CHANGING ATTITUDES TOWARDS POLITICAL REPRESENTATION

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Introduction

Political representation is an activity and an institution which connects the people, however defined, to the government. Representation "makes present that which is not literally present" (Pitkin 1967, 144); in political life, it makes the people present in the actions of the governing power of the state. Legislative representation is a medieval and modern notion; while there were some political practices that approximated its meaning, we do not find the concept among the ancients (Pitkin 1967, 2-3, 241).

Political representation is modern in its connection with the idea of sovereignty. The Greeks scarcely had this idea and they did not need it. Sovereignty, the notion of a full and unitary power over an entire society, arose as a political problem in Western Europe in the late medieval period and received its first full formulation in the early modern period. It has its roots in Roman imperial administration and law; it was greatly influenced by the monotheism of Christianity which believed that there had to be one ultimate source of authority; and assumed specifically human proportions as the church and state competed and kings worked to consolidate their earthly powers. The origins of political representation occur in the medieval practice of the monarch summoning the great men of the realm to give their assent to certain taxes he wished to levy (Beard and Lewis 1932, 230-31; Pitkin 1967, 244; Morgan 1983, 324-26). Modern political representation starts as a device of political rule from the center, in the territorial ruler's search for human sovereignty (Poggi 1978, Ch. 3 and 4).

Representative government (democracy) was created from above. From its origins this was not a means of indirect reproduction of majority decisions. It was an attempt to secure government **from** any simple majority.[1] This could be done in Burkeian terms, by insisting that the representative had to be answerable to his conscience rather than loyal to his constituents. Or it could be done through institutional measures that entrenched checks and balances, as in the United States. Either way, a new form of democracy was created. Robert Dahl (1971, 27) observes that the union of representation and democracy sometimes semed a marvellous and epochal invention, John Stuart Mill (1859/1982) calling it "the grand discovery of modern times" that held out "the solution of all difficulties."

Democracy could now be extended to large states and embrace people in unprecedented numbers, people who had no prospect of common or direct decision making. Representative democracy was concerned with excluding "the people" from direct influence on national power. At the same time it was concerned to ensure that they gave their consent, if not to the extent of their exclusion, than at least to the legitimacy of the government and regarded the state as their own, giving it loyalty and obedience. Representative democracy was a form of anti-democracy, but one recognised and even supported as such, as the franchise grew, by a popular majority. For people can identify with and feel themselves to be represented by those who also exclude them from direct influence.

While it may be true that the idea of representation has saved democracy as the guiding ideology of the modern state, it is also true that the representative principle has caused a great many citizens to become structurally divorced from participation in day-to-day decision-making. Here lies a source of strain in contemporary democracies between states and their citizens. In itself this is not a serious normative issue. People should and could participate in all public affairs were it not for the scale of the modern territorial state, which makes it impossible. Rather the problem lies in the notion that immediate and direct democracy without formal organisation — and this include representative organisations — is **a priori** inconceivable and unreal (Böckenförde 1991, 382-7; see also Budge 1993, 136-55). Other thinkers of the radical postmodernist school argue that representation **as such** is not possible because "what is really interesting cannot be represented: ideas, symbols, the universe, the absolute, God, the just, or whatever. Representation is alien to what postmodernist value: the romantic, emotions, feelings. According to sceptical postmodernists, representation is politically, socially, culturally, linguistically, and epistemologically arbitrary. It signifies mastery" (Rosenau 1992, 94). Not to side with either of these two extreme options is to accept the challenge to examine, over and over again, and in each new set of conditions, the balance of direct and indirect links between the citizen and the state, and to make it an **empirical question** which institutional arrangements optimise this balance in terms of creating and maintaining system legitimacy.

Representative Democracy: Some Achievements and Limitations

As Dahl (1989, 233-40) points out, representation was not invented by democrats but developed instead as a medieval institution of monarchical and aristocratic government. Conceived in explicit opposition to democracy, today it is seen as one of its forms.[2] The "people" is certainly a much larger entity in our own day than it was in the eighteenth century, the advent of universal suffrage having substantially enlarged the citizen body. But on the other hand, there has been no significant change in the institutions regulating the selection of representatives and the influence of the popular will on their decisions once in office. And it is at least uncertain whether the gap between the governing elites and the ordinary citizens has narrowed or whether the control of voters over their representative has increased. Nevertheless, we have no hesitation in categorising today's representative system as democracies. The founding fathers (Madison), by contrast, stressed the "enormous difference" between representative government and rule by what was then the people. We are thus left with the paradox, that, without having in any obvious way evolved, the relationship between representatives and those they represent is today perceived as democratic, whereas it was originally seen as undemocratic.

It would appear that this difference is due at least in part to the nature of representative institutions themselves. Representative government includes both democratic and undemocratic features. The duality lies in its very nature, not just in the eye of the beholders. The idea that representative systems place government in the hands of the people is no mere myth, contrary to the claims of those who, from Marx to Schumpeter, set out to demystify "democracy"! Representative government has undeniably a **democratic** dimension; no less undeniable, however, is its **oligarchic** dimension. The solution to the puzzle of representative government lies in the fact that it is a **balanced** system. The principles of representative government form a machinery that combines democratic and undemocratic parts.[3] For example, freedom of public opinion thus provides a democratic counterweight to the undemocratic independence of representatives, which separates representation from popular rule, however indirect. Or, elected representatives are not bound by promises made to voters, but at each election, voters make up their minds on the basis both of what they would like for the future and what they think of the past. Here, then, the democratic and undemocratic elements are inextricably blended into a single act.

The designation of representatives by election, with universal suffrage and without qualifications for representatives, combines the democratic and undemocratic elements even more closely. If citizens are regarded as potential candidates for public office, election appears to be an inegalitarian method, since, unlike lot, it does not provide every individual seeking such office with and equal chance. Election is even an aristocratic or oligarchic procedure in that it reserves public office for eminent individuals whom their fellow citizens deem superior to others. Furthermore, the elective procedure impedes the democratic desire that those in government should be ordinary persons, close to those they govern in character, way of life, and concerns. However, if citizens are no longer regarded as potential objects of electoral choice, but as those who choose, election appears in a different light. It then shows its democratic face, all citizens having an equal power to designate and dismiss their rules. Election inevitably selects elites, but it is for ordinary citizens to define what constitutes an elite and who belongs to it. In the elective designation of those who govern, then, the democratic and undemocratic dimensions are not even associated with analytically distinct elements (though always mixed in practice), such as the prospective and retrospective motivations of voting. Election merely present two different faces, depending on the observer's viewpoint.

Representative democracy is the creation of power rather than the achievement of the powerless.[4] Political representation makes the people present in the action of the governing power of the state. A few — the representatives — are chosen by the many — the represented — to be the legislature or governing power of the state. Yet, "who governs whom in the representational relationship is an empirical question that cannot and should not be answered by definition" (Eulau 1967, 80). A representative legislature stands midway between the executive and the mass, exercising power within constitutional limits. Thus representative government has never been a system where the representatives have to implement the wishes of their constituents; it has never been a direct form of popular sovereignty.[5] Representative government remains what it has been since its foundation, namely a governance of elites, distinguished from the bulk of citizens by social standing, way of life, and education.

Such analysis, however, also makes apparent a positive characteristic of representative democracy, namely the central role granted to the judgement of the community. The electorate as a whole is made judge of the policies implemented by its representatives: the electorate's retrospective appraisal of the relatively independent initiatives of those in government influences the conduct of public affairs. The role of the debating body is also primarily that of judge, in the sense that all proposals must be submitted for its approval, even though they do not all originate from within. For different reasons in each case, it is thus the concept of passing judgement that best describes the role assigned to the community, whether to the people itself or to its representatives. Representative democracy is not a system in which the community governs itself, but a systems in which public policies and decisions are made subject to the verdict of the people.

In light of the concrete functioning of representative legislatures, it follows that no sovereign power can be derived logically from the system of representation, even less can legitimacy. Concerned with the interests of **all** without the tie of an imperative mandate **political** representation is nothing but a clever **fiction**, as Edmond Burke knew all too well. It is a "fiction," however, no longer able to resist the challenge of a plethora of corporatism and the pressures of fractional groups. If politics is a "project," the creation of collective identity and decision in the community's interest, then the act of representation is the **immediate** satisfaction of expectations, localism, negotiation among various social groups, distribution of political revenues, and economic benefits by the representatives to their own followers. Such being the case, what obtains today, is the theoretical and institutional separation of the state from the sovereign, of the representation of interests from the sovereign power of decision. The problem of contemporary political systems is so in terms of the need for a "double legitimisation," one referring to sovereign politics, the other to the representation of interests. This formula we could describe as legitimisation without (political) representation.

Representative democracy is not a given, but holds out the possibility of its own improvement as people become literate, more trustworthy, experienced and, also, are able to express effective demand. This internal process, the democratisation of representative democracy, was and is always contested. Both within the elite as those who express their vested interest are opposed by those who want to further secure popular consent; and among those at the "bottom," between those who want to be included and those who perceive dangers of subordination. However, the democratisation of representation, the narrowing of the gap between representatives and represented, and the growing influence of the wishes of the governed on the decisions of those in government have turned out to be less durable than expected. While one can certainly say that democracy has broadened, one cannot say with the same certainty that it has deepened. But its elasticity, its capacity for some degree of "openness," its adaptability to extension of franchise and the democratisation of style and culture, has encouraged the development of consumer capitalism and allowed commercial democracy to be imposed back on ruling institution. Alongside these achievements, representative democracy saw the routinisation of peaceful changes of government.

International comparison and internal pluralism lead people to look upon the way they are represented in a broader perspective. The sociologically unrepresentative character of elected personnel becomes more obvious and an object of contention even while it diminishes in degree. Especially important is the representation of women. Hugely lop-sided male predominance is seen as undermining the legitimacy of the ruling assemblies or parliaments. As a result two consequences are now visible that extend much further than arguments over specific incidents of discrimination. First , the debate over the "politics of presence" is accelerating the reassessment of the limits of representative democracy. The feminisation of politics will mean more than substituting women for half the men who have virtually monopolised the main national assemblies. Women are proportionately more active "lower down" in local and community politics.[6] Secondly, as the question of the literally representative character of legislator is posed by the politics of presence, so the politics of selection is brought into question and with it the party system, on the grounds that people are beginning to ask, "who chooses our choice?" Originally, the party system both ensured the penetration of representative system into the broad population and allowed the excluded classes to penetrate the legislature, thus binding them into loyalty organised from above. The party also become the chief means whereby representatives from the lower classes could enter national political life.

But today, the hyper-development of well funded party organisations has led to a paradox fiercely expressed by Ulrich Beck:

> *Ultimately the monopolization of the right to democratically constituted decision-making is founded on the contradictory image of a* ***democratic monarchy****. The rules of democracy are limited to the choice of political representative and to participation in political programmes. Once in office, it is not only the "monarch for a term" who develops dictatorial leadership qualities and enforces his decisions in an authoritarian fashion from the top down; the agencies, interest groups and citizen's groups affected by the decisions also forget their rights and become "democratic subjects" who accept without question the state's claims to dominance* (Beck 1992, 191).

Representative democracy was created to protect the elites, and today, the top-down, "leadercratic" character of representative power as organised by its party system and the timing of the electoral system, is becoming exposed in a culture familiar with different sorts of power outside the party political sphere.

Did (Do) Parties Distort Representative Democracy?

Modern representative government was established without organised political parties. Most of the founders of representative government even regarded division into parties or "factions" as a threat to the system they were establishing. From the second half of the nineteenth century, however, political parties organising the expression of the electorate came to be viewed as a constitutive element of representative government. Moreover, the founding fathers had banned imperative mandates and the practice of "instructing" representatives, and they clearly had a deep distrust of electoral pledges, even of a nonbinding nature. Mass parties, by contrast, made the political platform one of the main instruments of electoral competition.

The rise of mass parties and political programs seemed to **transform representation** itself understood as a link between two terms — that is to say, both the qualitative relationship between representatives and represented, and the relationship between the wishes of the governed and the decisions of the governors. First, rather than being drawn from the elites of talent and wealth, as the founding fathers had wished, representative personnel seemed to consist principally of ordinary citizens who had reached the top of their parties with their militant activity and devotion to a cause. Moreover, since representative, once elected, remained under the control of party managers and activists, as a result of the party's internal discipline, the autonomy previously enjoyed by representatives during their term appeared to be violated. And political platforms seemed to further restrict the freedom of action of representatives.

This is why a number of late nineteenth-century observers interpreted the new role played by parties and platforms as evidence of a **crisis of representation**. It gradually became apparent, however, that if mass parties had indeed brought about the demise of "parliamentarism," representative government had not been destroyed in the process; its constitutive principles, including the partial autonomy of representatives, were still in effect. Observers then came to realise that a new and viable form of representation had emerged. This was not conceptualised as unequivocally as parliamentarism had been, but its identification as an internally consistent and relatively stable phenomenon was signalled by the coining of new terms: party government, "**parteindemokratie**." Each of these terms aimed at gathering under a single heading the characteristic which distinguished the new form of representative government from parliamentarism.

The new form of representation was eventually hailed as progress. This was not only because the emerging system was correlated with the extension of voting rights, but also because of the type of representative link it entailed. Parties brought representatives closer to the grassroots, making possible the nomination of candidates whose social position, way of life, and concerns were close to those of the rank and file. It also seemed to give to the governed a more important role in determining public policy. Representative government appeared to be closer to the ideal of self-government — of the people governing themselves. Representative democracy was transformed into a mechanism that alleviated industrial conflict by integrating the working class. But in party democracy representatives are no longer individuals free to vote according to their own conscience and judgement: they are bound by party discipline, and they are dependent on the party to which they owe their election.

Certainly, the analyses of Michels showed that mass parties were dominated by elites distinct from the rank and file; the distinctive qualities of the representatives are no longer local standing and social prominence, but activism and organisational skill. Voters do not elect their representatives directly on this basis, but these qualities get selected by the internal structure of the party. Party democracy is so the rule of the activist and party leader or "boss." In this form of representative government the people vote for a party rather than for a person. This is evidenced by the remarkable phenomenon of electoral stability, but the disintegration of this personal link is a sign of a crisis in political representation. In party democracy electoral cleavages reflect class divisions. In party democracy representation thus becomes primarily a reflection of the social structure. In party democracy the freedom of public opinion takes the form of the freedom of opposition.

Party democracy rests on the **principle of compromise** both between the majority and the minority and between the members of a coalition. The precise content of the compromise is a matter of negotiation between the parties and their leaders.[7] Party democracy is a viable form of government only if the opposing interests accept the principle of political compromise, since nothing tempers their opposition in the social sphere. But to seek a "compromise" (mediation) means to see whether the majority, by reducing its (legitimate) claims, can convince the minority to bend without fighting; but the majority (presumably the strong part) accepts the idea of compromise only when it is not too sure of its compactness and of its reasons (i.e., when it does not feel "stronger") and therefore is not a majority. Normally, to set aside what divides means to set aside all choices and actions; it is unanimity reached on the basis of the decision not to do anything, since every decision benefits someone and harms someone else. In politics there is nothing which benefits everyone.

In other words, "compromise" is not the basis of every government act, in the same way that "mediation" does not constitute, along with "unanimity", the ultimate objective of parliamentary action. This has at least two important consequences: 1. to the extent that parliament is (allegedly) based on the consensus of all (but in reality on the hegemony of a majority faction) it is not the political expression of the people's sovereign will. It may be its socio-economic reflex, but not enough to make it the supreme agency of government, the supreme decisional instance. 2. Thus parliament cannot at the same time represent the people while functioning as a political government. In fact, **to represent** and **to govern** refer to two different rationalities. In the case of representation, a choice is all the better when reached by the interested parties. One can accept "parliamentary compromise" as an institutional variant of "juridical negotiation" or a kind of contract where the representatives of two or more organised interests exchange reciprocal concessions.

In the second case, that of the function of government, the "rationality" in question has to do with the process of formation of political "decisions." This rationality consist primarily in the functionality of the measures taken in relation to attaining the declared or implicit end; it implies a teleology. In the case of political decisions, it is not a result of an encounter of the various "parties," but of the degree of congruence and homogeneity which the decision taken expresses with respect to the chosen end. The difference between the two "rationalities" finds expression in subsequent divergence: while the contract is **optional**, the political act (the sovereign decision) is **obligatory**. To decide in politics is not optional, since those in power cannot avoid "governing." At this point the contradiction inherent in the functioning of the parliamentary system should be obvious. The difference between logical structures inherent in compromise in decision is clear: only by accident can the rationality of the first coincide with the "congruence with the end" of the second.

For decades political representation has appeared to be founded on a powerful and stable relationship of confidence between the electorate and the political parties, with the great majority of voters identifying themselves with, and remaining loyal to, a particular party. Today, however, the electorate tends to vote differently from one election to the next, and opinion surveys show an increase in the number of those who do not identify with an existing party. Hitherto, the differences between the parties appeared to be a reflection of social cleavages. But today one gets the impression that it is the parties that impose cleavages on society, which has led some observers to deplore the "artificial" character of these fault lines. In the past, each party would propose to the electorate a platform which it would undertake to implement should it come into power. Now the electoral strategy of candidates and parties is based instead on the construction of vague **images** prominently featuring the personality of the leaders. The policy preferences of citizens are increasingly expressed through opinion polls and organisations that promote a particular policy but do not wish to govern. The election of representatives no longer appears to be the means by which citizens indicate the policies that they wish to be implemented. Finally, the political arena is increasingly dominated by technical skills that ordinary citizens do not posses. Politicians rise to power on account of their **media** talents and expertise, not because they are close or similar to their constituents. The gap between the government and society, between representatives and the represented, appears to be widening.

What we are witnessing today is nothing more than the rise of a new elite and the decline of another. Politicians and media experts constitute an elite endowed with positively valued characteristic that distinguish them from the rest of population. The positive evaluation does not result only from a deliberate judgement by the electorate. When a candidate today is elected on the basis of his image, and seeks to persuade voters that he is fitter than others to confront the future, voters have less say about what he will do than when a party presented a list of measures it intended to implement. In this sense, too, representative government appears to have ceased its progress towards popular self-government. Voters tend increasingly to vote for a person and no longer for a party. Parties continue to play a central role, but they tend to become instruments in the service of a leader.

The mass parties were strongly rooted in civil society; which emphasised engagement and involvement; and which at the same time were hierarchical and disciplined. These were parties which came from and belonged to civil society, and which sought to express and then implement the interests of their constituency within public policy. In the most recent wave of democratisation, too, the role of party has been central, although now, more than half-a-century on, there is little to suggest that this emphasis on party will promote the emergence of mass parties as such, in that the parties which are developing in both Central and Eastern Europe tend to be typified by loose organisational structures, by small if not-existent memberships, and by an absence of any pronounced ties to civil society. But although far removed from the styles and structures associated with the traditional mass party, the role of party in building these new democracies has nevertheless proved crucial, with the importance of party being seen even in the manner in which these new democracies are defined. For in situations where democratisation has resulted from a change of regime rather than from a process of enfranchisement, we see democracy itself being defined not in terms of the rights of citizens, but rather in terms of the existence of a plurality of parties, which compete against one another in free elections.

In modern democracies, therefore, whether these are long-established democracies or newly-created democracies, politics is about party politics; to put it another way, the twentieth century is not only of the century of democratisation, and hence of democracy, but it is also the century of **party democracy**. As the century closes, however, it has become increasingly clear that many of the long-established party democracies in particular are beginning to show distinctly unhealthy symptoms. For despite, or perhaps even because of, the importance of party in modern democracies, party democracy itself has become an increasingly troubled form of democracy. The belief that the existing institutions and practices of representative democracy can simply be swept away and replaced by something better has been shown up for the illusion that it always was. But it is at least equally clear that representative democracy as it exists in Western Europe has grave weaknesses in ensuring the accountability and responsiveness of government to the people. It can hardly be said to represent the highest possible form of human political association.

The creation of multiparty systems throughout East and Central Europe give the impression that democracy has not only been established but consolidated. Yet most of these regimes do not fulfil the requirements of liberal democracy. Instead, they are electoral democracies, in that individual leaders acquire formal political power through a "competitive struggle for the people's vote" (Schumpeter 1947, 269). This minimalist conception requires that the electoral struggle be open to alternative political parties, and that it be free and fair, placing the ruling party at risk of defeat. But it specifies nothing further about the degree of constitutionalism, legality, participation, and freedom that characterises the political process. Thus it commits the "fallacy of electoralism," neglecting the degree to which multiparty election may exclude significant sections of the population from the contest for power, allow for extensive human rights violations, or leave significant areas of state authority dominated by military or other unelected figures. Or can some forms of party or parliamentary behaviour obstruct people's ability to achieve, or even their capacity to formulate, democratic aspirations? The subtle way by which parties can distort or erode democratic values and processes may never pose a full-scale threat to basic democratic political institutions. But by creating only nominal or "hollowed-out" forms of democratic life, they can rob democracy of meaning and value and place serious obstacles in the way of further democratic reforms.

Democracy demands more than formal competition and participation. To become consolidated, electoral democracies must become deeper — making the institutions and processes of a democratic regime more liberal, accessible, accountable, representative, and, hence, more democratic. Progress toward greater liberty and lawfulness is essential. What makes a society democratic is not party institutions, but more fluid civic associations that constrain, shape, and oppose them. Maximalists teach us that democracy requires commitment to civic equality, social inclusiveness, and continual opposition to rigid hierarchies of power. What we need is a combination of the minimalists' institutional pragmatism and the maximalists' critical edge and aspirational power. Equipped with both, we could then examine emerging representative democratic institutions to see how they distort or undermine democratic values and consider ways to stop or counteract these trends, while recognising that there are limits to our ability to change some of the less attractive aspects of democratic politics. At the end, our aim is so to outline some **structural** and **attitudinal** dangers to representative democracy in East and Central Europe.

Structural Dangers to Representative Democracy

Democratic consolidation requires strengthening of three kinds of political institutions: the basic administrative apparatus of the state; the institutions of democratic representation and governance (particularly parties and legislatures); and the structures that ensure horizontal accountability, constitutionalism, and the rule of law, such as the judicial system and various government auditing and oversight agencies. Institutionalisation occurs to the extent that these various structures become more coherent, complex, autonomous, adaptable, capable, and therefore stable and valued.

But parties and parliaments may distort democratic practices and values because of how they are structured or how they structure other political institutions. Relevant **structural** factors include basic constitutional arrangements — electoral systems and the relationship among different branches of government — as well as the presence (or absence) of internal parliamentary regulation, financing rules, and powers of appointment. I will identify some significant distortions of democratic practice in contemporary East and Central Europe that can be traced primarily to such structural factors.

1. The first problem is **exclusionary** or **unrepresentative party system**. Democracy is seriously eroded if a significant segment of society is excluded from political representation, even if multiparty elections themselves are never in jeopardy. The most serious kind of political exclusion is **disenfranchisement**, when a segment of society is prevented from participating in the political process. There have been efforts to disenfranchise feared or despised ethnic minorities in several East European countries. Long-term Russian residents in Latvia and Estonia, Serbs in Croatia, Croats in Serbia, and Roma in the Czech Republic are among the groups whose members have been disenfranchised under strict requirements for citizenship. Other, more subtle forms of disenfranchisement include constitutional provision outlawing all ethnic parties by criminalising activity that attacks "national integrity." Such provisions were employed, albeit unsuccessfully, against the main political organisation of the Turkish minority in Bulgaria, the Movement for Rights and Freedoms. Gerrymandering designed to deny political representation to an ethnic minority, or to dramatically dilute the minority's vote, is another tool of disenfranchisement, one recently employed by the Slovak government against Slovakia's Hungarian minority. Efforts at disenfranchisement endanger democratic values even if they do not threaten the state's stability. Democracy is fatefully vitiated when the democratic process is fundamentally hostile to, or rigged against, the interests of an entire social groups.

A less extreme problem of exclusion is the familiar democratic dilemma of **proportional representation versus majoritarian electoral systems**. The advantages and disadvantages of each are well known. Proportional representation offers a parliamentary voice to a broader spectrum of political constituencies but may sacrifice govern ability and ultimately endanger democratic legitimacy. It may also end up giving small parties the balance of power in governing coalitions and thus a grossly disproportionate political voice. By contrast, winner-take-all systems produce clearer majorities and make governing easier, but may leave large segments of the population bereft of parliamentary representation. Depending on the circumstances, then, both alternatives can erode democratic legitimacy. Postcommunist elections in Eastern and Central Europe have produced everything from unworkable fragmentation to highly distorted governing majorities or polarisation between old and new political parties. Concern about distortion between popular preferences and the composition of parliament may be heightened by efforts on the part of parliamentary parties to rig the system in their own favour through campaign finance laws and other legislation that disproportionally rewards previous electoral success.

Finally, the fact that many political parties are primarily parliamentary parties, lacking grassroots membership, may foster widespread **alienation from the political class** which may have identified as a growing threat to democratic legitimacy in East and Central Europe. The perception that parties do not truly represent citizens is exacerbated by the prerequisites and benefits of political office at a time of growing economic hardship and insecurity, and by financial scandals revealing the venality of parties and party politicians. The essential contradiction is between an apparent weakening of the role of parties as **representative agencies**, on the one hand, and an apparent strengthening of their role as **public-office holders**, on the other.

2. A second problem, which also has structural roots, is **sham parliamentarism**, a system in which parliament lack in practice the legislative powers it is supposed to possess. The former communist parliaments were clearly sham parliaments, with real power vested in the communist party hierarchy. While parliament's legislative authority and constitutional role is now fairly well-established in some countries, in others it remains highly unstable. For instance, parliamentary decisions have been regularly ignored or overridden by presidential decree in Belarus in Russia. Chronic parliamentary absenteeism, lack of party discipline and inability to pass parliamentary rules certainly contribute to the problem. But the gravest threats to representative government come from unelected sources of power. Hidden lines of influence exist between elected political representatives, old patronage networks, burgeoning mafias, and entrenched elites within the government bureaucracy, including the army and police. Illegitimate incursion on parliamentary authority can also come from international sources. To be sure, these are mostly dangers of degree. Parties will always be influenced by powerful special interests, and international regulation is an inescapable and often positive aspects of the international system. But excessive — and especially hidden — influence can turn democratic practices into meaningless formalities.

3. On the most general level the situation in these countries may be described as a **weak institutionalisation of the political order**. This weak institutionalisation has four main features: unstable political system which not allows for viable structuring of economic and political alternatives, unclear division of prerogatives between state organs (confusing provisional constitution is in force), influence of extra-political force on the political arena, exceedingly high personal animosities between political leaders and lack of commonly accepted "rules of political game." In the case of Eastern Europe, the formal constitutional framework has become the terrain on which different institutions and their incumbents, including presidents and prime ministers, struggle to define their influence.

In the postcommunist countries, however, the entire institutional framework is now in flux, causing chaos, friction, and inefficiency. State institutions are assuming new roles and prerogatives under conditions of intense political struggle, rapid social change, and enormous legal confusion. The core rules of institutional bargaining are constantly being rearticulated and renegotiated. Institutions find it hard to acquire the public support and professional skill that they need to cope with the complex challenges that they face. At the same time, they often clash organisingly among themselves over prestige, authority, and procedures. In formal terms, **the superior position of parliament** from the former communist constitutions remained intact. The problem of Eastern Europe so far has not been that this or that country has chosen a presidential or parliamentary model, but that there has been no fixed model in place at all.

4. A fourth problem is **illiberal parliamentarism**, which typically manifests itself as a sin of omission. Parties and parliaments sometimes fail to establish the constitutional arrangements and supervisory mechanisms required to maintain the rule of law and democratic accountability, or they simply ignore the existing rules. Parliaments may flout the authority of other government institutions, disregarding court

rulings, threatening judges, or ignoring the state election commission. They may fail to established effective procedure relating the behaviour of state officials. And they may fail to control themselves through conflict of interest rules, financial disclosure law, and reporting and auditing requirements.

5. A final structural problem is the tendency for parties to **colonise civil society** through patronage and intimidation. A widespread and dangerous example has been efforts by parties to control the media and employ it for partisan or governmental purposes, and to intimidate or outlaw the independent press. The role of money and media has served to empty the electoral system of much of its support and may be a factor of post-election loss of legitimacy. Resources at the disposal of parties and parliaments have also been used to found or establish organisations ranging from minority associations and churches to women's group, educational institutions and "foundations" of all stripes. While the legacy of communist expropriation of property and wealth has left many social organisations understandably dependent on, and in some cases entitled to, compensatory state funding, continued financial dependence on party or government sources can deprive these organisations of independence, making them reluctant to criticise the government or embroiling them in partisan conflicts. Inadequate financial disclosure law exacerbate the problem, making such clientelism harder to uncover and criticise.

This is a prime contributor to the "disappearance of social capital" from political life. A colonised civil society is a demobilised society — or at least a society mobilised on terms set by the political elite. If such colonisation becomes sufficiently widespread, it will not only give parties excessive influence over society, but may help turn social and cultural debates into bitter partisan conflicts. To make matters worse, many countries lack the basic institutional conditions under which genuinely independent associations can arise and flourish, such as laws establishing non-profit status.

Attitudinal Dangers to Representative Democracy

Parties and parliaments may also distort democracy through patterns of political speech and behaviour which undermine democratic values or norms. I call these **attitudinal problems** because, while they are related to structural or institutional issues, their immediate causes appear to be cultural more than structural, and because efforts to change them will require that they be criticised as socially or culturally unacceptable. I will outline some attitudinal problems that endanger democratic values in postcommunist East Europe.

1. The first problem is **violation of norms of civility within parliament**. Vociferous debate is, of course, a common feature of democratic life. But parliaments are also deliberative bodies, designed to combine partisan competition with shared commitment to the democratic political process. Vicious personal attacks or threats, egregious rudeness, xenophobic and anti-Semitic remarks, and accusations of treason, especially if the are not censured by party and parliamentary leaders, undermine the democratic process.

2. A second, related, attitudinal problem is the use of **extremist and socially polarising rhetoric** in party speeches and literature directed toward the general public. To be sure, the dynamics of democratic competition will always encourage parties to exaggerate their differences. But parties that encourage the use of rhetoric that demonises opponents as enemies of the nation, describes proposals in apocalyptic tones, spread frightening and fabricated stories, or engages in violent bravado, not

only violate democratic norms of pluralism and tolerance, but may empower forces that threaten democracy itself.

3. A third attitudinal problem is **imperious behaviour** toward citizens. East and Central Europeans have long and painful experience with disdainful or malicious indifference on the part of officials. Such things change slowly. But democracy requires that citizens come to expect (and are able to demand) respectful and responsive treatment from public officials. The real test of a democratic polity is how it treats people, especially the weak and the marginalised, in the encounters of everyday life. But until the attitude of representatives changes, little progress can be expected in curbing brutal, venal, or disrespectful officials.

4. Finally, I would like to point out **three conceptions of politics**, which are not always clearly identified, but **present only implicitly**. The first conception treats politics as a game with a beginning and an end; once it is finished, the partners still exist, and the result is that one has gained something while the other has lost something. The second conception defines politics as a "fight for arsenals." The arsenals of political action are finances, the number of activists and members, local party organisations, friendly radio and TV stations, etc. The third understanding equals politics with the war for annihilation of the opponent as such. This can be metaphorically called political annihilation, as it is not about physical killing of anybody, but the annihilation of the opponent's organisation. Once we become aware of the fact of the three types of politics, the sources of the high degree of conflict become more readily understandable. The antagonisms between some parties are so deeply rooted that it is very hard to overcome them, even if the need for compromise is verbally and publicly articulated.

Conclusion: Replacing Representative Democracy

What can be done to confront these structural and attitudinal dangers? In some cases clear legislative or institutional solutions are available. In many cases, the best responses will require striking some always imperfect balance. The most complex challenge of all is that of tackling entrenched clientelistic networks, for this will require piecemeal struggles on many fronts to uncover and challenge corrupt relations of influence and authority and to replace them with more open and democratically regulated ones. Political parties, and indeed political institutions in general, can distort and erode democracy even as they preserve and consolidate it. This apparently paradoxical insight reminds us that democracy is an always unfinished project, requiring many kinds of work — hard-headed and unruly — to keep it alive. It is in the nature of democracy that it is a process, not an end; an ongoing experiment, not a set of fixed doctrines.

The current notion of a crisis in political representation owes much of its force to the perception that representative government today is drifting away from government of the people by the people. The present situation however, appears in a different light when the fundamental difference between representative government and self-government is recognised. The current phenomenon appears less a sign of a crisis in representation and more like the shifting and rearrangement in a combination of elements present since the end of the eighteenth century. May be we are now witnessing the beginning of new forms of democracy that are more direct, reflexive in dialogic. For the first time, perhaps, it is possible to imagine modern large-scale societies whose citizens regard democracy as a possibility. Direct democracy in large scale societies cannot be reinvented, having never existed. Rather, a process is underway that could lead to the actual “invention” of large-scale democracy. But unlike government, which is a machine for administration, democracy is a relationship; so I prefer to call it the possible **creation of democracy**.

Notes:

1. Representative government was not conceived as a particular type of democracy but as an entirely original political system resting on principles different from those which organise democracy.

2. What we call today representative democracy has its origins in a system of institutions (established in the wake of the English, American, and French revolutions) that was in no way initially perceived as a form of democracy or of government by the people.

3. In a mixed constitution where the mixture is perfect, wrote the Philosopher, one should be able to see both democracy and oligarchy — and neither. Generalogical scrutiny discerns in representative government the mixed constitution of modern times.

4. Representation is an instrument of power. It is an institutional technique by which power is structured in a political society. But to say this is only to begin, for what is power? And what does representation do to power limit it, expand it, share it, create it? And amongst or between whom?

5. Here lies a major difference between representative government and democracy understood as a regime of collective autonomy, where those who are subject to norms make the norms. The difference between representative government and government of the pople by themselves does not reside in the existence of a distinct body of delegates, but rather in the absence of imperative mandates.

6. Their kind of politics, less adversarial, more problem solving, is advancing in authority and eroding the old tram-lines of public life (Phillips 1993; 1995).

7. On the other hand, social-democratic parties have often institutionalised a process of consultation and negotiation between organised interests, such as labour unions and employers' associations. This phenomenon is (neo)corporatism.

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