add); but even when he was still writing the book the Japanese economy slumped into a dip from which has not yet recovered till this very day. So apparently Albert's Rhine-democracies did not perform so very well. Even more so, after 1995 the neo-liberal revolution, initiated already under Thatcher and Reagan, began its global triumph. The American economy went from record to record whereas the Rhine democracies sadly lagged behind and while their so disappointing performance was still furthered marred by the never-ending bungling and haggling in the EU. The Rhine-model, that's the EU, as many believed. And few people will feel overwhelmed by a spontaneous outburst of enthusiasm when thinking of the EU. It was clear: Albert was grossly mistaken with his eulogy of the Rhine-model; and the Rhine-democracies had best exchange their defunct model for Anglo-Saxon neo-liberalism as quickly as possible.

But now, at the end of 2008, this is no longer so obviously true as it was some fifteen years ago: Anglo-Saxon neo-liberalism met its Nemesis in the credit crisis, and the breathtaking unmasking of the USA's proud claims to political and economic supremacy confirms that this is no mere incident. A whole system has run up against its intrinsic limitations. Greed and reckless

¹² Albert, *Capitalism*; 18, 19.

speculation, regarded for a long time as financial sophistication, were suddenly recognized for what they are: greed and reckless speculation. It is true that the appalling incompetence of the Bush-administration made matters needlessly worse; but neo-liberalism's part in the current demise of the USA cannot reasonably be denied. What Albert had already attacked in the passage quoted a moment ago as the short term thinking, and as the perverse effort to make money as quickly as possible out of literally everything, largely explains the collapse of the existing neo-liberal financial system¹³. Even more so, a dash of the Rhine-model and of Continental-European solidity seems to be a good remedy for the USA's financial and political system (and, yes, for Europe as well, as far as its banking system has been badly infected with the neo-liberal virus as well!). In sum, it would be worthwhile to consider again Albert's thesis if we want to pronounce on the future of representative democracy. A cool-headed analysis of what is right and what is wrong - and needs to be remedied – in our existing Western democracies will be probably be a better guide for our political future than pipe-dreams about alternative, and never tested new variants of democracy .

Just one illustration. Albert did not place his thesis about the Anglo-Saxon and the Rhine democracies in a historical context. Doing so may greatly contribute to making us see what we may learn for the future from his contrast between the two variants of democracy. We would do well to recall that the Anglo-Saxon democracies came into being at a different time, and were the answer to a different kind of political challenge than the Continental European democracies. The roots of British democracy can be retraced to 1688 and those of the American one to 1776. Royal autocracy (or what was then perceived as such) was at that time the challenge; and the answer was to hand over his power to elected representatives. These elected representatives thus became the inheritors of the King's political power and this power was to be used by them in a much similar way. This is why you have down to the present day in Anglo-Saxon democracies a certain hardhandedness of majorities with regard to minorities and that you will not find in Continental European democracies. Think of things such as 'the first past the pole' or 'the winner takes all' system, or of the tendency towards a two-party system (and where the party in power is, more or less, the democratic successor of James II or George III), whereas all over the European Continent you have coalition governments and where different parties willy-nilly have to do business with each other.

The explanation is that the European Continent had a much different experience with democracy. Surely, the Continent had its French Revolution, and 1789 certainly is the Continental

¹³ Some passages in Albert's book are definitely visionary, if seen from the perspective of the present. See pp. 34, 35, 44, 45. 50 – 54 and, above all, 65, 65.

European counterpart of 1688 and 1776. However, then came, with Napoleon, a brief return to absolute monarchy, so that one had to start all over again after Napoleon's fall in 1815. At that moment the big question was what one should do then. Napoleon had been removed, so that was no longer an option. Apart from a few disgruntled aristocrats nobody wanted a return to the *Ancien Régime*. Finally, a repetition of the dismal cycle of the revolution with its guillotine, a civil war and another European war was the very last thing people were looking forward to. This is the historical context within which Continental European democracies came into being - and which differed completely from the Anglo-Saxon 'Ur-Erfahrung' of democratic government.

More specifically, the years between 1789 and 1815 had thoroughly polarized the population on the European Continent. Each stratum of the population had kept its own memories and, above all, its own fears and expectations of those unprecedentedly tumultuous years. And the gap between them, as everybody realized, was deep and unbridgeable. So where the basic political experience of the Anglo-Saxon countries was the resistance against (royal) autocracy, on the European Continent this was the problem of how to avoid an ideologically inspired civil war. The basic challenge in 1815 was, indeed, how to maintain peace and order in a socially and politically deeply polarized nation.

The solution was to 're-enact', so to say, the conflicts existing in society in Parliament, so that parliamentary debate could replace and – and thus help avoiding – actual civil conflict. Parliament was, so to speak, the *re-presentation*, the making present again of what fundamentally divided the nation in the controlled arena of parliamentary debate. Here one could fight each other as fiercely as one wished to, but without shedding a drop of blood and while knowing, at the same time, that one was condemned to cooperation. Whereas in the Anglo-Saxon countries Parliament largely continued its old function of merely being a constitutional buffer between the people and the government.

The well-known Tocquevillian thesis of the continuity between the *Ancien Régime* and the works of the Revolution therefore is, in fact, truer of Anglo-Saxon democracies than of those of the European Continent. In the latter the divisions in Parliament reflected the situation of 1815 and this has its counterpart neither in the *Ancien Régime* itself nor in the logic of Anglo-Saxon democracy. The Anglo-Saxon world never had its 1815. To put it all into one formula: Anglo-Saxon democracies are *Ancien Régime* democracies, whereas Continental European democracies are 'Romantic' or

‘Restoration’ democracies. And both kinds of democracies have a wholly different logic, mentality and political psychology.

Which variant promises best for the future is not a topic that I can adequately deal with here¹⁴. I therefore restrict myself here to the observation that the effort to reconcile a politically divided nation will put a premium on compromise, on finding some kind of synthesis between conflicting political positions that all parties involved can still live with – though often with the greatest difficulty. Now, compromise and synthesis are always situated somewhere ‘in the middle’ (between extremer political positions). The search for compromise and synthesis is the search for the ‘juste milieu’, as the doctrinaire liberal François Guizot famously put it in the 1820s and 1830s (and before he became a kind of ‘extremist’ himself in the course of the 1840s)¹⁵. Now, recall Aristotle’s famous argument that the middle classes ordinarily are the best guarantee for good and free government – a suggestion that is reasonably well confirmed by what History has actually been like since him. If, then, political compromise and synthesis can be expected to be closest to the political desiderata of the middle classes, this might make us prefer Continental European representative democracy to Anglo-Saxon democracy. And then the lesson for the future is that Anglo-Saxon democracies would do well to see how to introduce into their own political system the support of the middle classes coming so naturally to Continental European democracies.

6. *Knowing, willing and democracy*

In the 18th century public opinion was already described as ‘la reine du monde’ and 18th century monarchs were well aware that it was most risky to challenge, or even merely try to ignore it. In that period, in what Palmer called ‘the Age of the democratic revolution’, Western nations became

¹⁴ For some suggestions, see my *Political Representation*, Stanford 2002.

¹⁵ ‘il n’y a dans la Révolution qu’erreur et crime, disaient les uns; l’Ancien Régime avait raison contre elle; - la Révolution n’a péché que par excès, disaient les autres; ses principes étaient bons; mais elle les a poussés trop loin; elle a abusé de son droit. Les doctrinaires repoussèrent les uns et les autres de ces assertions; ils se défendirent à la fois et du retour aux maximes de l’Ancien Régime, et de l’adhésion, même spéculative, aux principes révolutionnaires. (...) Appelés tour à tour à combattre et à défendre la Révolution, ils se placèrent, dès l’abord et hardiment, dans l’ordre intellectuel, opposant des principes à des principes, faisant appel non seulement à l’expérience, mais aussi à la raison. Ce fut ce mélange d’élévation philosophique et de modération politique, à ce respect rationnel des droits et des faits divers, à des doctrines à la fois nouvelles et conservatrices, antirévolutionnaires sans être rétrogrades que les doctrinaires durent leur importance comme leur nom’. Se F. Guizot, *Mémoires pour servir à l’histoire de mon temps. Vol. II*, Paris 1851, 88.

politicized for the first time; people started to read newspapers, to comment on them in the coffee-houses and in their drawing rooms and to scrutinize and criticize the actions and decisions of their rulers. This announced the entry of a new actor on the political scene. If public opinion was in the 18th century a force outside the government in the narrow sense of the world, post-revolutionary European governments tried to mobilize it, and to include it in its own process of decision-making. Think of the notion of the ‘Sovereignty of Reason’ proposed by doctrinaire liberals such as Pierre Paul Royer-Collard and, again, Guizot. There the idea was that political representation had the task to concentrate and refer ‘Reason’ – i.e. the political wisdom disseminated all over the nation – to the nation’s centre so that it could inspire there the government’s decisions. Political Reason had become Public Reason, in the sense of expressing the public’s political wisdom. The shift was necessary because it was recognized that the ruler, prince, politician, statesman etc. no longer had the exclusive monopoly of political wisdom. As Guizot once marvelously expressed it:

‘nous vivons dans une société électrique où tout se sait, se propage, où des millions d’hommes de condition pareille, de sentiments analogues, connaissent réciproquement leur sort (...). La puissance a quitté les individus, les familles; elle est sortie des foyers qu’elle habitait jadis; elle s’est répandue dans la société tout entière; elle y circule rapidement, à peine visible en chaque lieu, mais partout présente. Elle s’attache à des intérêts, à des idées, à des sentiments publics dont personne ne dispose, que personne même représente assez pleinement pour que leur sort dépend un moment du sien’¹⁶.

Guizot’s statement would cut a fine picture in an analysis of where our contemporary (post-)modern world differs from the good old days of representative democracy. It therefore is a good point of departure for a discussion of Professor Keane’s most enlightening essay on what he describes as ‘monitory democracy’ and which he summarized himself as follows:

Monitory democracy is a new historical form of democracy, a variety of ‘post-Westminster’ politics defined by the rapid growth of many different kinds of extra-parliamentary, power-scrutinising mechanisms. These monitory bodies take root within the ‘domestic’ fields of government and civil society, as well as in ‘cross-border’ settings once controlled by empires, states and business organisations. In consequence, the whole architecture of self-government

¹⁶ F. Guizot, *De la peine de mort en matière politique*, Paris 1821; 281, 262.

is changing. The central grip of elections, political parties and parliaments on citizens' lives is weakening. Democracy is coming to mean much more than elections, although nothing less. Within and outside states, independent monitors of power begin to have tangible effects. By putting politicians, parties and elected governments permanently on their toes, they complicate their lives, question their authority and force them to change their agendas - and sometimes smother them in disgrace.

This passage must remind us of Guizot's statement of almost two centuries ago: in both cases political power is recognized to have become 'displaced', to have left its traditional foci and to have been scattered all over (civil) society, resulting in a 'société électrique' that will forever be outside the reach of every effort to grasp it and to force it into one coherent whole. However, Guizot used this insight for an apology of *representative democracy*, whereas Professor Keane prefers to see it as argument suggesting the *shortcomings* of our contemporary representative democracies. So how to deal with this paradox?

Perhaps an answer to this question can be found in Professor Keane's following observation:

'The new power-scrutinising innovations tend to enfranchise many more citizens' voices, sometimes by means of *unelected representatives* skilled at using what Americans sometimes call 'bully pulpits'. The number and range of monitory institutions so greatly increase that they point to a world where the old rule of 'one person, one vote, one representative' - the central demand in the struggle for representative democracy - is replaced with the new principle of monitory democracy: 'one person, many interests, many voices, multiple votes, multiple representatives'.

The suggestion is that nowadays the people, public opinion and discussion etc. have taken over the role that used to be played by our Parliaments or representative bodies. The difference between the days of Guizot and our own is that the political education of the electorate on school, by modern media, means of communication, internet and grass roots organizations such as org.com (carefully registering the sins of the Bush administration) has been so successful that the electorate itself now is a better judge of the government than Parliament ever was. So this crucial function of Parliament could now be taken over by civil society; even more so, civil society is far more effective here than Parliament was in the past. As is borne out by the hard facts, for our contemporary governments are

no longer much eager to hear what Parliaments have to say; all that it might say has been said better, more clearly and more convincingly elsewhere already. Instead, ministers and high civil servants prefer to read the papers, to follow the news on TV, rely on opinion polls or on interactive decision-making etc. – and Parliament has little of any value to add to that. These facts are indisputable – and we must therefore agree with Professor Keane that a wholly new situation has come into being, not having its antecedents in our political past. Indeed, it is as if we have become our own ‘unelected representatives’, so to say. This is the both compelling and fascinating thesis proposed by Professor Keane.

Finally, though he does not raise this question himself, one might ask oneself what problems can be expected if Parliament becomes the redundant component in our political machineries that Professor Keane discerns in it. Without claiming to be exhaustive, three things immediately come to mind. First, in the past we had always believed that that political representation would give us access to the nation’s collective wisdom. But this hope can only be satisfied only on the condition that both the electorate and its representatives are fairly well acquainted with the most important data about our social and political reality. Suppose, however, that there is some truth in a book like Nick Davies’s *Flat Earth News* and in his claim that the media are no longer reliable reporters on what actually goes on in our world, that news is transcribed from sources such as Reuter’s or IPA without ever being checked and that newspapers do little more than parroting each other - and that the explanation of all this is the neo-liberalist aim of media-tycoons such as Rupert Murdoch to achieve short-time profit at the expense of good and reliable reporting. If all this is true, it would probably not be a very good idea to put too much trust in the collective wisdom of the crowd¹⁷. Perhaps we are even now less trustworthy ‘unelected representatives’ of ourselves than those representatives that were sent to Parliament a generation ago. The problem of conveying hard political Truth to the contemporary bigotted and oddly chauvinist American electorate is a case in point. If the USA were really ruled by its electorate things would be even worse than they are already with George Bush and his dangerous and self-serving cronies.

Second, think of the argument of William Gerard Hamilton (also – misleadingly – known as ‘Single-Speech-Hamilton’) in his posthumously published *Parliamentary Logick* of 1808. Hamilton addresses here the problems of why we should have a Parliament at all with its strange rituals, its oddly antiquated customs, its rhetoric and its often endless discussions. His answer is, to put it in modern terms, that political problems are not objectively existing entities, such as trees, houses or

¹⁷ N. Davies, *Flat Earth News*, London 2008

mountains. No, political problems live a vague and fuzzy life in how we experience social and political reality and in what worries us there. Political problems can therefore only acquire their contours by talking endlessly about them – and exactly this is what we have Parliament for. Recall that the word ‘Parliament’ is derived from the French word ‘parler’. A political problem is not something given, but rather an artefact that has to be constructed with as much care and devotion as if it were a work of art. We need Parliament and parliamentary debate *ad utremque partem* for this, since this could never be achieved in the chaos and open-endedness of public debate. So a democracy without a Parliament, without ‘traditional’ political representation would be politically blind and is likely to hurl us into the most unpleasant catastrophes.

Third, there is the gap between knowing and willing. To begin with there is the problem that knowing what is the right thing to do does not necessarily entail that it will be done. We would require for this an extra premiss, such as the one that we always ought to do what is the *right* thing to do. This is the problem of *akrasia* as discussed from Plato to Donald Davidson. But let’s leave this technical problem aside. A more important and practical problem is that even if you know all that there is to know, you may still not know what is the right thing to do. Similarly, a historian may know all the documents, primary and secondary sources about some part of the past - and still be unable to *represent* it in a historical text. Representation always involves a certain perspective giving unity and coherence to all that you know. So it is in politics. You may know all there is to be known about contemporary political and social reality and still be completely at a loss about what you should do. There typically is a gap between knowledge and action – think of the famous ‘is/ought’ question put on the philosopher’s agenda by Hume and Kant. And, indeed, it is only *representation* that may get us from knowledge (or the ‘is’) to action (or the ‘ought’). The unity and coherence achieved by representation is the condition of meaningful (political) action. Representation can, indeed, be seen as the *trait d’union* between knowing and willing, or between the ‘is’ and the ‘ought’¹⁸. So, discarding traditional political representation may add to blindness a permanent and invincible *akrasia*. Unless, of course, we try to force the issue by resorting to despotism.

7. Conclusion

¹⁸ as I argued in my *Narrative Logic. A Semantic Analysis of the Historian’s Language*, The Hague/Boston 1983; chapter 8.

The year 1989 seemed to have made the world safe for democracy; and the self-appointed prophet Frances Fukuyama preached the joyful new gospel amongst both believers and unbelievers. But as it so often is in life, the secure possession of a good also greatly reduced its value. Now that (representative) democracy no longer needed to be defended against Soviet style communism, it automatically lost much of its former appeal. Add to this that complaints about representative democracy were far from being unjustified. Think of the immigration tragedy, of the managerial revolution in government inspired by books such as the one by Osborne and Gaebler and which turned our dealings with the state's representatives into even more of a torture than it used to be already, think of the ubiquitous decline in educational standards, of quango-crazy, of the privatization of former government tasks returning us to Medieval feudalism and its delegation of public competencies to private agents, think of the declaration of a war on the wrong nation for the wrong reasons, of the paranoia of the War on Terrorism etc. And on top of all that came the credit crisis, the prospect of an economic recession and the likelihood of a Japan-scenario for the near future of our national economies. It will then hardly surprise that public trust in government declined dramatically in the last years in all Western democracies – slowest in the Scandinavian countries and the Netherlands, and fastest in the Anglo-Saxon countries.

So we have good reasons to be worried about our present political predicament. In the end, the dilemma is, I guess, a fairly simple one. We can start working on a reconstruction of the representative democracies be the past left us. After all, these representative democracies did not perform so poorly in the first decades after WWII. Moreover, it is not too difficult to identify a number of questionable novelties that have unthinkingly been introduced in the machineries of representative democracy and that now seriously hamper its functioning. These novelties can be abolished again. A good case can therefore be made for the view that traditional representative democracy is not yet beyond repair.

The other possibility is that we draw up the bill on representative democracy and conclude that it should be thrown on the midden of history, together with feudalism, Papal autocracy, royal absolutism, enlightened despotism, Caesarism, fascism, communism etc. History gives us no eternal, time-transcendent certainties – so why should (representative) democracy the last word in politics? Undoubtedly a thousand years hence representative democracy will be a thing of the past. So some time some basically new political dispensation will announce itself. And why would we not witness today already the first signs of such a sea-change?

Only discussions such as presented in this book can help us to address this dilemma – and on which our own political future and that of our children depends!

Frank Ankersmit
Groningen University