THE FUTURE OF ‘REAL-EXISTING’ DEMOCRACY

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“It is difficult to make predictions, especially about the future.” And even more so about the political future. This is why universalistic and deductive theories have been such poor predictors of behaviour or outcome. In their zeal for parsimony and simplicity, they ignore the fundamentally “contingent” nature of politics. What is culturally imperative or rationally obvious at one time or in one place, can be utterly improper and inefficient in another. Karl Marx put it succinctly: “Men make their own history, but not in circumstances of their own choosing.” This why my work has consistently been more inductive, that is to say, sensitive to those “circumstances,” than deductive, that is to say, attentive to the discovery of universal motives or calculations.

In my old age, I have gotten tired of retrodiction – of trying to put together a plausible understanding of some institution, process or outcome after it has been produced – and have been devoting more time to prediction, especially to prediction about the future of what I call “real-existing democracies” or REDs. I think that I have almost exhausted the available techniques for doing this.
First, I tried applying concepts, theories and conclusions from the existing literature that identified “dangers and dilemmas” (internal as well as external) present in REDs and focused on the question of whether the future would be more liberal, less liberal or post-liberal in an article for the JoD.

Second, I adopted what I call the Tocquevillean ploy, namely, to identify the “face of the future” in an allegedly prototypic polity (the USA) and speculated whether the EU would become a federal polity in the foreseeable future. I concluded that this was highly unlikely and that the EU was on its way to becoming a fundamentally distinctive kind of multi-layered polity which I called a “consortio” or a “condominio” depending on the emergence of different intervening circumstances. This was also published in the JoD which is a clear indicator of this journal’s willingness to accept unorthodox and speculative pieces.

Third, I used the simplest “futurist” technique of all: temporal extrapolation. With my colleague, Alexandre Trechsel, and others, we gathered data on a number of trends in the performance of European REDs over a 30 year period (1970 to 2000) and then projected them forward to 2020. In the Green Paper we wrote for the Council of Europe, we argued that absent any intervening reforms or surprises European democracies would be in dramatically
worse situation with regard to such things as electoral turnout, party membership, trust in institutions, social cohesion and the legitimacy of national institutions.

Today, I will be speculating on the basis of yet another ‘futurological’ technique which I have taken and adapted from the work of Robert Dahl, namely, to identify not so much changes in the independent variables, i.e. the contingent circumstances surrounding and challenging contemporary REDs, as major changes in the dependent variable, i.e. the transformations (Dahl calls them “revolutions”) that have historically re-designed the very nature of democracy. My orienting hypothesis this time is that the future of contemporary REDs will be contingent upon how they adapt to the multiple and simultaneous revolutions that are transforming their institutions and practices.

A ‘Real-existing’ Democracy (or RED in my nominalist 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. 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 archeo-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.” 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* historically was the Supreme or Constitutional Court, first in the United States and subsequently in other REDs. So much so, that contemporary membership in the club has almost become contingent upon its presence (even if several archeo-democracies do not yet have one). A more recent guardian that has grown in importance is the independent central bank, but earlier examples would be the general staffs of the military, anti-trust and regulatory 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 government. 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 supra- or meta-level 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 government 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.
At the risk of overkill, there may well be a third contemporary revolution stalking the future of REDs, namely, (good) governance. It is too soon to judge whether the extraordinarily rapid and broad diffusion of this concept among practitioners and scholars is merely a reflection of fashionable discourse (and their mutual desire to avoid mentioning (bad) government), or whether it actually signifies (and moreover contributes to) a profound modification in how decisions are being made in REDs. If the latter, this would have (at least) seven major implications: (1) “stakeholders” determined by functional effect would replace citizens grouped in territorial constituencies as the principal agents of participation; (2) political parties would have no recognized (and certainly no privileged) access to participation in governance arrangements and would be replaced by individual or collective stakeholders; (3) consensus formation among representatives with unequal functional capacities would replace various forms of voting by individuals or deputies with equal political rights as the usual decision-making mechanism; (4) executive or administrative authorities would normally take over the role of “chartering” such arrangements – delegating their scope and determining their composition – rather than the competitively and popularly elected representatives of the legislature; (5) the ‘liberal’ distinction between public and private actors would be deliberately blurred in terms of responsibility for
making but also for implementing publicly binding decisions; (6) the substantive compromises that underlie the process of consensus formation would have to be reached confidentially through opaque combinations of negotiation and deliberation between stakeholders – and only subsequently be legitimated publicly in terms of their (presumably beneficial) functional impact; (7) Elections would increasingly become “civic rituals” with less and less impact upon the substance of public policy and, presumably, less and less popular participation. Needless to say, all of these implications pose serious challenges to the legitimating principles of contemporary REDs.

The first three Dahlian revolutions occurred over a lengthy period and were resolved sequentially via changes in institutions and practices. The second two were simultaneous in their occurrence and it was their joint and combined effects that led to empirical changes in the nature of RED and that are still being absorbed normatively. The three contemporary ones of guardianship, multi-layered government and (possibly) governance are not only happening simultaneously, but they seem to be affecting a broader range of existing institutions and practices.

What I have not had the time to do is to explore two aspects of these more recent transformations-cum-revolutions: (1) to what
extent are they related to each other and, hence, likely to interact and to produce even more unexpected effects; and (2) to which specific institutions or practices in REDs these challenges are oriented and, hence, likely to undermine their capability and/or legitimacy.

Above, I observed that the shifts in the exercise of citizenship from individuals to organizations and in key political roles from amateurs to professionals were closely connected with each other, both temporally and functionally, and that their effects were primarily focused on the institutions of representations, especially political parties and party politicians. My hunch (and it is no more than that) is that – at least in Europe -- the increased scope and power of guardian institutions and the expanded role of multiple levels of supra- and sub-national decision-making are causally related (although the direction of this causality is ambiguous to me) and their impact has been to call into question the authority of traditional national institutions such as parliaments, as well as those interest associations less capable of transcending national boundaries, e.g. trade unions. “Good Governance” is still more of a theme than a reality, but it has the potentiality of strengthening other organizational intermediaries (business & professional associations, social movements and advocacy organizations (NGOs), as well as their professional staffs while undermining that of
entrenched elites in public administrative bodies and, perhaps, even that of executive powers – provided that its promises of diversifying sources of information, enhancing transparency and discouraging corruption are realized.

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.