

Towards a second democratic revolution

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Books | What France's yellow jacket protestors may be trying to tell us

Right:

Police using tear gas to disperse a crowd of yellow vests protestors in front of the French National Assembly last Saturday. Samuel Boivin/Abaca Press/AAP Image

Good Government: Democracy Beyond Elections

By Pierre Rosanvallon | *Harvard University Press* | \$77 | 352 pages

“Our regimes are democratic, but we are not governed democratically. This apparent paradox is at the root of the disenchantment and dismay that are so widely felt today.” Thus begins the most recent product of French political theorist and historian Pierre Rosanvallon’s epic twelve-year effort to explore the nature, health and prospects of democratic government. This is the fourth in a remarkable series of original, thoughtful and wide-ranging studies of democratic ideas and history, democracy as a political regime, democratic societies and now of democracy as a form of government.

In this concluding book, published before the French political establishment was rocked by the rise of the “yellow jackets,” whose rise the book foretells, Rosanvallon doesn’t beat around the bush. He observes that our era has seen a gradual shift of the centre of gravity in democratic societies. For more than two centuries, the central question has been that of representation: who had a say in the choice of representatives in the first place, and how those representatives performed their roles as legislators while remaining responsive to those who elected them. More recently, the most pressing question has increasingly been the relationship between those who govern and those who are governed.

The great historical battles for democracy centred on the legislature. The new battles centre on the executive, which Rosanvallon argues has eclipsed the former as the most important institution in contemporary democracy. In forms and rituals, the “parliamentary-representative model” with which the democratic era began still exists, but we have effectively entered the “presidential-governing”

era, in which the main battleground and source of citizen concern is not about being poorly represented but about being poorly governed.

Although Rosanvallon centres his argument on the presidential democracies whose numbers have swollen in these post-colonial and post-1989 times, much of what he has to say applies just as well to parliamentary systems like Australia's. Whether parliamentary or presidential in their institutional design, all contemporary democracies have been experiencing the game-changing influence of the same macrotrends: the growing size and influence of the executive branch, the decline of political parties as funnels for authoritative representation, and the personalisation of politics that has filled the resulting vacuum. Combined, these trends have produced a bizarre situation in which ever more frantic promise-making and permanent campaigning has sprung up that at the same time as the legislative branch has effectively become a sideshow. As Rosanvallon bluntly states, parliaments have become "effectively subordinate to the business of governing."

This being the case, a crucial requirement for "good democratic government" becomes not so much rolling back the pathologies of contemporary electoral and parliamentary politics but ensuring that society is still able to exert some measure of control over the executive. The chief purpose of this book is to describe the mechanisms of vigilance and oversight under which popular oversight of executive power is continuous and effective. This system of "permanent democracy," as Rosanvallon calls it, should be built on the ashes of what was once our "democracy of authorisation," which centred on competitive elections between socially rooted parties with distinct ideological and programmatic profiles and the presumed primacy of the legislature in the fabric of democratic government.

But the institutional realities of government have shifted. The sociological foundations on which the democracy of authorisation thrived have largely been eroded away, hollowing out its potential to deliver stable, effective and legitimate government. The frenzied circus of personalised campaigning either produces voter disenchantment once the messy business of governing commences, or legitimates a slide into leader-centric, populist authoritarianism. (Rosanvallon discusses several versions of the latter under colourful and such thoroughly European labels as Caesarism and Bonapartism). What this model simply does not provide is an institutional repertoire to exert indicative and corrective popular oversight when the business of governing unfolds following the electoral moment.

What would Rosanvallon's "permanent democracy" look like? Given his focus on the need to keep executive power in check rather than produce smart and legitimate public policy, Rosanvallon largely ignores the potential of participative and deliberative democracy models that leading Australian theorists such as John Dryzek have put forward to supplement representative democracy. Instead, he presents a set of three principles that will allow citizens to "appropriate" democratic functions and duties that have long been monopolised by parliamentarians, and two qualities that those who occupy executive roles need to engender democratic trust. Explicating these five building blocks of permanent democracy constitutes the heart of the book.

First, executive power should be "legible" — a term Rosanvallon borrows from other grand theorists of power such as Jeremy Bentham, Michel Foucault and James Scott. The public should be able to see how governments are organised and how they operate. In this he echoes another great Australian student of democracy, John Keane, whose monumental book, *The Life and Death of Democracy*, and its key concept of "monitory democracy" — recently elaborated in Keane's latest book *Power and Humility*

— he inexplicably ignores. Calling for an active “politics of legibility,” Rosanvallon argues that the deep legitimacy crisis of the European Union is largely caused by what he calls the “demon” of opacity. He observes that its three great institutions — the Commission, the Court of Justice and the European Central Bank — “might as well *literally* be black boxes, so completely do they appear to occupy a world of their own, their inner working hidden from view.”

Conspiracy theorists are given a field day in filling the vacuum. The hero of *Yes Minister*, Sir Humphrey Appleby, once said to his hapless minister Jim Hacker, who had publicly committed to an “open government” campaign, “Minister, you can be open, *or* you can have government.” Rosanvallon would probably turn that on its head: you cannot have a democratic form of government worthy of its name, and not be open. And so he advocates government transparency; but even more so, he exhorts citizens to filter, interpret and use the information about government operations that is already available.

The second principle is that of responsibility, which has a familiar ring to those of us who have grown up under parliamentary systems of government. Rosanvallon praises this principle’s power to underpin “democratic purification,” and to enable citizens to compel the executive branch to interrogate (and learn from) its own past, as well as to take responsibility for a just and sustainable future.

The third principle is that of responsiveness, which should take the form of an institutionalised willingness among those who govern to listen to those who are being governed, and an enhanced capacity for the latter to express themselves. For centuries, governments have focused on managing citizens’ minds, steering — these days we would perhaps add “nudging” — their passions and preferences. Rosanvallon mentions the quaintly named “Office for Correspondence Relating to the Formulation and Propagation of Public Feeling,” set up during the French revolution, as a case in point. Government should instead organise its listening capacity, while citizens should insist on developing new forums for discussing the most pressing matters of public policy.

This can only happen if those who populate the upper ranks of the executive branch once again become the trustees of the people. To advance this, Rosanvallon offers two key virtues fitting the age in which we live now: integrity and truthfulness. Truthfulness in rulers requires them to resist the ever-lurking temptation to treat falsehoods and obfuscation as core ingredients in their rhetoric (sound familiar?), which could ultimately produce the Orwellian situation in which politically instrumental fiction is allowed to overtake reality to the point of recreating that reality. (If we want a wall built, we call into being an “emergency” that legitimates its building.) Rosanvallon reserves his vitriol for these “demagogic appeals [that] demean citizens while pretending to exalt them.” He insists the people should act to bring back plain speaking as the norm for political leaders by waging battle against the lies, falsehoods, half-truths and what he calls “autistic” speech patterns of governing elites.

Calling for nothing less than a “second democratic revolution,” Rosanvallon ends his book by proposing three institutional devices that should lie at its core: the establishment of a *council on democratic performance* with the task of formalising the legal basis for the principles of a permanent democracy; of *public commissions* responsible for sponsoring public debate on key social issues, evaluating the democratic character of policy deliberation and verifying whether government are

faithfully executing policies; and of *civil vigilance organisations* acting as monitorial watchdogs as well as promoting citizen training, education and involvement. All of this should be underpinned by a *charter of democratic action* to be approved by the people, ultimately given constitutional status, and policed by institutions of integrity such as the High Authority for Transparency in Public Life that saw the light in France in 2013.

Rosanvallon wants to “bring citizens back to the real economy of politics,” which “means replacing promises by truthfulness and integrity.” It is a high-minded, ambitious agenda, grounded in a persuasive high-level diagnosis of why our democratic electoral regimes don’t produce democratic government worthy of its name. At the very least, it deserves our attention and critical scrutiny. Ideally, Rosanvallon’s proposals should be developed and tested in experiments at the local level.

In my native country, the Netherlands, a blue-ribbon state commission has just produced a 370-page tome on the future of our democracy. The bulk of its attention is devoted to addressing what Rosanvallon — who barely gets a mention — would probably say is yesterday’s problem: how to restore parliament (and thus the democracy of authorisation) to its former glory, and how to balance popular democracy with the rule of law. There is not a word about the depth of the institutional crisis of representative democracy, let alone any serious discussion of how citizens themselves can ensure that the vast, complex and opaque executive branch becomes more legible, responsive and responsible. Nor is there any consideration of the qualities of democratic leadership that we should demand from those who we put in charge of this giant apparatus.

The yellow jacket protests symbolise ordinary French citizens’ deep disenchantment with their hollowed-out presidential democracy. Although Rosanvallon does not really analyse parliamentary democracies, the evidence shows that they share in that malaise. As Australia prepares for another highly competitive, and probably quite nasty, parliamentary election, much more about repudiating the current holders of executive power than any sense of being able to influence the activities of the next set of rulers, Rosanvallon’s book deserves a wide audience Down Under.

Perhaps *Good Government* will inspire those who care about Australia’s democracy to do better than the Dutch did and undertake a serious effort to “redefin[e] the relationship between the governing and the governed [that] will open the way to a clearer understanding of what must be done to bring about at last a society of equals” — the passionate plea with which Rosanvallon concludes his intellectual tour de force. •

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