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Democracy Today and the Renewal of Political Liberalism

Time and again we hear the word "democracy" associated with the word "crisis". *Democracy in What State?* is the title of a best-selling, widely translated anthology where an impressive line-up of prominent global authors, including Agamben, Rancière, Nancy, Badiou, Žižek and Wendy Brown indict present-time democratic regimes for having become a travesty of democracy and launch once again the rallying cry of the crisis of democracy. Radicalizing the “post-democracy”-diagnosis pioneered by Colin Crouch a decade earlier,¹ some of the contributors do not shy away from presenting democracy as “an exemplary case of the loss of the power to signify”² or as an “emblem”, and from urging on us that “the only way to make truth out of the world we’re living in is to dispel the aura of the word *democracy* and assume the burden of not being a democrat”.³ Others, like Wendy Brown, claim that today democracy has become a “gloss of legitimacy for its inversion”,⁴ insofar as “even democracy’s most important if superficial icon, ‘free elections’, have become circuses of marketing and management, from spectacles of fund-raising to spectacles of targeted voter ‘mobilization’”.⁵

This thesis of the “crisis of democracy” strikes me as facile, glib and ultimately misleading. Not only it flies in the face of a historical process which has led democracy, in a time span of less than 4 decades, to sink roots in geographical areas where previously it had only a weak basis: Central and Eastern Europe, Latin America, South-East Asia, South Africa and recently, in the course of a still open-ended process, North Africa and the Middle East;⁶ not only it flies in the face of the

¹ See Colin Crouch, *Post-Democracy* (Cambridge: Polity Press, 2004).

² Jean-Luc Nancy “Finite and Infinite Democracy”, in Giorgio Agamben *et al.*, *Democracy in What State?*, trans. by William McCuaig (New York: Columbia University Press), 58.

³ Alain Badiou, “The Democratic Emblem”, in *ibidem*, 7.

⁴ Wendy Brown, “We Are All Democrats Now ...”, in *ibidem*, 57.

⁵ *Ibidem*, 47.

⁶ This impressive affirmation of democracy during the last decades is well documented by the UN Human Development Report 2010, *The Real Wealth of Nations: Pathways to Human Development*. Written before the Arab Spring, the Report describes the advances of democracy in Europe and Central Asia, followed by Latin America and the Caribbean: “Among developing countries in Europe and Central Asia the only democratic country in 1988 was Turkey. Over the following three years 11 of the 23 countries in the region became democracies, with 2 more turning democratic since 1991. In Latin America and the Caribbean most countries were not democratic in 1971, and several democracies reverted to authoritarianism during the 1970s. Following a subsequent wave of political change, almost 80 percent of the countries were democratic by 1990. By 2008, with regime changes in Ecuador and Peru, the share reached 87 percent. East Asia and the Pacific and Sub-Saharan Africa also reflect reforms—just 6 percent of governments in both regions were democratic in 1970; by 2008 the share had risen to 44 percent in East Asia and the Pacific and 38 percent in Sub-Saharan Africa”, UN Human Development Report, 68-69. The years 2011-12 show evidence of an incipient extension of this process to several countries of the Middle East and North Africa.

evidence of millions of people who, in all parts of the world, risk their lives in order to obtain democracy; but, above all, it orients our attention in the wrong direction.

Let me use a botanical metaphor to illustrate this point. A plant needs a favorable and fertile soil in order to flourish: the same plant, with the same genetic endowment, will flourish or will wither depending on the quality of the soil where it must grow. The soil on which the plant of democracy depends now has become very inhospitable and this metaphor allows us to make sense of the moment of truth contained in the “crisis of democracy”-thesis: namely, the observation that the historical moment when democracy becomes a “horizon” – when for nearly half of humanity it has ceased being one out of several forms of legitimate government and it has become “the” legitimate form of government – is also the moment when neo-oligarchic tendencies rear their head in societies that already are democratic.⁷

The botanical metaphor in a way sets the task that I will pursue. First I will focus on ten factors that have jointly contributed to make the soil – the larger social, historical, cultural and economic context where 21st century democracies must function – more *inhospitable* than ever. Then, I will reconstruct one of the main adaptive countermeasures, contained in the framework of Rawls’ “political liberalism”, that can enable the democratic plant to survive and to still remain faithful to its distinctive nature, namely to the idea of self-legislation on the part of the citizens. Finally, I will outline a number of suggestions for developing further such framework and will argue that the proper description for the “state of democracy” in the 21st century is that of a transformation, initiated but still awaiting completion, in the direction of a multivariate democratic polity sustained by an expanded and de-centered public ethos.

The state of democracy today

We do not start from scratch when we analyze the new inhospitable conditions that democracy has to face in order to function – as a political regime – in the complex societies of the second half of the 20th century. A copious literature exists, which cannot be surveyed here, except for briefly recalling one of the most concise accounts, offered by Frank Michelman in 1997.⁸ Michelman mentions:

⁷ This and other ideas presented here are developed in greater detail in my *The Democratic Horizon. Hyperpluralism and the Renewal of Political Liberalism* (Cambridge: Cambridge University Press, 2014), 1-13.

⁸ Frank Michelman, “How Can the People Ever Make the Laws? A Critique of Deliberative Democracy”, in James Bohman and William Rehg, eds., *Deliberative Democracy* (Boston: MIT Press, 1997), 154.

1) The immense extension of the electorates, which in the new era of universal suffrage reach tens and sometime hundreds of millions of voters, and in the case of India nearly one billion voters. This fact contributes to instill a perception of the irrelevance of one's vote and puts an incentive on "rational ignorance" on the part of the ordinary citizen.⁹

2) The institutional complexity of contemporary societies and the technical complexity of the political issues, which together make it difficult to grasp the relation between one's vote and its political consequences and interfere with the accountability of elected officials.¹⁰

3) The increased cultural pluralism of constituencies – a condition of *hyperpluralism* which in the final section will form the focus of my expanded version of political liberalism.

4) The anonymous quality of the processes of political will-formation, i.e. the fact that public opinion emerges no longer out of direct interaction among citizens but almost exclusively via exposure to media outputs,¹¹ a condition calling for reconsideration today in the light of the rise of social media.

To these four conditions a fifth one is worth adding, which is also rooted in the historical context of the last third of the 20th century.

5) The migratory fluxes which have accrued cultural pluralism also have contributed to make citizenship less inclusive. Contemporary democracies are further and further removed from the canonical image of a political community of free and equals encompassing the human beings who live within the same political space, geographically delimited by State borders. Instead, they resemble more and more the ancient democracies, inhabited by citizens who would decide of the fate of denizens of various kinds and of slaves.¹²

However, all this is history now. Entirely *new* conditions, even more inhospitable, have emerged, which still await full elucidation: the prevailing of finance within the capitalist economy, the generalized acceleration of societal time, the globalization-induced tendency toward supranational integration, the transformation of the public sphere caused by the economic difficulties of traditional media, the wide scale and generalized use of opinion polls and its influence on the perceived legitimacy of executive action. Let me briefly survey them.

⁹ "Rational ignorance" is the response of the citizen who finds futile to invest time in acquiring all the knowledge necessary for an autonomous and considered judgment on highly complex issues, given the neglectable influence of a single ballot in an election where tens or hundreds of millions vote. See James Fishkin, *The Voice of the People: Public Opinion and Democracy* (New Haven: Yale University Press, 1995).

¹⁰ See Mark Bovens, *The Quest for Responsibility. Accountability and Citizenship in Complex Organisations* (Cambridge: Cambridge University Press, 1997).

¹¹ See the now classical study by Jürgen Habermas, *Structural Transformation of the Public Sphere* (1962), transl. by Thomas Burger with the assistance of Frederick Lawrence, (Cambridge, MA: 1991).

¹² Still enlightening in this respect are Walzer's reflections in the Chapter on "Membership" of his *Spheres of Justice*. See Michael Walzer, *Spheres of Justice. A Defense of Pluralism and Equality*, (New York: Basic Books, 1984), 53-61.

Sixth, it is an undeniable historical fact that modern representative democracy could stabilize and flourish only in combination with a capitalist economy, but during the last three decades capitalism has undergone a momentous transformation. The value of labor has constantly been diminishing in the West over the last few decades and this process, linked in turn both with technical rationalization and the availability of a global labor market, exerts an impact which goes well beyond industrial relations or even the whole of the economic sphere.¹³ Not only the great manufacturing industry undergoes a steady decline – paradoxically, Detroit has had more to fear from Wall Street than from unionized labor force – but, more generally, the prevailing of financial capital in the economy tilts the scales in favor of capital and rent and mercilessly reduces the income, relative wealth, purchasing power, and consequently also the political influence, of the employed middle class. Wage labor becomes flexible, precarious, less well paid, subcontracted and outsourced and also loses its historical representation: it becomes increasingly de-unionized and loses the capacity to attract consensus on its requests. Starting from the 1980's, finance appears to be more capable of generating wealth than production and manufacture in general, and its instruments become ever more “virtual”, disjoined from all measurable and material benchmark in the “real world”. In this respect Wall Street, not the “real economy”, calls the shots: bubbles and their bursting are entirely its own creation, first the bubble of the *dot.coms*, then the housing and the *subprime mortgages* one. It is not difficult to detect here yet another inhospitable condition for contemporary democracy, especially considering that it is only since the the New Deal, not even a century ago, that a democratic government has managed to curb the classical capitalist cycle of expansion and recession.

Seventh, the acceleration of time contributes to a verticalization of social and political relations. In all walks of social life, there is always less and less time for deliberation, collegiality, consultation. A political party, a 21st century global firm, but also a successful NGO which wishes to keep abreast and be visible in a crowded public sphere, the editorial staff of a newspaper which wishes not to be left behind by the competition, must take a stance, make a statement, sell and invest, make the most of an opportunity for visibility, publish news before the competition in a world in which time is the “real time” of Internet. In turn, this process puts a greater emphasis on the recognizability, the discretionality and ultimately on the power of the political leader, the CEO, the coordinator, the editor in chief – regardless of the organizational efforts that political, institutional, corporate cultures may make in the opposite direction.¹⁴ It lies beyond democracy's powers to slow

¹³ An indicator of this general trend is the systematic decline of the labor share in favor of capital share over the last few decades in all economies, a decline that reaches beyond 10% in Finland, Austria, Germany, Sweden, New Zealand and has a peak of 15% in Ireland, as attested by the International Labor Office, *Global Wage Report* (Geneva, 2010), p. 27. For a similar analysis, see also International Monetary Fund, *Economic Outlook “Spillovers and Cycles in the Global Economy”*, 2007, p. 174.

¹⁴ After Paul Virilio, *Speed and Politics* (New York: Semiotexte, 1986), Hartmut Rosa and William Scheuerman have

down the tempo of social life in the age of Internet and of global connectivity in real time, but democracy will have to face the challenge of somehow neutralizing the verticalizing, perhaps even authoritarian, implications of acceleration.¹⁵

Eighth, globalization and the growing inability of the “average” nation-State to meet global challenges such as migratory waves, terrorism and organized crime, climate change and international security jointly fuel a powerful trend towards supranational integration. The EU is often cited as an exemplary pacesetter in a process that has afterwards been replicated under the names of ASEAN, Mercosur, Ecowas, and so on. This process confronts democracy with the necessity of surviving without that nexus of one nation, one state apparatus, one national market, one common culture, language and set of memories which had been at the basis of the modern nation-states. *Governance*, as opposed to classical government, becomes the new key word¹⁶ but it remains to be clarified what form will be assumed by the legislative authorship of citizens and what will distinguish *democratic* from *technocratic* forms of governance.¹⁷

Ninth, the public sphere of the democratic societies is undergoing another powerful mutation after only a few decades from that “structural transformation” described by Habermas.¹⁸ On the one hand, the atomized audience of the generalist big media (radio and TV) undergoes an incipient re-aggregation under the effect of the new *social media* – *Facebook*, *Twitter*, the *blogs*, etc. Now the flow of communication is addressed to tens, perhaps hundreds of people included in social networks that in turn are connected with one another. These networks no longer consist of atoms, but of social molecules constituted by individuals who are acquainted with one another. The role of *opinion leaders* who filter communication and orient response becomes relevant once again. On the other hand, however, the availability of news and information in the web is contributing to a massive crisis of the quality press.¹⁹ Newspapers always come late in selling already known news that can be

investigated the effects of acceleration respectively on contemporary social life and more specifically on the democratic process: see Hartmut Rosa, *Beschleunigung. Die Veränderung der Zeitstruktur in der Moderne* (Frankfurt: Suhrkamp, 2005) and William Scheuerman, *Liberal Democracy and the Social Acceleration of Time*, (Baltimore: Johns Hopkins University Press, 2004), and Hartmut Rosa and William E. Scheuerman, *High-Speed Society. Social Acceleration, Power, and Modernity* (University Park: Penn State University Press, 2010).

¹⁵ On the political consequences of acceleration and some reflections on citizenship in times of social acceleration, see William Scheuerman “Citizenship and Speed”, in Hartmut Rosa and William E. Scheuerman, *High-Speed Society*, 287-306.

¹⁶ See James Bohman, *Democracy across Borders. From Dêmos to Dêmoi*, (Cambridge, MA: MIT Press, 2007).

¹⁷ On the case of the European Union, and critically reconsidering the imputation of a “democratic deficit”, see Andrew Moravcsik, “In Defense of the ‘Democratic Deficit’. Reassessing Legitimacy in the Democratic Union”, *Journal of Common Market Studies*, 2002, 40, 4, 603-24 and “The Myth of Europe’s Democratic Deficit”, *Intereconomics: Journal of European Public Policy*, 2008, November-December, 331-340.

¹⁸ See Jürgen Habermas, *Structural Transformation of the Public Sphere* (1962), transl. by Thomas Burger with the assistance of Frederick Lawrence, (Cambridge, MA: 1991), *Between Facts and Norms. Contributions to a Discourse Theory of Law and Democracy* (1992), transl. by William Rehg, (Cambridge: Polity Press, 1996), Ch. 8.

¹⁹ See Federal Trade Commission Staff, *Discussion Draft: Potential Policy Recommendations to Support the Reinvention of Journalism*, 2010, at <http://www.ftc.gov/opp/workshops/news/jun15/docs/new-staff-discussion.pdf>.

obtained faster and free of any cost on the net. The adaptive response, on the part of the quality press, has been to offer qualified comments to the news already circulating on the net. The demand for “authoritative comments”, however, is much less robust than the demand for fresh news, and this causes both the decline of the sales of quality newspapers and their diminishing appeal on the advertising market. Hence democracy in the future will have to reckon with a public sphere influenced by these transformations.

Finally, a tenth inhospitable condition is constituted by the extensive use of opinion polls in order to measure the popularity of governments. Why should this trend represent a potential threat? Consider the perception of the legitimacy of a head of government before and after the invention of sample surveys and their massive use. Earlier, the “perceived” legitimacy was basically linked with the latest electoral results. Its variations in between two general elections were the object of mere supposition and of polemics between opposing camps. Nowadays, instead, thanks to the regular and massive use of polls, the perceived legitimacy of a leader takes on the fluctuating pattern of the stock exchange: it rises or declines as a function of the kind of policies pursued, it displays ascending or declining trends, sudden falls and rebounds. These oscillations bestow different degrees of credibility on the actions of the executive and above all induce the other branches of power to react differently to executive initiatives at the margins of legality and jurisdictional boundaries – and thus basically alter the established *checks and balances*. For example, the other branches' response to executive action at the edge of jurisdictional prerogative is one thing if such action is undertaken by a head of government supported by a 65% consensus, and a quite different thing when the polls show a consensus declining below 50%, even if the latest electoral result obviously remains unchanged.²⁰ Finally, the impact of these phenomena is compounded by societal acceleration: governments look for policies likely to generate good results not just before the next national election, but before next month's poll.

These are some of the inhospitable conditions that democracy must learn to neutralize if it is to continue to flourish or at least to avoid turning into the empty simulacrum that crisis-theorists accuse it of having already become. What adaptive responses can enable the democratic plant to flourish again in this impervious soil?

²⁰ See Bruce Ackerman, *The Decline and Fall of the American Republic* (Cambridge, MA: Harvard University Press, 2010), 131-35.