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# Summary

## Public discontent and political credibility Democratic legitimacy in a post-traditional society

Since the early 1990's, the debate on the democratic functioning of the Dutch political system strongly focuses on the phenomenon of public discontent with politics. According to several political watchdogs, the legitimacy of the parliamentary system is threatened by this. According to them, citizens are less and less able to identify with the ins and outs of politics, while politicians are preoccupied with their power struggles rather than concerned with public affairs. This has led to feelings of political alienation on the part of citizens, and to a growing 'gap' between the citizenry and the political establishment. These disturbing reports are put into perspective by other political commentators who underline the unremitting confidence of the public in the democratic political system. The still high turnouts at national elections are referred to as evidence for this public confidence in politics. Nevertheless, these commentators must also acknowledge the increasing difficulties that politicians find in persuading the public of the rightfulness of their policies. In their view, this lack of public persuasiveness is due to the 'political emancipation' of the citizen in connection with the disintegration of the traditional grassroots support. Citizens seem no longer to be willing to accept policies that run counter to their interests.

In comment on both views of the public discontent with politics, I argue that neither side succeeds in providing a plausible understanding of this phenomenon. Whereas the first group of political commentators overstates the significance of the political struggle for power, the latter underestimates this aspect while overstressing the electoral vulnerability of political parties. For an adequate understanding of the public discontent, both aspects should be taken into account. The thesis is upheld that the public discontent with politics primarily has to do with the way politicians publicly account for the process of decision-making. The half-hearted, masked terms in which politicians usually justify their policies, carefully avoiding any clear-cut opinions, gives citizens the impression that politicians are hiding the motives that underlie their decision-making. Moreover, the half-hearted public justification gives citizens the impression that illegitimate interests determine the decision process. These impressions undermine the credibility of politicians and political parties. The politically aware, emancipated citizen refuses any longer

to consent to political obscurity. Instead, the present-day citizen asks for a more *responsive* political style.

The public discontent with politics forces us to rethink, under post-traditional circumstances, the prerequisites for the willingness of citizens to accept political decisions as legitimate. These *prerequisites of post-traditional democratic legitimacy* form the central topic of this book. With the term 'post-traditional' I am referring to the present-day situation in which traditional political ideologies no longer can serve as a source of political legitimacy.

In my inquiry into the prerequisites of democratic legitimacy, I start from the assumption that each citizen is entitled to equal treatment by the legislature. This principle of political equality is fundamental for our understanding of democracy. The question, then, arises how one should conceptualize an 'equal treatment' of citizens. The discussion of the phenomenon of public discontent reveals that a mere legal interpretation of the principle of political equality does not suffice. Public discontent is not caused by illegal acts or violations of civil rights, but demands another, more responsive political style. The features of post-traditional democratic legitimacy, then, must be found in the meaning of political equality *within* the processes of everyday politics. In order to develop a better understanding of the everyday meaning of political equality, I make use of the work of the American political scientist Robert Dahl and the German philosopher and sociologist Jürgen Habermas.

From his early pluralist writings, Dahl has criticized the legalist-institutional view on democracy and has tried to conceptualize a more substantial notion of equality. This notion becomes manifest in the pluralist ideal of a political system that is accessible to all relevant groups in the population. However, in his early writings, *A Preface to Democratic Theory* (1956) and *Who Governs?*, Dahl does not succeed in providing a coherent conception of this normative ideal. This is due to the instrumentalist theoretical framework he uses, according to which political actors are striving for realization of their private interests. I will argue that in his later work, Dahl becomes more and more aware of the shortcomings of an instrumentalist framework and develops an alternative, more explicit normative understanding of the democratic process. In his neo-pluralist *Democracy and Its Critics* (1989), he develops a normative-procedural concept of the common good, according to which the democratic procedures of decision-making should guarantee an 'equal consideration of interests'. Thus, Dahl applies the principle of political equality to the everyday processes of decision-making. However, he does not succeed in providing any non-formal criteria for judging the legitimacy of the outcomes of the decision process. In addition, he does not provide a satisfying concept of the democratic actor. His notion of 'enlightened self-interest' remains too subjective to function as the basis of a collective process of decision-making.

In his main political-theoretical work, *Faktizität und Geltung* (1992), Habermas also develops a normative-procedural account of democratic legitimacy.

Like Dahl, he stresses the important function decision-making procedures have in making groups in the population heard politically. Habermas, however, differs from Dahl in the further interpretation of these procedures. In his view, the democratic procedures should be conceived of as institutionalizing an argumentative process of opinion- and will-formation. The democratic rights and procedures should enable a political debate in which all relevant pros and cons will be heard. This requires an 'interplay' of the institutionalized process of parliamentary decision-making with the non-institutionalized debate in the public sphere.

In my view, Habermas' understanding of democracy provides a fuller understanding of the meaning of political equality. From a deliberative perspective, not only equal opportunities are required for articulating political preferences, but also for discussing the public weight that should be assigned to the diverse, often competing, preferences. Only those interests that survive public deliberation can claim legitimacy. The openness of the process of political opinion and will-formation for all relevant arguments and viewpoints, then, becomes a prerequisite for an equal weighing of interests.

Yet, Habermas' account of democracy, too, lacks a satisfying concept of citizenship. His notion of 'constitutional patriotism' leaves the question unanswered as to what extent citizens should engage in public discourse. This lack of attention for the question of citizenship shows a serious flaw in the deliberative perspective. It is in particular problematic because Habermas sees a vital public sphere as the last safeguard for defending the constitutional state against undemocratic, neocorporatist tendencies. However, it remains unclear how one should conceptualize a vital public sphere and what kind of citizen participation is presupposed within the deliberative perspective.

In order to develop a better understanding of deliberative citizenship, the following questions are addressed:

- How can the demand for public justification of political decisions that is acceptable for all groups involved be reconciled with the pluralist nature of modern society? And to what extent does such a justification presuppose an impartial judgment on public affairs to which citizens should subordinate their private interests?
- To what extent does the deliberative perspective presuppose the participation of all citizens, or groups of citizens, in the public debate on questions of political justice?

I will argue that public deliberation on questions of political justice does not require a self-sacrificing attitude of citizens. From a deliberative perspective, the view of citizens striving for realization of their interests does not need to be rejected. In my view, a public debate on political matters requires a *relative* justification of the one, partial preference in light of the other. The conscientiousness with which diverse opinions and preferences are dealt with in debate, then, becomes the critical measure for judging the acceptability of the outcomes of the debate. A conscientious debate presupposes a mutual

respect of citizens for each other's (in principle equally valid) claims to fulfillment of their political demands. In addition, it presupposes a moral sensibility of citizens to the desires and wants of underprivileged groups in the population. Only then can the requirement be met that all relevant interests and viewpoints will be heard politically.

The above does not imply that every citizen or group of citizens actually should have the opportunity to participate in public debates on political matters. The role of citizens usually will be confined to the role of an audience, watching the debate in the mass media as it is held by politicians and other opinion leaders. This relatively passive role of citizens, though, does not rule out the possibility of a critical public opinion. The 'force of generalization' that characterizes the public sphere enforces opinion leaders to keep in touch with the public state of mind. In addition, the public statements of politicians, experts and other assignees and spokes(wo)men should meet the public requirements of consistent and trustworthy participation in the debate. The more the audience keeps a close watch on the acts of opinion leaders, the more they consider themselves to be controlled, and the smaller the margins are for political fulfilment of illegitimate private demands. A critical public opinion formation, therefore, presupposes a critical alertness on the part of the civil audience with regard to the debate in the media.

After the above elaboration on the deliberative perspective on the democratic process, I return to the phenomenon of the 'gap' between the citizenry and the political establishment, and the related lack of public persuasiveness on the part of politicians. In order to outline the features of a responsive political style, several forms by which Dutch politicians and political parties try to reshape and to renew their relationship with the electorate are critically examined. The forms of political party renewal that are discussed concern the call for a more open and communicative relationship with the voters, the increasing use of public opinion polls, and the political striving for party unity. The deliberative requirements of an accessible and conscientious decision process are used as critical yardsticks for evaluating these different attempts for party renewal. I will argue that a strong political orientation on opinion polls or on party unity harms rather than reinforces the public credibility of politicians and political parties. Also the existing call for a more communicative relationship with the electorate falls short. It chiefly boils down to recommending changes in the organizational structure of political parties, while neglecting the necessary changes with respect to the political culture. The thesis is upheld that the public trust in politics demands an *open public justification* of political decisions. By the way politicians enter into debate with opposition politicians, experts, and assignees, and by the way they respond to the objections that are raised by them, politicians should provide public insight into the dilemmas and considerations that are involved in their decision-making. Only then are citizens able to judge whether all relevant interests and viewpoints have been taken into account in the decision-making - and whether the outcomes of the decision process can claim to be conscientious.

tious and, therefore, legitimate. Yet, this political responsiveness has to be enforced by a critical, alert public audience that *calls* its democratic representatives to account.