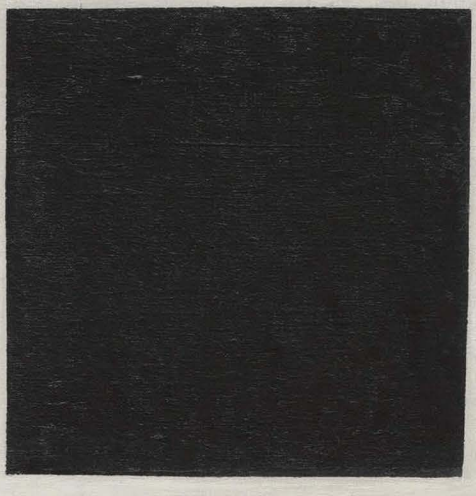
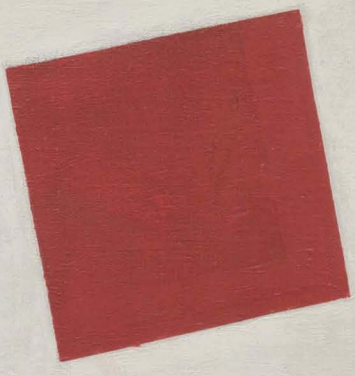
DEMOCRACY AND OPINION



ON NADIA URBINATI'S DEMOCRATIC THEORY

Jan Bíba (ed.)



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Edited by
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Democracy and Opinion: On Nadia Urbinati's Democratic Theory

In the vast landscape of democratic theory, few voices are as eminent as that of Italian political theorist Nadia Urbinati. She is especially well-known for her work on representative democracy and her elaboration of democratic proceduralism. However, her focus covers many other topics ranging from the study of democracy's disfigurations like populism or plebiscitarianism to the study of significant figures in the history of political thought, including John Stuart Mill, Marquis de Condorcet, and Hans Kelsen, to name just a few.[1] Apart from that, Urbinati is also an established public intellectual known for her intriguing comments on more than just Italian politics.

In her work on representative democracy, Urbinati challenges the conventional wisdom of many streams within contemporary democratic thought that see representative government as either an elitist project opposed to the government of the people or the second-best option after direct democracy. Contrary to these views, Urbinati affirms that representation is an integral part of democracy's functioning and that representation should not be seen as opposed to participation. This view is premised on a profound appreciation for the role of public opinion in shaping democratic governance. Urbinati challenges both elitist and minimalist democrats, who identify rep-

1 As Giuseppe Ballacci mentions in his article, Nadia Urbinati is a prolific writer publishing both in English and Italian. While Urbinati's complete bibliography is beyond the scope of this editorial, the following list of publications highlights her key works concerning the issues discussed in this volume. Urbinati, N., *Mill on Democracy: From the Athenian Polis to Representative Government*. Chicago, University of Chicago Press 2002; Urbinati, N., *Representative Democracy: Principles and Genealogy*. Chicago, University of Chicago Press 2006; Urbinati, N., *Democracy Disfigured: Opinion, Truth, and the People*. Cambridge, Harvard University Press 2014; Urbinati, N., *Me the People: How Populism Transforms Democracy*. Cambridge, Harvard University Press 2019.

resentative democracy with electoral democracy,[2] by arguing that representative democracy does not hinge solely on elections but comprises a dynamic process in which public opinion plays a central role. As she argues in the postscript to this volume, "Representation is activated by elections, but it does not end with them." In her view of representative democracy as diarchy, Urbinati affirms that sovereign democratic citizens are endowed with two powers – the powers of "will" and "opinion". While "will" is contained in civil law and decisions made by state institutions and magistrates, "opinion" refers to the informal sphere of civil deliberation and judgment. However, even if both these powers originate in the right of citizens to vote, they must be considered "different and should remain distinct, although in the need of constant communication".[3] In other words, democracy presupposes that citizens not only are voters but also constantly influence political decision-making through opinion, even though opinion has no formal authority. This makes democracy "a government by means of opinion".[4]

According to Urbinati, the essential role of opinion in democracy also allows us to identify two fundamental dangers in the realm of opinion formation that democracies currently face. The first is growing social and economic inequality, which transforms economic power into political power, especially in the form of the concentration of media ownership. The second is demagogic polarization, which simplifies political discourse (reducing it to yes or no alternatives) and gives rise to hostile factions. However, these trends should not be seen separately, as they complement each other and weaken citizens' ability to make their voices heard. They also find their expression in three pathologies – or "disfigurations", as Urbinati calls them – of current democracy that modify its diarchic nature, i.e., in unpolitical democracy, which turns opinion into an instrument of the search for objective truth; in populism, which abolishes the diarchic structure by seeking to make opinion identical with will; and lastly in plebiscitarianism, which reduces opinion to its aesthetic dimension.

All of the papers in this volume delve into a discussion of some key aspects of Urbinati's work, covering her views on representative democracy, populism, and oligarchy. Some of these articles also emphasize the Central European experience of democracy's transformation, both continuous and specific vis-à-vis the Western experience. This seems especially important because, as Ivan Krastev and Stephen Holmes have suggested,[5] the current

2 See e.g., Schumpeter, J. A., *Capitalism, Socialism and Democracy*. London, Routledge 2003 (1942).
3 Urbinati, N., *Democracy Disfigured*, p. 22.
4 Ibid., p. 2.
5 Krastev, I. – Holmes, S., *The Light That Failed: Why the West Is Losing the Fight for Democracy*. New York, Pegasus Books 2020.

of history has shifted. While in the 1990s and at the turn of the new millennium, it was Central and Eastern Europeans who were in the position of learners who were supposed to accept and imitate liberal and democratic principles and values, it is now the other way around, with many Western politicians learning from and attempting to imitate Central and Eastern European would-be-autocrats and illiberal models of democracy.

This brings us to the topic of the volume's first paper, "How to Think about Liberal and Democratic Principles: Three Models of Illiberal Democracy", authored by Milan Znoj. The paper deals with a pressing issue – not only in the Central European context of illiberal democracy. Znoj analyzes the concept of illiberal democracy, discussing three theoretical approaches to the relationship between liberalism and democracy and showing the different conceptions of illiberal democracy that stem from them. Firstly, Schumpeter's competitive elitism, which tames democracy by liberalism; secondly, Schmitt's view of the contradiction between liberalism and democracy; and finally, Urbinati's theory of democracy, which acknowledges their inner coherence and therefore understands illiberal democracy as an oxymoron. However, Znoj argues against Urbinati that the idea of the coherence of liberalism and democracy does not necessarily lead to a denial of the usefulness of the illiberal democracy concept. Znoj suggests that illiberal democracy can be seen as a systematic weakening of liberal principles in forming political will and opinion, bringing democracy to the threshold of authoritarianism.

Jan Bíba, in the article "Powers of Will and Opinion: Nadia Urbinati and the Constructivist Turn", focuses on the issue of constructivism in political representation. Constructivists stress that representation does not merely reflect the existing reality and identity of the represented but that the process of representation creates this identity. However, according to Bíba, this assertion poses a challenge to theories of democratic representation, as constructivism carries the risk of elitism and the confusion of representation with manipulation. Bíba, therefore, compares three constructivist theories of representation (those of Nadia Urbinati, Ernesto Laclau, and Michael Saward) and concludes that – compared to the two other views – the combination of constructivism and proceduralism in Urbinati's work provides a convenient starting point for tackling the danger of elitism and manipulation present in constructivism.

In his article "Nadia Urbinati on Populism, Representation, and Rhetoric: Some Critical Remarks", Giuseppe Ballacci also discusses the question of manipulation, particularly via rhetorics in democracy and populism. Ballacci's reading of Urbinati's concept of populism suggests the existence of a critical lacuna concerning the role of rhetoric in her theories of both populism and democracy. It seems that, on the one hand, Urbinati recognizes the vital role

of rhetoric in democracy and populism; however, on the other, she does not provide a systematic analysis of rhetoric and the ways in which it operates. Ballacci claims that this deficiency has effects on Urbinati's theory of populism. While her notion of populism presupposes the significant role of rhetoric and political style, she leaves out what characterizes and differentiates populist and democratic use of rhetoric. Hence, Ballacci argues for the critical need to establish standards differentiating between populist and democratic rhetoric; however, he also suggests that such a differentiation must be a work of judgment, taking into consideration many aspects including the speech's context, its audience, and its political views and ends.

The role of rhetoric and style in thinking about democracy brings to the fore its aesthetic dimension, which is a central topic of Michael Räber's article "The Aesthetic Dis- and Configuration of Democracy: On Nadia Urbinati's Conception of Democratic Opinion and the Aesthetic Function of Democratic Politics". Räber claims that Urbinati's discussion of the aesthetic dimension of democratic politics is limited, as she believes that the diarchic model of democracy is organized primarily around the voice and speech, which prompts her to see visual and theatrical representations of the people as one of the sources of democracy's disfiguration. The reason for this could be found in the fact that Urbinati tends to identify the aesthetic dimension of democratic politics with plebiscitarianism and the politics of passivity. However, the paper suggests that citizens' aesthetic sensibilities are crucial not only for democratic citizenship but also for providing a space for political participation.

Pavel Barša's article "Beyond 'Democracy vs. Populism': Urbinati's Theory of Populism from a Central European Perspective" turns again to discussing the Central European experience. Barša suggests that the recent history of Visegrád countries demonstrates the failure to subsume under one undifferentiated notion of populism the national-conservative movements with authoritarian tendencies and the post-ideological movements concerned with government effectiveness and fighting corruption. Hence, the paper argues for a new understanding of populism that avoids the Manichean opposition of populism versus democracy and allows, therefore, for an empirical assessment of the anti-democratic nature of the populist movement in question. Barša suggests that Urbinati's notion of populism is ambiguous in this respect. On the one hand, her understanding of populism is based on the dichotomy between populism and democracy, but on the other, her emphasis on populism's anti-establishmentarianism and anti-partyism enables the inclusion within the category of populism actors critical of established modes of party organization and traditional partisan ideologies, who do not necessarily subvert democratic order.

In his article "Transformations of Democracy and the Problem of Wealth: Some Remarks on Oligarchy and the Czech Case", Ondřej Lánský focuses on the issue of economic inequality and oligarchy in democracy. Lánský points out that Urbinati addresses the danger of oligarchy, especially in media ownership concentration and opinion formation. However, Lánský suggests that this approach is inadequate because it is limited by the proceduralist conviction that the adverse effects of economic inequalities on democracy result from an inadequate application of democratic procedures. Lánský, therefore, argues for the need to reconceptualize democratic theory through Jeffrey Winters' oligarchy theory. At the same time, he uses the empirical example of the Czech Republic to demonstrate the disproportionate influence of economic power on opinion formation.

The following section of the volume contains two review essays. The first one, "Different Approaches to Populism: Representation, Style, and the Future of Democracy" by Kristián Těmín compares Urbinati's seminal view of populism with other influential theories, including the works of Chantal Mouffe, Jan-Werner Müller, and Benjamin Moffitt. Těmín's starting point is a paradox, described by Urbinati, consisting of the tension between the populist's anti-establishmentarian rhetoric and their participation in democratic processes that make populists part of the establishment. Building on a literature review, Těmín suggests overcoming this paradox by enriching Urbinati's view of populism with Benjamin Moffitt's understanding of populism as a political style. The proposed partial overlap between Urbinati's and Moffitt's theories opens the possibility of understanding populism as not a dead-end of democratic evolution but an open question about the relationship between populism and democracy.

The second review essay, "The Theoretical Debate about the Sortition Turn" by Kateřina Labutta Kubíková examines the debate sparked by the recent resurgence of interest among political theorists in sortition. Labutta Kubíková compares three theoretical approaches to sortition: Helene Landemore's project of lottocratic representation, James S. Fishkin's combination of sortition with deliberation as a complement to existing elected institutions, and Nadia Urbinati's rather critical view of sortition. Labutta Kubíková concludes that proponents of sortition have to deal with two problems in particular: first, the relationship between sortition and representation, and second, the question of sortition's accountability. Nevertheless, these obstacles should not necessarily lead to a rejection of sortition. According to Labutta Kubíková, while the sortition should not supplant elections, it can enhance citizens' participation by complementing them through informal institutions enhancing civic deliberations.

The volume closes with Nadia Urbinati's postscript, "Facing Political Transformations in a Time of Vacillating Certainties", where Urbinati outlines her theory of representative democracy and the challenges it must face. She also takes the opportunity to reply to some of the comments and criticisms expressed in some of the volume's articles concerning her views of populism, rhetoric, and the relationship between aesthetics and democratic politics.

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Editor

How to Think about Liberal and Democratic Principles: Three Models of Illiberal Democracy*

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Abstract:
This article aims to examine how to think about illiberal democracy which is a threat democracy is currently facing. In some detail, three models of democracy are analysed, which differ in how they understand the relationship between liberal and democratic principles, likewise demonstrating what conception they have of illiberal democracy. First of these is Schumpeter's theory of competitive democracy, which seeks the liberal taming of democracy. Second, Schmitt's argument that liberal and democratic principles are contradictory, and third, Urbinati's theory of democracy, which acknowledges their inner coherence. Urbinati, however, rejects the concept of illiberal democracy as an oxymoron. Thus, this article also examines how illiberal democracy could be meaningfully and with some theoretical advantages considered, even within the framework of the internal coherence of both principles. In such a case, illiberal democracy will refer to the systematic effort to weaken liberal principles in the process of the formation of political will and public opinion in a democratic setting, thus bringing the regime at the edge of an authoritarian one. It shows the point where democracy ends.

Keywords: illiberal democracy; liberalism; democratic theory; Joseph A. Schumpeter; Carl Schmitt; Nadia Urbinati

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The concept of illiberal democracy is making its return into mainstream discussions about the direction and sustainability of democracy with a surprising vitality, though it is seemingly doing so under a new guise, sometimes referred to as "the new populism". We are undoubtedly experiencing a transformation of liberal democracy as we know it, and because of this, we are searching for concepts that will help us understand what exactly is changing and where we are headed. In these discussions, both public and theoretical alike, illiberal democracy is mostly understood as a danger we must

* Translated from the Czech by Sylvester Holovský.

deal with; for some critics, however, it can be a way to bring about desired changes. Whether we are speaking about dangerous circumstances or a set of desired changes, the relationship between liberal and democratic principles is always at stake.

What is of primary interest to us here is the question of how useful the concept of illiberal democracy can be in describing the internal dangers of democracy. We will be seeking our answer in the background of a broader theoretical discussion, i.e. the discussion around the relationship between liberal and democratic principles. In this respect, we will be analysing three different theoretical approaches. First, we have the classical liberal approach that demands a liberally tamed democracy. Second, we have an antiliberal approach that tries to point out the incompatibility of liberalism and democracy. Lastly, we have a fundamentally democratic approach that looks to highlight their cohesiveness. Each one of these approaches seemingly offers a differing view of illiberal democracy that allows the concept to take on different meanings, depending on which democratic theory we subscribe to.

Nadia Urbinati's theory of democracy is indeed a touchstone for these discussions. She refuses to place liberal and democratic principles in opposition to one another, and therefore her theory does not assume the primacy of liberal principles – whatever this primacy may be based of – but instead she accepts their inner co-originality, which allows her to justify them in a procedural democratic way.[1] Urbinati's theory of democracy makes democracy take on the form of a diarchy, within which the actual democracy can face its disfigurations, among which she ranks populism, plebiscitarianism, and epistemic disfiguration. This seems to be an appropriate starting point for discussions about the internal dangers of democracy, particularly the kind which we relate to the rise of illiberal democracy. Nonetheless, Urbinati quite clearly rejects the concept of illiberal democracy.[2] She considers it as an oxymoron: if there is a democracy, there must be a liberalism at play too.

1 Admittedly, Urbinati is not the only one to do this in the context of modern political theory. Primarily, it is proper to mention J. Habermas. See his Über den internen Zusammenhang von Rechtsstaat und Demokratie. In: *Die Einbeziuhung des Anderen.* Frankfurt am Main, Suhrkamp 1997; Habermas, J., Der demokratische Rechtsstaat – eine paradoxe Verbindung widersprüchlicher Prinzipien? In: *Zeit der Übergänge*, Frankfurt am Main, Suhrkamp 2001. An instructive account of Habermas's democratic proceduralism compared to Rawls's liberal constructivism can be read in the book by Finlayson, J. G., *The Habermas–Rawls debate.* New York, Columbia University Press 2019.

2 "Taking a diarchic perspective, I can argue against conventional wisdom, according to which populism is best understood as 'illiberal democracy'. A democracy that infringes basic political rights – especially the rights crucial for forming opinions and judgments, expressing dissents, and changing views – and that systematically precludes the possibility of the formation of new majorities is not democracy at all." Urbinati, N., *Me the People: How Populism Transforms Democracy.* Cambridge, Harvard University Press 2019, p. 10.

But it is puzzling to treat populism and illiberalism in such a different way. If Urbinati warns against the supporters of populist democracy who claim that "populism is democracy at its highest,"[3] then she should also speak about illiberalism accordingly, when populism is pushing for illiberal democracy. We think that illiberal democracy is not an oxymoron with unclear features, but it is a real danger for which we should have a clear-cut concept besides the concept of populism.

1. The Rise of Illiberal Democracy in Recent Practice and Theoretical Attempts to Coin the Concept

Unfortunately, we have far too many reasons nowadays to discuss the rise of illiberal democracy. It is enough to recall that in Central Europe, we have quite a few practical examples, which show that something like illiberal democracy is on the rise. The prime minister of Hungary, Viktor Orbán, seemingly became one of the pioneers of illiberal democracy when (as part of his critique of European integration) he transposed from his earlier neoconservative attacks on the alleged socialism of Brussels to attacks directed against liberalism itself, a kind of liberalism that he began to associate with the unacceptable universalism of human rights and antinational Europeanism. He proceeded to add a strongly nationally-conservative character to his antiliberal outlook, and he was not alone in this. In September 2016, at the Krynica Economic Forum, when he was praised as the man of the year for his stance toward the migrant crisis in Europe in 2015, he even spoke about the need for a conservative counterrevolution, which the Hungarians along with the Poles should, and could, offer to Europe. This idea was then "specified" by his supporter and associate, the "grey eminence" of the Polish conservative government, Jarosław Kaczyński, when he added that it would be more of a conservative revolution, not a counterrevolution. Regardless, both men had seemingly very similar ideas when it came to what changes Europe needed to enact. This anti-liberal camp has broader European ambitions, as confirmed recently when a group of MEPs, on behalf of Fidesz, left the European People's Party. Viktor Orbán then announced that MEPs Fidesz intend to set up a new club in the European Parliament with like-minded nationalist and conservative MEPs from Poland, France, and Italy. Political changes in a similar direction can also be seen in Czech politics. Undoubtedly, the concept

3 "From the diarchic perspective, liberal democracy is a pleonasm and illiberal democracy is a contradiction in terms, an oxymoron. Moreover, the concept of 'liberally hyphened democracy' plays into the hands of those who claim that populism is democracy at its highest." Ibid. That is why the argument, which is liked by Schmittians, that liberalism brings about the depoliticization of democracy is exaggerated.

of illiberal democracy started to gain a particular vehemence. Nonetheless, the political meaning of this concept is still unclear. In 2014, Viktor Orbán attempted to explain to a group of Hungarian students his vision of a Hungarian democracy that will not be liberal, but Christian, stating "Liberal democracy is liberal, while Christian democracy is, by definition, not liberal: it is, if you like, illiberal."[4] The question is, what does Viktor Orbán mean by such a statement, not only on the practical but also on the theoretical level?

We can also point to some theoretical attempts made recently to tackle illiberal democracy as a threat to democracy. Famously, Fareed Zakaria coined this concept in his book The Future of Freedom.[5] And not too long ago in his book *The People vs. Democracy,* Yascha Mounk impressively exhibited that liberal democracy is now dissolving into its essential components: illiberal democracy and undemocratic liberalism.[6] Interestingly enough, both Zakaria and Mounk focus on the dangers that the demand for more democracy brings to the liberal rule of law.

Nevertheless, it should be noted that similar concerns about the ability of the people acting collectively to threaten the liberal freedoms and rights embodied in the rechtsstaat are as old as liberal democracy itself. These concerns have repeatedly appeared in the history of political thought whenever

4 Orbán, V., Prime Minister Viktor Orbán's speech at the 29th Bálványos Summer Open University and Student Camp, 28 July 2018, Tusnádfürdő (Băile Tuşnad). Available online at www: http://www.miniszterelnok.hu/prime-minister-viktor-orbans-speech-at-the-29th-balvanyos-summer-open-university-and-student-camp/ [cit. 29. 5. 2023].

5 Zakaria, F., *The Future of Freedom. Illiberal Democracy at Home and Abroad.* New York, W. W. Norton & Company 2003. Fareed Zakaria pushed for ascribing a specific meaning to this concept during a time (particularly after 9/11) when it was clearly visible that the fall of communism would not be enough to bring a final victory for liberal democracy, as liberal democracy still had its enemies and could still fall into decline. Under the illiberal democracy heading, Zakaria characterized the internal weakness of the liberal regime, which has, in its attempts to bring about a greater degree of democracy, in fact started to threaten its own freedom. He pointed to the excessive democratization of the economy, culture, public administration, information technology and even of violence over the course of the last century. The consequence of this excessive democratization has been the disintegration of power, and because of that, the ruling elites committed to freedom, that is, the liberal elites, are gradually losing their ability to rule.

6 Mounk, Y., *The People vs. Democracy. Why our Freedom is in Danger and How to Save It.* Cambridge, Harvard University Press 2018. According to Mounk, on one side we can see "the rise of illiberal democracy, or democracy without rights", and on the other side, "undemocratic liberalism, or rights without democracy" (p. 14). Adding onto this, he argues that illiberal democracy gains its strength and influence from the illiberal views of the people, the political influence of which Mounk (not unlike Zakaria) links to the technological changes in political communication and organizational changes within political parties, but he also mentions other things, mainly the expanding influence of populism. However, he also says that undemocratic liberalism is based on the convictions of the economic and political elites, which have lost their bonds to the common people, crossed the framework of national states, and have based their growing power on new technologies and expert knowledge which know no borders.

liberals felt that they were in some sort of unpleasant situation; one such example would be the rise of mass democracy around the beginning of the 20th century. Back then, liberals began to fear for the future of their liberal freedoms, when they noticed how the masses of people, previously exiled from politics, were now so vehemently trying to enforce their democratic demands through the political process. As a reaction to this, they started talking about an illiberal democracy looming on the horizon. At the turn of the 19th and 20th centuries, the concept of illiberal democracy began to form, usually originating from conservative positions, but also from individualistic liberal positions at the time of the twilight of classical liberalism and the rise of mass democracy.[7]

So was the case, but we should put aside this unreflected liberal bias in order to make our deliberations about illiberal democracy both clear and convincing, especially when the antiliberal assault is now on the stage. With this in mind, the key theoretical question is how to think about the relation between the liberal and democratic principles in the framework of liberal democracy which always tries to compose somehow liberal rights and democratic self-rule.

2. The Threefold View of the Relationship Between Liberal and Democratic Principles

Theoretically, we should distinguish three perspectives on the relationship of liberal and democratic principles.

As mentioned before, we can speak about the primacy of liberalism in the theory of democracy. However, we can also think about two specific liberal and democratic principles with tension in between that could lead to their confrontation, and thirdly, we can consider their relation from the perspective of the primacy of democracy. Within this third perspective, there is no antagonism between these two principles, rather, it is presumed that they are mutually compatible and interdependent. There is no place for any pre-political individual rights and freedoms in such a theory. Rather, it is presumed that democracy, by itself, requires civil rights and freedoms to achieve its truly representative and self-ruling form. Liberal freedoms and the rechtsstaat thus become the political condition (or requirement) of representative democracy. From this perspective, democracy and liberalism essentially belong together.

7 For example see Femia, J. V., *Against the Masses. Varieties of Anti-Democratic Thought Since the French Revolution.* Oxford, Oxford University Press 2001; Hirschman, A. O., *The Rhetoric of Reaction. Perversity, Futility, Jeopardy*. Cambridge, Belknap Press of Harvard University Press 1991.

These three perspectives lead to three different conceptions of illiberal democracy.[8] To shed some more light on this issue, we will look at the three different theories of democracy that can be considered authoritative on this topic. Firstly, we will look at the meaning of "liberally tamed democracy" within the competitive democracy theory of Joseph Schumpeter. Through this theory, Schumpeter gave way to various liberal concerns about the nature of mass democracy, when it had begun to prevail with a particular vehemence in the early 20th century. Schumpeter's interpretation then had become authoritative for the empirical study of democracy in the 1950s, inspiring many to this day. Secondly, an analysis of the democratic theory of Carl Schmitt will help us in understanding liberal democracy as a mixed regime in which liberalism is a system of legal and moral limitations put on the state power that limit the political content of an otherwise dynamic democracy based on the collective acts of a politically unified people. Confronted with these theoretical perspectives, we will try to show how and in what respect Nadia Urbinati's theory surpasses these approaches to democracy, and to what extent the primacy of democracy and her normative proceduralism allow us to speak quite convincingly about the internal dangers of liberal democracy in the present day. By the same token, we hope that the usefulness of the concept of illiberal democracy in deliberations about the current crisis of democracy will be revealed, despite Nadia Urbinati's doubts.

3. Schumpeter's Liberally Tamed Democracy

Joseph Schumpeter claims that his "another theory of democracy" drops the shortcomings of all earlier theories of democracy. He describes these as the classical doctrines.[9] It is essential to point out that Schumpeter's theory of competitive democracy was formulated in continuity with a critique of democracy that appeared beside the interwar supporters of elite theory. We would also like to point out that his theory has notable liberal foundations and its own democratic content, however minimal the latter may be.

Schumpeter's view is close to that of the proponents of elite theory in that he considers classical democratic concepts to be ideologies that are useful for elites to rule the many while claiming to be realizing the common good and the will of the people.[10] He similarly rejects concepts intended to justify

8 We do not distinguish between illiberal and antiliberal democracy here, however, it is possible to make such a distinction in a more detailed conceptual analysis.

9 See Schumpeter, J., *Capitalism, Socialism and Democracy.* New York, Harper and Brothers 1942, chap. XXII.

10 Compare Michels's view: "Those who do not believe in the god of democracy are never weary of affirming that this god is the creation of a childlike mythopoeic faculty, and they contend

collective action. The common good and the will of the people are seen as chimeras, which ultimately cannot be rationally justified.[11] Schumpeter even claims that the classical democratic doctrines, which rely on such terms, can transform into a defence of dictatorship.[12] However, Schumpeter fundamentally differs from the elite theorists in his rejection of the idea that an elite should hold a monopoly on political power, as he considers this to be a dictatorship. Regarding all of this, he proposes "another theory", which views democracy from a procedural viewpoint. The key question for this democratic theory is not how the people can democratically govern themselves through representatives, but rather through what procedures the elite can gain a democratic justification for its own rule without falling into dictatorship. As known, Schumpeter views these democratic procedures as a competition for the people's vote.[13]

The concept of political competition is undoubtedly founded on liberal principles. Schumpeter explicitly compares this competition to market-based competition. However, he does not mean the classical liberal trope of the invisible hand of the market, which would arrange an optimal distribution of goods behind the backs of rational actors. Rather, he untraditionally claims that this is a more or less perfect competition, which still takes place in a non-monopolistic environment. Indeed, his theory of political competition is a theory that describes how to defend against the establishment of a monopoly on political power. A monopolization of political power always

that all phrases representing the idea of the rule of the masses, such terms as state, civil rights, popular representation, nation, are descriptive merely of a legal principle, and do not correspond to any actually existing facts." Michels, R., *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy.* Kitchener, Batoche Books 2001, p. 224.

11 To a certain extent, Schumpeter's argumentation is not unlike that of Max Weber. Both believe that conflicts about what various people consider to be good are ultimately not rationally decidable. "… the much more fundamental fact that to different individuals and groups the common good is bound to mean different things. This fact… will introduce rifts on questions of principle which cannot be reconciled by rational argument because ultimate values – our conceptions of what life and what society should be – are beyond the range of mere logic." Schumpeter, J., *Capitalism, Socialism and Democracy*, p. 251.

12 It is not by coincidence that Schumpeter's objection reminds us of Berlin's paradox of (positive) freedom. "We have seen that the classical theory meets with difficulties on that score because both the will and the good of the people may be, and in many historical instances have been, served just as well or better by governments that cannot be described as democratic according to any accepted usage of the term. Now we are in a somewhat better position partly because we are resolved to stress a *modus procedendi* the presence or absence of which it is in most cases easy to verify." Ibid., pp. 269–270.

13 Following this I will be using the term procedural democracy in a wider sense, particularly the one that Norberto Bobbio gave it, when he defined democracy as "a set of rules which establish who is authorized to take collective decisions and which procedures are to be applied." Bobbio, N., *The Future of Democracy: A Defence of the Rules of the Game*. Cambridge, Polity Press 1987, p. 24.

means the end of liberal freedom in an economic and political sense. Significantly, he related this process of monopolization to the rise of socialism. In this respect, the theory of competitive democracy is an ingenious defence of liberal freedom. Schumpeter emphasizes the proceduralism and realism of his theory, but he does not mention its normative foundations, even though it is quite clear that individual freedom is a value that gives his procedural democracy a certain normative content.[14]

In the background of these ideas, we find the argument that is of primary interest to us. Democracy should be "liberally tamed" because dictatorship is a real threat that can hide behind democratic demands for the realization of the common good and the will of the people; an eminent danger in mass democracy. This leads to the idea that whenever the limits of democracy (which are given to it by the pluralism of political competition) are broken, the threat of illiberal democracy becomes a reality.

Schumpeter seems to think that liberal pluralism is a reliable criterion for recognizing the dangers that lurk within a democracy. But is this truly a sufficient and satisfactory criterion? Unfortunately, the arguments that Schumpeter uses in favour of his theory reveal how close his democratic theory is to the elite theory of his time and how limited the democratic content of his theory really is. Schumpeter emphasizes that leaders, not the people, play a decisive role in politics. Leaders decide political matters, while the only democratic virtue of the people is to choose their representatives in competitive elections, this way, to entrust elites with temporary political power. He also has a sceptical view of such terms as the common good and the will of the people, though he does not deny the existence of group interests and identities. However, he argues that group interests come to be in such a way that leaders, to gain the votes of voters onto their side, appeal to their latent desires and ideas and transform them into conscious group opinions and beliefs. In connection to this, he uses an economic argument to emphasize the importance of advertising in influencing consumer behaviour. In the broader sense, he deliberates about the use of propaganda in influencing human behaviour.[15] The model of political competition is undoubtedly the key

14 Characteristic of Schumpeter's liberal proceduralism is the fact that he does not presuppose any kind of pre-political, moral, and binding human rights, nor the concept of the rechtsstaat. He bases his theory on the liberal model of economic and political competition. Carl Schmitt was a proponent of the idea that morality and economics were essentially bound together in liberal political theory, and Schumpeter would certainly not disagree. However, Schumpeter did not point to mere discussion in politics, as has been ascribed to liberalism by Schmitt, rather, he looked to elevate the model of the competitive market to the political level.

15 "What we are confronted with in the analysis of political processes is largely not a genuine but a manufactured will. … The ways in which issues and the popular will on any issue are being manufactured is exactly analogous to the ways of commercial advertising. We find the same

liberal aspect of Schumpeter's democratic theory. What is noteworthy, however, is that he rejects several classical liberal preconceptions about human behaviour. Instead of the individual rationality of the *homo economicus*, the irrational nature of the collective takes centre stage. Schumpeter believed that the classical conception of the competitive market was outdated. Although he remained a supporter of the economic rationality of action, he did not hesitate to restrict this rationality to personal experience (the private sphere), so that in the field of remote experience (which reaches to politics and especially foreign policymaking) this human rationality is limited and can easily become subject to ideological manipulation and demagoguery.[16] He refers in this connection even to G. Le Bon, but also to S. Freud and, last but not least, to V. Pareto.

When one examines the vital role that Schumpeter's theory of democracy played in political theory, it is impossible not to see its fundamental strengths.[17] Having said that, we cannot stay blind to its shortcomings which can be summarized in three points.

Primarily, Schumpeter's theory is elitist. It leaves the power to make political decisions exclusively in the hands of the ruling elite and the role of the people is merely to select its political leaders, which will then tell the people what is and is not in their political interest. The democratic content of politics is reduced to a competition between elites. This may prevent a political monopoly from coming into being, but it cannot prevent an oligarchy to rule, as we see in the case of a market economy.[18] Secondarily, it offers a very narrow concept of representation. The responsibility of representatives is merely formal.[19] Leaders must account for the fact that they may lose their power in the next election, but there is no way to think about the influence

attempts to contact the subconscious. We find the same technique of creating favourable and unfavourable associations which are the more effective the less rational they are. We find the same evasions and reticences and the same trick of producing opinion by reiterated assertion that is successful precisely to the extent to which it avoids rational argument and the danger of awakening the critical faculties of the people. And so on." Schumpeter, J. A., *Capitalism, Socialism and Democracy*, p. 263.

16 With these arguments, Schumpeter entered a polemical discussion in the American political theory of the time about the so-called common man and his (limited) ability to understand politics on a higher level, particularly in the area of foreign policy. Here we can see Schumpeter's departure from classical liberalism to conservatism.

17 I. Shapiro claims that Schumpeter's competitive democracy is still a better foundation for deliberations about the responsibility of the elites toward the people than the foundations which are offered by the classical liberal, republican, or deliberative approaches. Compare his *Politics Against Domination.* Cambridge, Belknap University Press 2016.

18 Compare Mackie, G., Schumpeter's Leadership Democracy. *Political Theory*, 37, 2009, No. 1, pp. 128–153.

19 In the sense that Hanna F. Pitkin gives it in her seminal book *The Concept of Representation*. Berkeley, University of California Press 1972.

the represented can have on them. Because Schumpeter thinks that leaders can create a demand for their rule using propaganda, this appearance of responsibility becomes primarily a subject of political marketing. And thirdly, in his attempts to liberally tame democracy, Schumpeter expresses the fact that he shares all the same prejudices about the irrationality and manipulability of the ordinary people as we find among the conservative theoreticians of the early 20th century. Democracy striving to trespass liberal limits necessarily becomes illiberal.

4. Schmitt's Unsustainable Mix of Democracy and Liberalism

Carl Schmitt understood liberal democracy as the mix of liberalism and democracy, which is not historically sustainable. This connection, he claimed, is contradictory, compromising, unstable, and ultimately disastrous. He asserted that this alliance came into being alongside mass democracy at the beginning of the 20th century when liberal parliamentarism lost its ground against democracy. Schmitt, however, did not suggest that democracy should be "liberally tamed". On the contrary, he viewed the political content of liberalism with scorn. In his way, he appreciated some of the great figures of classical liberalism in the time of liberal parliamentarism, but in the 20th century he considered liberalism as a negative concept which weakens the capacity of the people to act politically. He argued that liberalism destroys the political and effectively dissolves the state as the political form (which would give a higher existential meaning to the particular political community) by protecting privatism. He paints a gloomy and rather tragic picture of the future: either liberalism will triumph and transform democracy according to its own needs, where it will create an almost inhuman world of spiritless technics and consumerism devoid of any real political content, or democracy will triumph, which he likewise feared, especially if it was the result of a class struggle and its political form would be bolshevism. He hoped instead for some nationalistic third way.[20] Whether liberal or bolshevist universalism triumphed, in both cases the great political tradition of that which he described as the *Ius Publicum Europaeum* based on the plurality national states would be destroyed.

20 The depoliticization of the human realm, which liberalism brings about, is an important topic in Schmitt's thought, and it runs like a red thread throughout his work. In his seminal book *The Concept of the Political* (Der Begriff des Politischen, 1932), Schmitt attempted to "theoretisch encadrieren" this paramount issue, as he himself reminds us later in the Introduction to the new edition in 1963.

For Schmitt, a political existence is always a higher existence of a particular mass of people which are capable of creating political unity (with the help of leaders, of course). As is known, Schmitt defines the formation of such a unity as the extreme degree of association on the axis of friend and enemy.[21] Regarding this definition of the political, how are we to understand the compromising connection of liberal and democratic principles, which took place in Europe during the interwar period? We will refer primarily to Schmitt's exposition in his *Constitutional Theory*,[22] though these theoretical topics can be found throughout all his Weimar-era works.

Schmitt thinks that political unity can exist in two forms: either as a group of politically identified people capable of collective decision-making or indirectly through the acts and decisions of a few leaders that represent the entire political grouping. The first way is characterized by Schmitt as the principle of identity, and the second as the principle of representation.[23] These are extreme, in a way ideal, types of what political form a community can take on. Between these poles lie all the possible forms of government; these mostly being specific combinations of these two principles. In every political community, there is a group of people that functions as representatives of others, and likewise, there may be a group consisting of those that are capable of collective decision-making. Schmitt thinks that it is possible to understand all classical constitutional forms that have been known to us since ancient times (democracy, aristocracy, monarchy) as different combinations of the principles of identity and representation. Monarchy is founded only on the principle of representation, the purest expression of which is the absolutist "L'état, c'est moi", while democracy is primarily founded on the principle of identity, a proper example of which was the direct democracy in Athens, even though we find elements of representation there, as Schmitt also admits.[24] Of course, in modern times, representative democ-

21 Schmitt, C., *The Concept of the Political*. Chicago, University of Chicago Press 1996, p. 26. There is always a political theology in Schmitt's thoughts here which we are not to discuss here. The political unity of any grouping of people is based on the consciousness of the public enemy, and this consciousness gains its energy and vitality from the political vision, which has certain metaphysical and theological roots.

22 Schmitt, C., *Constitutional Theory*. Durham, Duke University Press 2008.

23 Ibid., § 16, part II, p. 239.

24 Schmitt most often refers to Rousseau's conception of the general will as the model case of democratic identity. Identity is defined as the immediate presence of the assembled people in decision-making. Representation, on the other hand, is defined as the public presence of a person as a citizen, which transcends his natural existence. In a democracy, therefore, representation can occur for example in the case of acclamation – that is, public voting, where, according to Schmitt (Ibid., p. 240). The same can be said on the plebiscite or referendum where there is

racy prevailed, which Schmitt ascribes to the influence of liberal parliamentarism.[25] Somewhat classically, Schmitt defines democratic representation as the political presence of an absent people.

Why is the connection of the principles of identity and representation unsustainable in the liberal rechtsstaat? Schmitt outlines his arguments in many variations, but the primary line of thought stays the same. According to him, liberalism has no political content. It is a universalistic doctrine of individual rights, and its only political aspiration is to protect the freedom of choice of the individual against intervention by others, especially the state. Liberalism then seems to be a kind of individualistic economic and moral doctrine getting its political content from its enemy. At first, it was monarchy, then democracy, both of which liberalism tried to manage and negotiate with in order to get space for its liberal morals and economics. However, as Schmitt sees it after the First World War and especially in the Weimar Republic, the liberal connection to democracy is coming to an end; a source of great worry for Schmitt. Liberalism is transforming into a universal pacifistic morality and global economy, the political consequences of which are inhuman and technocratic. When democracy embarks on an antiliberal path, it becomes radicalized, which can be the way history is heading. Schmitt argues that political (and intellectual) leaders of radical democracy are able to think politically and know who their (class) enemy is, even though they place their political class struggle into the area of economics. Paradigmatically, Schmitt describes this tension between liberalism and democracy shortly after the First World War in *The Crisis of Parliamentary Democracy*, where he expresses the uncompromising view that the future belongs to illiberal democracy, still unknown what kind of democracy this will be.[26]

Fortunately, history played out differently, despite this apocalyptic vision. The catastrophes of the 20th century passed away, and the liberal moderation of democracy in the form of the welfare state prevailed in Europe. However, it was still the antiliberal democracy on the one side and the global liberalism on the other that continue to attract Schmitt further in his thought.

only a question of "yes" or "no". As can be seen, Schmitt ignores in his thoughts on representation all aspects of discussion and the coming into being of public opinion. He even considers acclamation as an essence of public opinion (Ibid., p. 302).

25 In his *Constitutional Theory*, Schmitt discusses liberal parliamentarism as the bourgeois rechtsstaat.

26 "A democracy can be militarist or pacifist, absolutist or liberal, centralized or decentralized, progressive or reactionary, and again different at different times without ceasing to be a democracy." Schmitt, C., *The Crisis of Parliamentary Democracy.* Cambridge, MIT Press 1985, p. 25.

5. Urbinati's Democracy as a Diarchy

In contrast to Schumpeter and Schmitt, Nadia Urbinati does not consider liberal democracy to be a synthesis of two different sets of principles, but, on the contrary, she points out that democracy is internally compatible with liberalism and that, in fact, democracy cannot properly develop without it. The threat that she is contemplating, then, is not democracy getting out of the control of liberalism, but rather disfigurations of democracy, which mark a decline of democratic processes, i.e., the processes in which the political will and public opinion are formed.[27] She gives primacy to democracy but does not consider liberalism to be a mere protective shell for it, nor a limitation, but, as we will see, an essential ally. Liberal principles do not play the role of a theoretical a priori, which defines limits of democracy. They are rather implied by democratic procedures, without which the particular democratic will of the people could not come into being in given circumstances, and neither could public opinion be appropriately articulated in processes of actual democratic representation.

Urbinati does not claim that some pre-political and natural human and civil rights exist and that these define the limits within which democracy can function. That, however, does not mean that liberal rights do not have an essential meaning for democracy. Her argument in favour of them focuses on the procedures through which democracy functions. Urbinati adheres to the proceduralism mentioned above, but she emphasizes normative proceduralism, the primary value of which is the free self-rule of citizens in which each has an equal opportunity to participate in the political process of shaping the will and opinion of the political community, which presupposes a set of liberal rights and freedoms.[28]

6. Advantages of Urbinati's Democratic Theory

Firstly, democracy as a diarchy is inherently anti-elitist. Urbinati does not limit democracy to elections and the ability to depose those that are currently ruling, although she recognizes their importance, and she does not deny that the establishment of political authority is an essential task for democracy. She even defines these processes as one of the poles of democracy – as

27 Urbinati, N., *Democracy Disfigured: Opinion, Truth, and the People.* Cambridge, Harvard University Press 2014. Will and opinion are two ways, through which the self-rule of the people manifests itself in democracy. For this reason, democracy is referred to as a diarchy.

28 Saffon, M. P. – Urbinati, N., Procedural Democracy, the Bulwark of Equal Liberty. *Political Theory*, 41, 2013, No. 3, pp. 441–481.

an area of political will. But foremost she attributes a key role in the functioning of democracy to the area of public opinion, which she describes as the second pole of democracy. The free self-rule of the people occurs in these two areas, in which they both mutually reinforce and limit each other.[29] The emphasis on democracy as a diarchy allows Urbinati to discover dimensions of politics that Schumpeter has displaced from his deliberations. Those that are ruled, and non-parliamentary political groups in general, that is, ordinary citizens, their ability to engage in politics, the opportunities they have or do not have to shape their opinions and to articulate them in public, are all areas of political behaviour that co-create the way democracy works, and the representatives are responsible to the represented. Urbinati claims that political equality is the chief value through which democracy is held together. Indeed, she does not merely mean equal suffrage, nor equality before the law, but rather full equality implied by democratic procedures in all the areas of politics mentioned above.[30]

Secondly, normative proceduralism includes a wide array of liberal civil rights and freedoms. These rights and freedoms may not be the chief end of democracy, but democratic procedures nonetheless imply them. The shift from substantive theories of democracy (with their notions of the common good and the will of the people) to procedural theories is undoubtedly linked to Schumpeter's reversal of democratic theory (as a whole) with his theory. However, Schumpeter assumes that his proceduralism is a realistic theory, not a normative theory, even though he defends the value of political freedom. Urbinati, on the other hand, highlights the normative foundations of her proceduralism – based on the demand for political equality in full shape – in the formation of political will and public opinion. This procedural demand for equal political freedom includes equal suffrage and equality before the law, but primarily equality of opportunity when it comes to the public articulation of one's interests, participation in the broader public debate about

29 Urbinati considers the deformation of diarchy to be a disfiguration of democracy. She sees this not only in the attempts to subordinate the formative process of will and opinion to epistemic standards of 'truth' or 'good', but also in the effort to overcome the dualism of will and opinion in the name of direct democracy, as we see in contemporary populism.

30 With her reflections on the role of public opinion in democracy, Urbinati belongs to the broader theoretical stream of deliberative democracy, where the demand for equality in discussion is always first. In thinking about political will, which is an area where institutions are hierarchically arranged, the demand for political equality does not seem to mean that all inequalities in the relationship between rulers and rulers will be "smoothed out". However, unlike proponents of elite theory, proponents of democracy demand that proper political space be supplied and legally ensured for the ruled to freely articulate their demands and opinions in opposition to the ruling elite, not only during elections, but also (and especially) in the public.

political matters, and the formation of public opinion.[31] This freedom is very inclusive, as it includes not only civil, political, and social rights.

Thirdly, Urbinati rejects the notion that democracy should be understood as the collective actions of a politically unified people according to the pattern of direct democracy, as we see among the right-wing and left-wing followers of Carl Schmitt, for democracy, as she emphasizes, is always and originally a representative democracy. She interprets Schmitt's expositions about representation in democracy (where he, for example, speaks about acclamation) as a "technique for achieving a (mystical) unity of the community",[32] and she places her conception of political representation in opposition to it. However, Schmitt and Urbinati can agree on some aspects. Schmitt connects his modern conception of representation with liberal parliamentarism, and he criticizes it for the depoliticization that liberalism leads to. Urbinati likewise arrives at a critique of the liberal theory of representation, but her reasons are different. Urbinati finds the liberal conception of representation far too juristic, for it is based on the concept of the contract, and in this way, representation within it signifies an entrusting, and it implies a decision based on the freedom of choice.[33] On the other hand, Urbinati understands representation as a type of political judgment which serves as a defence of the ruled against the rulers. It is not a matter of identity or contract but of a mediation of interests and opinions where liberal rights and freedoms are still the conditions for free and equal communication.

Representation should not be understood as an almost mystical identity of the political grouping ready for collective action. It should instead refer to a unity that is mediated during the process that forms the political will and public opinion. In both areas, it is an institutionally mediated relationship between leaders and citizens, where the citizens influence the behaviours of leaders, with these being accountable to the citizens. Direct democracy is a kind of mirage from this perspective, and this mirage leads to the destruction of democracy. Representative democracy is therefore not some sort of

31 As part of her theory, Urbinati mentions two kinds of equality: *isonomia*, which she connects with equal suffrage, and *isegoria*, which refers to an equal opportunity to express oneself in the public space. A fair representative democracy includes the dialectic of both equalities which themselves are in fact attributes of the democratic process taken as a whole. It is for this reason Urbinati can claim that "It is thus incorrect to posit a dualism between individualism (one head/one vote) and actually situated individuals (interest-group pluralism) and refer them to liberal and democratic representation respectively since democracy entails both." Urbinati, N., *Representative Democracy: Principles and Genealogy*. Chicago, University of Chicago Press 2006, p. 41.

32 Urbinati, N., *Representative Democracy*, p. 22.

33 Ibid., p. 20, and onwards.

second best solution to the problem of the free self-rule of the people; it is the only solution.[34] Populism threatens democracy as it breaks down mediatory institutions, such as the political parties, the administrative elements of the state, and public media. Without these mediatory institutions, the equal and free communicative relationship between the represented and their representatives cannot develop fully democratically. Populism is only one example of the internal dangers democracy is now facing. Other dangers are also looming in areas of political will and areas of public opinion. Why not speak about illiberal democracy in this regard?

7. What Good is the Concept of Illiberal Democracy?

We have seen that Urbinati does not place liberal principles in opposition to democracy, nor does she recognize any need for liberalism to be viewed as a way of limiting democracy. On the contrary, while arguing in favour of the primacy of democracy, she gives liberal principles a prominent place in the democratic process, as without them, the political will and public opinion of a democratic society could not freely and with political equality come to be.

So how do we describe a situation where, in a malfunctioning democracy, liberal rights and freedoms are being weakened and some are even being eliminated? Urbinati mentions the disfiguration of democracy, and she posits several arguments through which such a declining democracy can be criticized. Nonetheless, as mentioned above, she refuses to use the concept of illiberal democracy, because even a disfiguration is still some form of democracy, no matter how insufficient or malfunctioning it may be. It is our view that the concept of disfiguration becomes too broad when we are specifically looking at a decline of liberal principles at a point of decisive decline. Suppose the weakening of liberal principles is systematic and the decline of representative democracy will begin to show this anti-liberal tendency, in the end, an authoritarian regime appears. In that case, the application of the concept of illiberal democracy may be proper. Rejecting this concept robs us of having a proper term to designate the decline of real democracies in their ability to form political will and public opinion. On the contrary, this concept can help us to underscore the anti-liberal tendencies pushed forward by contemporary populism and plebiscitarianism on their way from representative democracy to authoritarian regime.

Regarding the three models of liberal democracy discussed above, we should distinguish three meanings that illiberal democracy can take on in

34 Compare Urbinati, N. – Warren, M. E., The Concept of Representation in Contemporary Democratic Theory. *Annual Review of Political Science*, 2008, No. 11, pp. 387–412.

the context of differing democratic theories. Within Schumpeter's theory, illiberal democracy is seen as a potential threat to democracy which can arise whenever large groups of citizens in their longing for direct democracy deviate from liberal discipline, and start entering politics with all their irrationality, affects, and intolerance. Within Schmitt's theory, illiberal democracy is essentially direct democracy that eventually surpasses its liberal bonds. Democracy then becomes either a boogeyman for conservatives or an attractive ideal for the radical left, as the requirement of liberal discipline will not satisfy any of the Schmittians.

Urbinati offers another perspective, in which we are especially interested. The co-originality of liberal and democratic principles (which have their proper place in forming political will and public opinion) will be the starting point for such considerations. From this democratic point of view, we can also speak about an illiberal democracy which brings about the weakening of liberal principles in a democracy and thus moves it closer to authoritarianism.

Urbinati explains how the rise of populism in its various forms, and democracy's strengthening oligarchical leanings, visibly lead to the devaluation of the liberal content of democracy. This devaluation of the liberal content of democracy is undoubtedly a threat that must be pointed out and studied, for it opens the way for the deformation of democracy and the formation of an authoritarian regime. That is the reason why we need the concept of illiberal democracy besides the concept of populism. Urbinati allows us to think about lower or higher degrees of democracy, according to how democracy as a diarchy realistically and democratically functions. The concept of illiberal democracy is then helpful in pointing out a situation in which democracy loses its liberal content. It slowly ceases to be a democracy altogether and becomes an authoritarian regime. Why do not refer to this as illiberal democracy? Illiberal democracy need not necessarily be understood only as an oxymoron with an unclear meaning, especially when it is a real threat to democracy as it should function.

Powers of Will and Opinion: Nadia Urbinati and the Constructivist Turn*

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Abstract:
This paper examines the constructivist turn in political representation from the perspective of Nadia Urbinati's diarchic model of democracy. To properly assess the significance of Urbinati's work, it is necessary to situate diarchy within constructivism. While constructivism aims to create new representation spaces for the excluded and marginalized, this endeavour faces challenges in allegations of elitism and manipulation. This paper compares democracy as diarchy with two prominent constructivist approaches, Saward's claim-making, and Laclau's hegemonic representation, and it suggests that both fail to address these allegations because they see procedures as external to democratic will formation. This paper concludes that Urbinati's understanding of how procedures are inherent to democracy provides a valuable synthesis of proceduralism and constructivism, thus providing a novel way of thinking about democratic legitimacy within the constructivist turn.

Keywords: Diarchy; Representation; Constructivist turn; Manipulation; Elitism; Ernesto Laclau; Michael Saward; Nadia Urbinati

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Democratic theorists have always been suspicious of representation, seeing it as alien or contradictory to democracy. Furthermore, the feeling of the crisis of democracy experienced by many citizens of liberal democratic societies seems to give credence to this suspicion. Recent protest movements from Occupy to Gilets Jaunes, the rise of populist parties and movements, and the world of fake news and conspiracy theories are all linked to tension between the interests of citizens and the actions of political representatives. The slogan "We have a vote, but we do not have a voice!" captures the powerlessness experienced by citizens dissatisfied with their political representa-

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tives, who are considered to be acting "not as agents of the people but simply instead of them."[1] We seem to find ourselves in a predicament whereby citizens and most democratic theorists agree (surprisingly, for some) in their critique of representation.

However, in recent decades, theorists of the so-called representative turn have argued against this consensus. These theorists view the relationship between democracy and representation differently. In their views, representative democracy is not the second-best solution after direct democracy – not an imperfect substitute for direct democracy made necessary by the size and populousness of modern nation-states, but rather it is the only true democracy. The idea of the representative turn was developed further by the so-called constructivist turn, according to which representation does not merely mimic an existing political reality but also takes part in creating it. In other words, the constructivist turn claims that the represented, understood as a political unity, does not have an independent existence prior to its representation.[2] Nadia Urbinati's theory of representative democracy as a diarchy is generally considered a vital contribution to the representative turn.[3] However, this paper argues that, for an adequate appreciation of Urbinati's contribution to democratic thought, her diarchic model must be situated within the constructivist turn.

This paper suggests that the inclusion of Urbinati's theory of representative democracy as diarchy in the constructivist turn can shift the discussion about the democratic nature of representation from questions of political ontology (How does representation constitute a relationship between representatives and the represented?) to normative questions (How can the legitimacy of representation within the constructivist turn be evaluated?). Although the ontological and normative questions cannot be separated, this paper claims that constructivists should pay more attention to the latter. This paper also suggests that the diarchic model has much to offer to constructivism because it provides, in the form of procedures, a much-needed

1 Pitkin, H. F., Representation and Democracy: An Uneasy Alliance. *Scandinavian Political Studies*, 27, 2004, No. 3, p. 339.

2 However, the claim that the represented does not have independent existence vis-à-vis an act of representation does not imply that an act of representation creates the represented from scratch. On the contrary, a representative is always constrained by the (cultural, economic, personal, etc.) context in which she is situated. See e.g., Saward, M., *The Representative Claim*. Oxford, Oxford University Press 2010, pp. 70–73; Disch, L., The "Constructivist Turn" in Democratic Representation: A Normative Dead-End? *Constellations*, 22, 2015, No. 4, p. 490.

3 See e.g., Näsström, S., Where is the representative turn going? *European Journal of Political Theory*, 10, 2011, No. 4, pp. 501–510; Mottlová, M., Representative Turn: New Way of Thinking about the Relationship between Representation and Democracy. In: Bíba, J. – Znoj, M. (eds.), A Crisis of Democracy and Representation. *Filosofický časopis – Philosophical Journal (Special Issue)*, 2017, No. 1, pp. 113–121.

normative benchmark inherent to democracy. This is especially pertinent to the potential of constructivism to be accused of elitism and manipulation. To support these claims, the paper compares Urbinati's diarchy to two prominent constructivist approaches – Michael Saward's representation as claim-making and Ernesto Laclau's hegemonic conception of representation.

This paper is structured in accordance with this task. The first part focuses on the distinction between the representative and the constructivist turn, as well as their respective contributions and challenges to democratic theory. The following section introduces the concept of representative democracy as diarchy and situates it within the constructivist turn. The final two sections then compare diarchy to Saward's representation as claim-making and Laclau's hegemonic representation regarding concerns of elitism and manipulation.

From the Representative to the Constructivist Turn

The theorists of the representative turn argue that democracy is inherently representative and that the democratization of democracy does not entail the implementation of direct democracy but rather the improvement of existing representative practices and the development of new ones. This has been met with some scepticism by many political theorists, among others. The reasons for this can be found primarily in the recent democratic theory impasse, consisting of identifying representative democracy with minimalist democracy. The minimalist theory of democracy originated from Schumpeter's dictum that democracy is a rule-bound competitive struggle among elites for the people's vote.[4] From the minimalist point of view, democracy is "a form of leadership, and not self-rule of the people; it is a representative government, with democratic elements. Democracy means selection of rulers by the people (right to vote), as well as the open competition for public offices (right to candidate)."[5] The minimalist conception of democracy became hegemonic for a significant part of Cold War political science. However, it was criticized later – among others – by participatory democrats for its elitism and effective exclusion of the majority of the population from participation in political decision-making.[6] Participatory theorists then found a panacea for democracy's malaise in participation, ensuring, among other things,

4 Schumpeter, J. A., *Capitalism, Socialism and Democracy*. London, Routledge 2003 (1942), p. 269.

5 Körösényi, A., Political Representation in Leader Democracy. *Government and Opposition*, 40, 2005, No. 3, p. 377.

6 See e.g., Pateman, C., *Participation and Democratic Theory*. Cambridge, Cambridge University Press 1976; Barber, B., *Strong Democracy: Participatory Politics for a New Age*. Berkeley, University of California Press 1984.

citizens' immediate and unmediated presence in political decision-making. As a consequence of this approach, participation (immediate and unmediated presence) became pitted against representation (seen as deferred and mediated presence).

However, proponents of representative democracy have argued against participatory and direct democrats, claiming that representative democracy's temporality makes democracy more democratic by changing the nature of democratic decision-making. While direct democracy tends to translate the people's will into political decisions immediately, making the popular will coterminous with the majority's will, representative democracy's decision-making procedures enable the inclusion of as many people and views as possible (i.e., articulate via their representatives and speech). In other words, representation provides space for citizens' participation and presence in political decision-making not only via electing, but also via deliberating, judging, and therefore creating space for "a radical chastening of political authority".[7] This means not only that the identification of representative democracy with minimalist democracy is untenable but, above all, that representation and participation are not opposites. To put it another way, representation includes participation. In the words of David Plotke, "The opposite of representation is not participation. The opposite of representation is exclusion. And the opposite of participation is abstention."[8]

The constructivist perspective on representation adds another layer to the previous arguments, suggesting that representation is constitutive. Democracy is impossible without representation, since acts of representation constitute constituency, groups, and their identities and interests.[9] The constructivist notion of representation thus contrasts mandate representation, which assumes that people delegate their power to a representative government. The measure of the legitimacy of the delegation is people's consent based on the government's exercise of people's interests existing prior to representation.[10]

7 Kateb, G., The Moral Distinctiveness of Representative Democracy. *Ethics*, 91, 1981, No. 3, p. 358.

8 Plotke, D., Representation is Democracy. *Constellations*, 4, 1997, No. 1, p. 19.

9 Theorists of the constructivist turn derive the representative's constitutive function from a variety of theoretical sources ranging from linguistics to anthropology. What they all have in common, however, is a rejection of the pluralist notion that social or interest groups coalesce spontaneously based on shared interests. See Disch, L., *Making Constituencies: Representation as Mobilization in Mass Democracy*. Chicago, University of Chicago Press 2021, pp. 18–34. For a list of various theoretical sources of the constructivist turn see Disch, L., Introduction: the end of representative politics? In: Disch, L. – Sande, M. – Urbinati, N. (eds.), *The Constructivist Turn in Political Representation*. Edinburgh, Edinburgh University Press 2019, pp. 5–9.

10 Sintomer, Y., The Meanings of Political Representation: Uses and Misuses of a Notion. *Raisons politiques*, 50, 2013, No. 2, pp. VIII–IX.

The ontology of representation introduced by the constructivists brings many impulses for developing democratic theory and practice. It overcomes the curse of primordial groupism;[11] it understands the dynamics of representation as activity and performance; and it opens up new spaces for democratic representation outside traditional representational channels in the form of, for example, non-electoral representation and representation beyond the nation-state. This ability of representatives to articulate the interests of the represented and to constitute new political subjects proves especially important in hierarchical societies, as it can give voice to the previously excluded and marginalized.[12]

However, the incompatibility of constructivism with the traditional understanding of representation's legitimacy in terms of congruence,[13] responsiveness,[14] and even electoral accountability[15] suggests the possibility that constructivism has a normative or legitimacy deficit in two areas. Firstly, there are concerns about constructivism's elitism because the constitutive or performative role of representatives may create a power imbalance between them and the represented. It should not be overlooked that, from the point of view of post-Schumpeterian democratic elitism, the active element in democracy are political elites providing democracy's supply side, with people remaining passive or reactive. Secondly, it raises the question of the difference between representation and manipulation. Concerns of manipulation are particularly troubling for the constructivist understanding of representation because representation articulates the will of the represented, denying any measure of manipulation based on the preexisting authentic will of the constituency. However, the manipulation concept remains rather understudied and unclear in political theory as it has many conflicting definitions.[16] Yet many views of manipulation agree that it is a form of power disrupting the autonomy of the manipulated. For example, Robert E. Goodin suggests that one of the critical features of manipulation is that it is "*undermining* resistance".[17] Therefore, part and parcel of manipulation, distinguish-

11 Brubaker, R., *Ethnicity without Groups*. Cambridge, Harvard University Press 2006.

12 Hayward, C. R., Making interests: On representation and democratic legitimacy. In: Shapiro, I. – et al. (eds.), *Political Representation*. Cambridge, Cambridge University Press 2009, p. 124.

13 Disch, L., Beyond congruence. In: Bühlmann, M. – Fivaz, J. (eds.), *Political Representation: Roles, representatives, and the represented*. London, Routledge 2016, pp. 85–98.

14 Disch, L., *Making Constituencies*.

15 Saward, M., *The Representative Claim*.

16 Noggle, R., Manipulation in politics. In: *Oxford Research Encyclopedia of Politics*. Oxford, Oxford University Press 2021. Available online at www – doi: https://doi.org/10.1093/acrefore/9780190228637.013.2012 [cit. 29. 5. 2023].

17 Goodin, R. E., *Manipulatory politics*. New Haven, Yale University Press 1980, p. 8. Italics in original. Goodin further elaborates on the concept of manipulation, claiming that manipulation

ing it from democratic representation and various examples of the use of rhetoric within democracy, is the ability of manipulators to undermine citizens' capacity to question and chasten their representatives.[18]

Representative Democracy as Diarchy and Its Constructive Dimension

Nadia Urbinati's work is best known for her procedural theory of democracy and her theory of representative democracy as a diarchy, which stems from her view of democratic proceduralism. Although a full discussion of Urbinati's view of proceduralism is not possible here, it is important to recall some key points. Urbinati's conception of proceduralism diverges from the traditional notion of proceduralism, which understands it as an electoral mechanism that ensures the aggregation of individual interests,[19] the selection of political leaders,[20] and the nonviolent resolution of conflict among citizens.[21] Building on the proceduralist conception of democracy developed by Hans Kelsen[22] and Norberto Bobbio,[23] Urbinati claims that democratic proceduralism provides all three of the above. However, in addition to them, Urbinati emphasizes that the fundamental democratic value embedded in proceduralism is equal freedom. The requirement of equal political freedom makes procedural democracy demanding because it involves the equal opportunity to participate in political decision-making for all citizens. The ability of citizens to participate equally and effectively in political decision-making

involves "power exercised (1) deceptively and (2) against the putative will of its object". This elaboration, however, falls into the trap of "preexisting will". Ibid., pp. 8 and 23.

18 See e.g., Ball, T., Manipulation: As Old as Democracy Itself (and Sometimes Dangerous). In: Le Cheminant, W. – Parish, J. M. (eds.), *Manipulating Democracy.* Abingdon, Routledge 2011, pp. 41–58. It should also be noted that the concerns of elitism and manipulation should not be seen as separate, but rather as different sides of the same coin, as both involve a power imbalance. Constructivism can be criticized for elitism and the danger of manipulation by several strands of democratic theory, the most prominent of which is deliberative democracy. See e.g., Bohman, J. F., Emancipation and Rhetoric: The Perlocutions and Illocutions of the Social Critic. *Philosophy and Rhetoric*, 21, 1988, No. 3, pp. 185–204. For a discussion more sympathetic to the representative turn see Castiglione, D., Democratic representation and its normative principles. In: Cotta, M. – Russo F. (eds.), *Research Handbook on Political Representation*. Cheltenham, Edward Elgar Publishing 2021, pp. 26–29. At the same time, some constructivists arguably underrate the dangers of manipulation. For example, Disch argues that "manipulation as it is commonly understood presents a misplaced worry". Disch, L., *Making Constituencies*, p. 91.

19 Downs, A., *An Economic Theory of Democracy*. New York, Harper 1957.

20 Schumpeter, J. A., *Capitalism, Socialism and Democracy*.

21 Przeworski, A., Minimalist conception of democracy: A defense. In: Hacker-Cordón, C. – Shapiro, I. (eds.), *Democracy's value*. Cambridge, Cambridge University Press 1999, pp. 23–55.

22 Kelsen, H., *The Essence and Value of Democracy*. Plymouth, Rowman & Littlefield Publishers 2013, pp. 27–34.

23 Bobbio, N., *The Future of Democracy: A Defence of the Rules of the Game*. Cambridge, Polity Press 1987, pp. 24–26.

requires not only political procedures but also the creation of social conditions ensuring that their voices will be heard.[24]

According to Urbinati, the normative basis of proceduralism, in the form of equal political freedom, indicates democracy's unified history. Urbinati claims that modern democracy shares with ancient democracy the same normative values embedded in principles of *isonomia*, *isegoria*, and *parrhesia*. While the principle of *isonomia* expressed equality before the law and, therefore, equal political power in the form of the vote in the assembly, *isegoria* and *parrhesia* provided everyone with the right to speak at the assembly and the right to criticize public authority. These principles have been preserved in modern democracy, incarnated in two powers that sovereign citizens of democratic states possess. Urbinati distinguishes between the powers of "will" and of "opinion". The term "will" refers to political decisions made in the representative institutions of the state (e.g., parliaments and governments), with this power originating in the citizens' votes in elections. In addition to the power of will, citizens in a democracy have the power of opinion or judgment. "Opinion" designates an informal network of communication between citizens. Although it has no direct authority (it does not translate directly into political decisions), opinion influences political decision-making in various ways. Opinion ensures that the function of representation cannot be limited to specific political institutions (elected or not) but is extended to the whole range of social movements, organizations, and individual citizens. The sphere of opinion makes citizens more than mere voters and creates a buffer zone that allows them to judge and deliberate about political power while also protecting them from that power. The interplay of will and opinion thus creates the diarchic figure of modern democracy. "The conceptualization of modern democracy as diarchy makes two claims: that 'will' and 'opinion' are the two powers of the democratic sovereign, and that they are different and should remain distinct, although in need of constant communication."[25]

The need for constant communication between will and opinion means that representation is not unidirectional but bidirectional or circular. However, the circularity of representation also means that representation is not mimetic and does not represent preexisting identities and interests but testifies to representation's constructive dimension. According to Urbinati, political representation is a dynamic interaction process between the repre-

24 Saffon, M. P. – Urbinati, N., Procedural Democracy, the Bulwark of Equal Liberty. *Political Theory*, 41, 2013, No. 3, pp. 441–481.

25 Urbinati, N., *Democracy Disfigured: Opinion, Truth, and the People*. Cambridge, Harvard University Press 2014, p. 22.

sentative and the represented that translates the social into the political. It does not "make a preexisting entity …visible; rather, it is a form of political existence created by the actors themselves."[26] This process, among other things, "facilitates the formation of political groups and identities."[27]

Representation as Claim-Making

As suggested above, theorists of the constructivist turn may face two criticisms: elitism and a lack of clarity in the distinction between representation and manipulation. The following discussion will focus on whether the diarchic model (and its procedural base), conceived as part of the constructivist approach, offers a way to avoid these risks. The analysis will be conducted by comparing the diarchic model with Saward's and Laclau's notions of representation. We will begin with Saward's theory of representation as claim-making.

Michael Saward's theory of representation as claim-making is one of the most important contributions to the constructivist turn. Saward argues that representation is an ongoing "process of making and receiving, accepting and rejecting claims."[28] A representative claim consists of five elements: the maker (the author of a claim), the subject (the person or entity standing for the claim), the object (the depiction of the constituency represented), the referent (the actual constituency, group, or entity on which the representation is based), and the audience (the recipients of the claim). While some elements may overlap (maker and subject, referent and audience), the critical point is that the object and the referent are not and cannot be identical. The object is the image, the idea of the referent (constituency) that a representative claims to represent. "Representing is the depicting of a constituency *as* this or that, as requiring this or that, as having this or that set of interests."[29] The would-be representative may therefore describe the constituency as, for example, hard-working people, and the constituency or audience decides whether or not to approve of this image. Each representative claim thus consists of two claims: one concerning the portrayal of the represented, the other concerning the adequacy of the would-be representative (subject) to the claim and the given constituency.

26 Urbinati, N., *Representative Democracy: Principles and Genealogy*. Chicago, University of Chicago Press 2006, p. 24.

27 Ibid., p. 37. For a historical perspective on representation "as a means of unifying a large and diverse population" see also Urbinati, N., *Democracy Disfigured*, pp. 135–136.

28 Saward, M., *The Representative Claim*, p. 36.

29 Ibid., p. 71. Italics in the original.

This conceptualization of representation allows Saward to make two statements pertaining to the nature of democratic legitimacy. Firstly, the democratic legitimacy of a representative claim should be judged by "the constituency and not the theorist or other observer."[30] The second statement concerns the embodiment of claims within institutions entitled to decision-making. Saward suggests that elective claims are not "as secure or accepted" as many believe and that in the case of non-elective claims, suffrage may be external to representation.[31] Both of these statements seem troubling, for many reasons. Firstly, claim-making is not inherently democratic; making claims and having them approved by people is possible even in non-democratic regimes. From this perspective, suffrage and electoral accountability serve as a yardstick separating democracy from authoritarianism. The weakening of electoral accountability also strengthens the suspicions about the inherent elitism of Saward's theory, given that electoral accountability has recently been deemed ineffective and naïve by the self-proclaimed democratic realists.[32]

Secondly, the rejection of the role of political theorists and other observers also leads to the question of the criteria that citizens use to judge individual claims, for it is possible to ask whether the non-existence of such criteria brings to the fore the question of the difference between representation and manipulation. The potential non-existence of such criteria assigns the legitimacy of claims to their success (i.e., acceptance by the audience) and raises the question of the difference between a successful and a legitimate claim. The success of a claim is premised on factors regarding the representative (e.g., their eloquence, charisma, and material resources) and factors regarding the nature of the claim itself (its plausibility and proximity to the represented). A claim-maker utters a claim in a specific context (e.g., the traditions, cultural norms, and economic and social conditions of the constituency) and is constrained by it. Although claim-making involves a constitutive dimension, it does not create the represented from scratch. Therefore, claim-making involves rather the strategic adaptation, amendment, or adjustment of a claim to resonate within the given context and constituency. However, this strategic adaption of claims and strategic performance of representatives (eloquence and charisma) raises concerns about the possibility of manipulation, which can undermine citizens' capacity to

30 Ibid., p. 145.

31 Ibid., pp. 92–109 and 138. See also Urbinati, N., Representative constructivism's conundrum. In: Disch, L. – Sande, M. – Urbinati, N. (eds.), *The Constructivist Turn in Political Representation*, p. 186.

32 See e.g., Achen, C. H. – Bartels, L. M., *Democracy for Realists: Why Elections Do Not Produce Responsive Government*. Princeton, Princeton University Press 2016.

resist these claims. To conclude, the non-electoral nature of representation and the potential to strategically manipulate claims has led some critics to suggest that Saward confuses instances of "feeling represented" with actually "being represented."[33]

Saward's conception of the democratic legitimacy of representative claims uses two complementary strategies to face this criticism.[34] Since Saward conceives representation as an event and not as a state of being represented, democratic legitimacy can be seen as merely provisional; therefore, representative claims can be considered only provisionally accepted. The acceptance of claims differs significantly depending on the context and the constituency, from fair elections in the case of electoral representation to nonobjection criteria in less formal settings.[35] Thus, the first strategy focuses on the systemic conditions necessary for the constituency to assess the legitimacy of the claims. Saward speaks of "reasonable conditions of judgment," which he categorizes under the heading of open society.[36] These conditions should involve a structure of opportunities, practices, and institutions corresponding to Dahl's polyarchy.[37]

Saward refers to the second strategy as the "citizen standpoint." The citizen standpoint is not to be confused with any assessment of the claim by citizens. As Lisa Disch points out, "a standpoint is an epistemological and political achievement that does not exist spontaneously but develops out of the activism of political movements together with the critical theories and transformative empirical research to which they give rise."[38] Assessing claims from a citizen standpoint should not involve political theorists inquiring about whether the constituency was correct in taking the claim in question, but rather critically examining the power relations and discursive and institutional context in which the constituency approved the claim. However, Saward later developed his conception of democratic legitimacy by distinguishing two approaches to democratic legitimacy: "the procedural-temporal view" and "the substantive snapshot view". The procedural temporal view perceives democratic legitimacy as a state of affairs in which

33 Severs, E., Representation as claims-making. Quid responsiveness? *Representation*, 46, 2020, No. 4, p. 411.

34 Saward distinguishes between legitimate claims and democratically legitimate claims. Democratically legitimate claims differ from "merely" legitimate claims in the subject approving them. While in the case of democratic claims, it is the appropriate constituency, in the case of legitimate claims it is the appropriate audience. In the following, I address only the issue of democratically legitimate claims. See Saward, M., *The Representative Claim*, pp. 145–151.

35 Ibid., pp. 151–153.

36 Ibid., pp. 145, 154–159.

37 Ibid., p. 155.

38 Disch, L., The "Constructivist Turn" in Democratic Representation, p. 493.

a given representation is democratically accepted by the appropriate constituency. The substantive snapshot view regards the legitimacy of democratic representation in a more de-contextual fashion based on "a specific normative standard derived from a context-independent theory of legitimacy." According to Saward, the democratic legitimation of representation is a combination of both approaches. "Democratic legitimation of representation concerns the ongoing acceptance of representative claims by specific appropriate constituencies (the procedural-temporal) under certain conditions (the substantive snapshot)."[39]

While the two strategies discussed above are arguably complementary and may reduce (but not eliminate) the risk of manipulation, the issue of non-electoral representation remains unresolved. Saward is correct in claiming that non-electoral representation can often be a legitimate expression of a constituency's will. However, the disconnection of representation from suffrage and the institutional frame remains somewhat troubling. Urbinati argues that the potential for the division between democratic representation and suffrage stems from the way claim-making operates within the dichotomy of democracy as a spontaneous formation of collective subjects and institutions as instruments of external regulation of democracy. This dichotomy, according to her, guides Saward to make representation as claim-making primarily an expression of judgment.[40] This causes at least two problems. Firstly, claim-making in the sphere of opinion is an expression of civil rights and individual liberties, especially of freedom of association, but its relationship to democratic empowerment is problematic. While democratic empowerment may or may not occur in claim-making in the sphere of opinion, the connection between democratic empowerment and elections is stronger. In other words, the democratic citizen's power in the diarchy is manifested not only in the making, approving, or rejecting of claims but also in the sphere of law-making and decision-making in democratic institutions. The second problem concerns the question of democratic equality. It must be acknowledged that the relationship between elections and claim-making

39 Saward, M., Shape-Shifting Representation. *American Political Science Review*, 108, 2014, No. 4, p. 733. Disch argues that this formulation of democratic legitimacy contradicts Saward's previous notion of the citizen standpoint. Disch suggests that Saward's emphasis on de-contextual norms of judgment abandons his previous emphasis that representative claims should be judged primarily by citizens, not political theorists. I suggest that Disch's position is problematic because it implicitly assumes that judging on the basis of decontextualized norms is the exclusive domain of political theorists. In other words, I believe that Disch postulates too sharp a distinction between citizens and political theorists. See Disch, L., The "Constructivist Turn" in Democratic Representation, pp. 495–496.

40 Urbinati, N., Representative constructivism's conundrum, p. 185.

and equality is problematic since both contain complex power relations involving leadership and hierarchy. As Bernard Manin has shown, elections are Janus-faced: aristocratic because of the principle of distinction and egalitarian because of the majority principle at the same time.[41] Indeed, reducing voters to the same countable units (one head, one vote) makes social, economic, and other inequalities irrelevant, even though only for the moment of vote counting. However, claim-making offers no similar instrument to equalize citizens' power, as the success or efficacy of claims (both elective and non-elective) depend on various aspects, including the performative capacity of the would-be representative, along with their material resources (to name just a few), which, in contrast to the equalizing power of ballots, inevitably lead to an uneven distribution in any society. This creates unmatched power imbalances between representatives and those represented, which testify to remaining traces of elitism. The inability of non-elective claim-making to provide citizens with equality beyond the freedom of speech and association proves challenging to democracy, as a "democratic form of representation does not merely require popular control of government. It requires that such activity of popular control is conducted on equal terms."[42]

Saward's conception of representation as claim-making thus faces a paradox. It aspires to amplify citizens' voices by broadening the representation sphere to include forms of representation beyond elections and nation-states. However, in the case of non-electoral representation, this goal was achieved at the cost of the disfigurement of democracy – that is, by undermining a specific form of citizens' ability to participate equally in political decision-making (i.e., voting). In terms of ancient democracy, Saward's non-electoral conception provides citizens with *isegoria* and *parrhesia*, but not with *isonomia*. The reason for this, as Urbinati suggests, can be found in Saward's loosening of the bond between democracy and procedures. Saward sees procedures as being primarily inherent to the sphere of opinion, where they ensure the rights of assembly and freedom of speech as necessary prerequisites of spontaneous will formation (i.e., democracy). However, he undermines their role in the sphere of will, seeing democratic institutions as external constraints on the latter. Saward, with this gesture, does not annul the diarchic model but – in Nadia Urbinati's parlance – disfigures it by creating an imbalance between the spheres of will and opinion.

41 Manin, B., *The Principles of Representative Government*. Cambridge, Cambridge University Press 1997.

42 Näsström, S., Democratic Representation Beyond Election. *Constellations*, 20, 2015, No. 1, p. 10.

Representation as a Hegemonic Operation

The work of Ernesto Laclau is best known for elaborating the Gramscian concept of hegemony as a general theory of politics. The notion of representation gradually became central to Laclau's concept of politics,[43] and it also became central to his conception of democracy and populism when Laclau claimed that representative democracy is "*the only possible* democracy."[44] Laclau rejected the notion of representation as a transmission of an already existing will and pointed out the iterability present in every act of representation.[45] Each act of representation (i.e., repetition) changes the represented because representation always occurs in a different context. The representative has to incorporate the represented will into the network of references defining the site where the representation takes place, thereby necessarily transforming it. This transformation is then reflected in the identity of the represented, which in turn affects the representative's identity. Representation is thus a two-way process: "a movement from represented to representative, and a correlative one from representative to represented."[46]

Laclau refines his notion of representation through two specifications. The first concerns the relationship between the identity of the represented and the effect of representation. Where the will of the represented is fully constituted, the representative's role, their ability to manoeuvre and transform the will of the represented, is limited. Conversely, where the will or identity of the represented is weakly constituted, the representative's agency becomes critical. The corollary is that the broader the group and the weaker group's identity, the more critical representation will be for the group's unity and identity. However, in such a case, the group's unity was formed at the expense of the representation's particular content (i.e., the interest of the represented), which can only be vague and indeterminate. The second specification is a consequence of the first. As the bond between the representative and the represented in the case of the indeterminate or heterogeneous will of the represented cannot be established on their interests' congruence, it must be established differently. Laclau makes clear that the bond is created via identification with the leader (representative), and as such, this identification involves emotional investment.[47] In other words, the hollow-

43 Disch, L., *Making Constituencies*, p. 123.
44 Laclau, E., Democracy and the Question of Power. *Constellations*, 8, 2001, No. 1, p. 13. Italics in original.
45 Derrida, J., Signature Event Context. In: *Limited Inc*. Evanston, Northwestern University Press 1988, pp. 1–25.
46 Laclau, E., *On Populist Reason*. London, Verso 2005, p. 158.
47 Ibid., p. 110.

ness of the group's shared will is supplanted by passions understood as collective affects providing the group's identity.[48]

The emotional bond created between the representative and the represented based on the performance of the representative (i.e., the leader) situates Laclau's theory of representation on the terrain of symbolic representation. The latter is often considered undemocratic and associated with fascism, and as such, has – in the words of Hanna Pitkin – "little or nothing to do with accurate reflection of popular will, or with enacting laws desired by the people."[49] This statement questions the democratic credentials of Laclau's theory of representation and the distinction between representation and manipulation. To defend the democratic nature of his conception of representation, Laclau constructs a theoretical argument pointing to the democratic nature of the hegemonic operation.

Laclau presents his argument as polemics with Claude Lefort's notion of democracy as an empty place of power. Lefort argues that the defining feature of modern democracy, distinguishing it from the ancien régime, is the fact that the place of power remains empty (i.e., unoccupied definitively). Whereas in the ancien regime, the place of power was continuously occupied by the mortal and immortal body of the ruler, in democracy the place of power is "subject to the procedures of periodical redistribution",[50] i.e., to periodic elections, which constitute and institutionalize the conflict over the temporary occupation of power. However, according to Laclau, Lefort operates with the occupied-empty dichotomy and overlooks that any democracy at the symbolic level involves restrictions on the character of the entity that can occupy the place of power. Laclau, therefore, questions the nature of democracy differently. "For Lefort, the place of power in democracies is empty. For me, the question poses itself differently: it is a question of producing emptiness out of the operation of hegemonic logics. For me, emptiness is a type of identity not a structural location."[51]

Laclau draws upon the work of Antonio Gramsci to develop his concept of hegemony. Gramsci believed that the Italian working class could only have succeeded in its revolutionary aspirations had it achieved hegemony – that is, in case it became representative of the Italian nation and articulated other subaltern groups' interests. According to Laclau, hegemonic logic involves an operation in which concrete particularity (e.g., the working class) becomes

48 For the concept of passions as different from emotions see Mouffe, Ch., *Towards a Green Democratic Revolution: Left Populism and the Power of Affects*. London, Verso 2022, p. 36.
49 Pitkin, H. F., *The Concept of Representation*. Berkeley, University of California Press 1972, p. 160.
50 Lefort, C., *Democracy and Political Theory*. Cambridge, Polity Press 1988, p. 17.
51 Laclau, E., *On Populist Reason*, p. 166.

representative of the whole community (e.g., the Italian nation). In this operation, representation plays a key role. As discussed above, the fact that particularity begins to represent the universality of the community means that it loses its original (particular) meaning and becomes a "tendentially empty signifier".[52] Hence, this means that the hegemonic force seeking to occupy the empty place of power must present itself as an embodiment of the empty universality transcending it. The empty place of power is thus not occupiable by any entity, as Lefort thought, but only by "a particularity which, because it has succeeded, through a hegemonic struggle, in becoming the empty signifier of the community, has a legitimate claim to occupy that place."[53]

Similarly to Saward, Laclau's conclusion suggests the identity of a successful and legitimate representative claim. He claims that the fact that hegemonic power has successfully managed to occupy the empty place testifies to the legitimacy of the occupation. This conclusion seems problematic, especially considering that Laclau stays on the terrain of symbolic representation. Laclau would, however, object by emphasizing two points. Firstly, the reasons or sources of validity of the occupation's legitimacy do not precede representation but "are constituted *through* representation."[54] Secondly, Laclau would point out that based on his conception of signification, the relation between the representative and the represented is inherently catachrestic.[55] Catachresis as a misnomer makes the ultimate suture between the representative and the represented ontologically impossible, thus providing room for contestation and two-way adjustment of the representational relationship.

Whether or not we accept Laclau's ontological claim, his almost complete silence about the conditions and presuppositions under which such a contestation occurs is problematic. Laclau follows Chantal Mouffe in her disjunction of democratic and liberal traditions. He quotes Mouffe approvingly when she claims that "on one side we have the liberal tradition constituted by the rule of law, the defence of human rights, and the respect of individual liberty, on the other the democratic tradition whose main ideas are those of equality, identity between governing and governed and popular sovereignty. There is no necessary relation between those two distinct traditions but only a contingent historical articulation."[56]

52 Laclau, E., *Emacipation(s)*. London, Verso 1996, pp. 36–46.
53 Laclau, E., *On Populist Reason*, p. 170.
54 Ibid., p. 160. Italics in original.
55 Laclau, E., *The Rhetorical Foundations of Society*. London, Verso 2014, pp. 79–100.
56 Mouffe, Ch., *The Democratic Paradox*. London, Verso 2000, pp. 2–3. See also Laclau, E., *On Populist Reason*, p. 167.

The relationship between liberalism and democracy is ambiguous (not only because both are essentially contested concepts) and is also beyond the scope of this text. Nevertheless, it is worth noting that Laclau, by advocating for democracy conceived as an "identity between governing and governed", excludes from democracy's realm individual rights and individual liberty as liberal aliens. Yet, from the procedural view, these are part and parcel of the democratic tradition. As mentioned above, according to Urbinati, the core value of proceduralism is equal liberty, which includes the ability of citizens to participate equally in political decision-making and to chasten the holders of power freely. These citizens' capacities are expressed not only in the principles of *isonomia*, *isegoria*, and *parrhesia* but are also embodied in the diarchic nature of democracy, in the necessity of mutual communication and contestation between will and opinion. This requires – among other things – the existence and guarantee of rights and freedoms such as freedom of speech and association, which are democracy's *condiciones sine quibus non*. Again, according to Urbinati, these rights stem from the very nature of democracy and should not be seen as mere contingent liberal add-ons.[57]

The exclusion of these rights from the democratic tradition – similarly to Saward's case –poses problems of elitism and manipulation. Laclau, following Mouffe, included (political) equality in the democratic tradition. However, it remains unclear how this equality should be achieved and exercised, given the inequality of power between representatives and those represented, especially in marginal and vaguely constituted sectors. From the procedural point of view, it is essential to stress the value of equality because citizens should enjoy their rights and freedoms but they should also enjoy them equally. Instead of procedures and mechanisms ensuring equality, Laclau offers a hegemony constructed around a leader who, as an empty signifier, becomes the bearer of a vague narrative that unifies broad popular strata. This way, Laclau also debilitates the sphere of opinion, which he conceives as a sphere of vague narratives and emotional appeals used by leaders to craft unity and agreement. This view impoverished opinion because it is not only a sphere of consensus but also a sphere of disagreement and "collective argument that needs a legal and procedural order".[58] In Nadia Urbinati's parlance, Laclau, while not wholly abolishing the diarchic nature of democracy, arguably disfigures representative democracy by subordinating the realm

57 Urbinati suggests that democracy and liberalism are consubstantial and that it also makes the notion "liberal democracy" a pleonasm and "illiberal democracy" a contradiction in terms. See Urbinati, N., *Me the People: How Populism Transforms Democracy*. Cambridge, Harvard University Press 2019, p. 10.

58 Urbinati, N., *Democracy Disfigured*, p. 23.

of opinion to the realm of will. Laclau aims to create a substantial majority to construct a subject capable of taking power at the state level and therefore does not renounce institutional, electoral, and party politics. To achieve this task, he reduces opinion down to a vague unifying narrative. This narrative does not aim to communicate with and chasten decision-making within state institutions, as in the diarchic model, but was turned into a device for strengthening political leaders, not necessarily people's power to control them.

Laclau's conception of hegemonic representation thus runs into similar troubles as Saward's approach. Both Laclau's and Saward's objectives are to give voice to previously marginalized groups and, on top of that, to create a powerful popular subject capable of asserting its demands. They both see representation as a performance depicting the constituency. Laclau, similarly to Saward, postulates a dichotomy between authentic popular will (democracy) and procedures as democracy's external constraint. Furthermore, they both tend to disfigure democratic diarchy – however, each in a different direction. While Saward's non-electoral representation locates the center of democracy in the sphere of opinion, Laclau subordinates opinion to the sphere of will. Unlike Saward, Laclau aims to gain power at the state level, and therefore he is not concerned primarily with raising issues and galvanizing audiences. In contradistinction to Saward, Laclau debilitates pluralism and its guarantees in favour of a unifying discourse needed to gain power. Nevertheless, they both face allegations of elitism and manipulation, which their respective approaches cannot address.

Conclusion: The Constructivist Turn and the Value of Democratic Procedures

The paper examined the constructivist turn from the perspective of Nadia Urbinati's diarchic model of democracy. It suggested that situating diarchy within the constructivist turn leads to the appropriate evaluation of its significance and also benefits constructivism. Proponents of constructivism aim to use their representation models to "democratize democracy" by creating new spaces and ways of enabling the excluded to be represented and heard. However, constructivism faces several challenges resulting from parting with mandate representation. Among these are allegations of elitism and manipulation in the performative acts of representatives. The paper, therefore, compared democracy as diarchy with two prominent constructivist approaches: Saward's claim-making and Laclau's hegemonic representation.

Although Laclau's and Saward's approaches differ in many ways, this paper suggests that they both – each in a different way – fail to answer both

allegations satisfactorily. First, both approaches have difficulty distinguishing between successful and legitimate representation, confirming concerns about the possibility of manipulation. Second, both approaches limit or hollow out the ability of citizens to participate on equal terms in political decision-making, affirming concerns about elitism. This paper, following Urbinati, argues that the root cause of these problems can be found in both approaches' view of procedures as external constraints on the spontaneous formation of democratic will. This paper thus concludes that Urbinati's approach is an appropriate complement and elaboration of constructivism. Diarchy is, on the one hand, due to its attention to the interplay between will and opinion, sensitive to the plurality of spaces and forms of representation, and on the other hand, it understands procedures and their normative value as inherent to democracy. This paper, therefore, suggests that diarchy can provide democratic citizens and theorists with a much-needed synthesis of proceduralism and constructivism, thus opening new paths to rethinking democratic legitimacy within the constructivist turn.

Nadia Urbinati on Populism, Representation, and Rhetoric: Some Critical Remarks*

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Abstract:
This paper examines Urbinati's theory of populism, with the aim of bringing to the fore a lacuna in such theory. The lacuna concerns her appreciation of the role of rhetoric in populism and more generally in democracy. If Urbinati's general understanding of politics recognizes an important role to rhetoric, such recognition is not accompanied by a systematic analysis of what rhetoric is and how it operates. The effects of such deficiency can be appreciated in her theory of populism. On the one hand, her critical account of populism seems to hinge significantly on the kind of rhetoric and more generally of style it adopts; on the other, the question of what precisely characterizes such rhetoric and style is left mostly unaddressed. The result is that Urbinati's account of populism loses some explanatory power, with regards to both the nature of populism and the responses to it.

Keywords: Urbinati; populism; political style; rhetoric; demagoguery

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In the last few years, Nadia Urbinati has published a number of important studies on democratic theory, which have made of her a point of reference on the debate about the current status of democracy. Whilst avoiding the worn-out and sometimes hollow language of 'crisis' in commenting on the state of our democracies,[1] Urbinati has developed one of the most compelling accounts of some of the main threats our democratic regimes face today. At the same time, she has accompanied her diagnosis with the elaboration of a substantive normative model of democracy, which is at the same time original and indebted to a long tradition of political thinking. Following the teachings of figures such as Bobbio, Kelsen, Condorcet, and J. S. Mill, Urbinati's

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1 Urbinati, N., *Me the People: How Populism Transforms Democracy*. Cambridge, Harvard University Press 2019, p. 18.

theory of democracy puts at the very core of this regime the value of political equality and makes of procedures and representation the main pillars to guarantee such value. It is precisely in this capacity that Urbinati has to put canonical thinkers of the past in dialogue with contemporary questions and theories, and to combine diagnoses and normative proposals, which I think represents one of her main merits.

Urbinati is a prolific writer. But if we want to locate the core of her model of democracy, we can focus on her last three books published in English. The first one, *Representative Democracy: Principles and Genealogy*[2], is a defence of representation that tries to demonstrate the central role it covers in a democratic regime, against the traditional argument that relegates it to the status of a second-best option in comparison to direct democracy. Against this argument, Urbinati compellingly argues that representation – as a form of politics based on mediation and indirectness – has a unique democratic potential which cannot be found in direct democracy. Differently from direct democracy, which tends to reduce all political issues to a dichotomic choice, representation has the capacity to galvanize the public debate by triggering a battle of interpretations that multiplies the positions in dispute. Representation thus has the great advantage of promoting a politics of judgment and ideas rather than one of physical presence and decision. Thus it is precisely what has traditionally been considered representation's main shortcoming – the fact that it operates through mediation and indirectness – that for Urbinati constitutes instead its strength, since it is precisely thanks to these features that representation can promote reflexivity.[3] Furthermore, Urbinati sees in representation the key mechanism that makes possible the passage from the social to the political, since, through these very processes of mediation and indirectness, it asks citizens to transcend their particularistic attachments and organize themselves along ideological lines.

In *Democracy Disfigured*[4] Urbinati has furthered her analysis of democracy and its current predicaments. She has identified three major threats to democratic legitimacy: namely the epistemic, plebiscitarian, and populist models of democracy. All these models, according to her, deeply misconceive the key role opinions have in democracy and, in different ways, endanger the correct relationship between the two domains in which democratic legitimacy is formed: the domain of the procedurally organized processes of law-

2 Urbinati, N., *Representative Democracy: Principles and Genealogy*. Chicago, University of Chicago Press 2006.

3 Ibid., p. 113.

4 Urbinati, N., *Democracy Disfigured: Opinion, Truth, and the People*. Cambridge, Harvard University Press 2014.

making and decision-making (the domain of the will) and the domain that hosts the informal, but equally essential, processes of opinion-making (the domain of judgment). More specifically, according to the analysis developed in this book, what these three 'disfigurations' of democracy undermine is the process through which opinions should translate into decisions: in the case of epistemic democracy, because of the attempt to replace the free confrontation of different *doxai* with *episteme*;[5] in the case of populist and plebiscitarian democracies, because of the attempts to reduce the public debate to its aesthetic dimension and belittle the reflective one.[6]

Taken together, *Representative Democracy* and *Democracy Disfigured* outline a model of democracy more substantive than the realist-minimalist conception of Schumpeter but less prescriptive than the deliberative democrats à la Habermas. A model in which the founding principle is political equality, understood as the possibility for everyone to participate on an equal basis in the democratic process through a set of institutions and procedures that guarantee such a possibility.

In her last book, *Me the People*[7], Urbinati extends her analysis of one of the three disfigurations previously identified, probably the most urgent one: populism. Populism is characterized in this book as a distorted form of representative politics, which, especially once in power, can cause significant distortions in the way democracy should work, even if formally respecting its principles.

In this paper I want to focus on this last book and advance some critical remarks on the way Urbinati understands populism – remarks that, I think, could be generalised to her theory of representation and democracy. Mine, however, will be a largely sympathetic reading. The critical remarks I will develop, indeed, point not much to some substantive theoretical or normative disagreement, but rather to what I consider a lacuna, or ambiguity, in her theory. This lacuna, or ambiguity, concerns the way Urbinati understands the role of rhetoric in politics. To anticipate my argument, I think that, whilst Urbinati's theory of representation and democracy recognizes the importance of this aspect, at the same time it leaves the very idea of rhetoric untheorized, or undeveloped. The consequence is that, precisely as Urbinati grants to rhetoric an important role, her appreciation of such a role remains ambiguous and thus unable to fully grasp its positive aspects, as well as its possible threats. Such a shortcoming is particularly significant in the case of populism. In effect, as I will argue, Urbinati's analysis of populism seems to

5 Ibid., Ch. 2.
6 Ibid., Ch. 3–4.
7 Urbinati, N., *Me the People*.

suggest that what differentiates populism from the kind of partisan politics attuned to liberal democracy also has to do, to some extent, with their different use of rhetoric. However, if this is the case, we'd need to develop an account of populism able to assess its rhetorical, and more generally stylistic, dimension thoroughly, to understand whether it can be reduced only to strategic reasons, or if it plays a more substantive role. I think Urbinati leans towards the second hypothesis, but not explicitly and consistently. This, as I will conclude, creates an ambiguity with regards to how she understands populism and thus democracy itself.

Urbinati's Theory of Populism

Me the People is a densely argued book on a topic that has generated a vast literature in a few years and on which it is becoming increasingly difficult to propose original arguments. One of the merits of this work becomes apparent precisely if we keep in mind this situation. Differently from many scholars of populism, Urbinati in effect develops her account of populism in the framework of a broader normative account of democracy. This approach allows her, on the one hand, to base her critical appraisal of populism on a solid basis and on the other, to explore more in depth the meaning of this phenomenon. Differently from many scholars (above all political scientists of a more empirical orientation), who tend to reduce populism to a mere question of style, or others who minimize its impact on democracy, Urbinati repeatedly emphasizes that populism is an important phenomenon that has the capacity to deeply 'disfigure' democracy by changing 'both the style and the content of public discourse.'[8] This capacity to disfigure democracy becomes much more visible as populism moves from the status of a movement of opinion and contestation to that of a political party that reaches power. It is precisely from this perspective that Urbinati analyses populism in this last book. Differently from *Democracy Disfigured*, where she dealt more with populism in the former sense, in *Me the People* Urbinati deals with populism as a project aimed at obtaining political power and a system of decision-making.

This is, in my opinion, the second important merit of Urbinati's book. In effect, whilst other scholars have started to focus on populism not only for being a protest movement but for what it can accomplish once it reaches political power, Urbinati's contribution has the merit to deal with populism as a very substantive political phenomenon – one with a goal and a vision of society, despite its inarticulation and ambiguity at the ideological level. The

8 Ibid., p. 18.

level of political substantiveness attributed to populism, in effect, is so important for her that she adopts it as the key criterion to differentiate among different approaches to populism. In this respect she proposes to divide the most influential approaches into two broad categories – 'minimalist' and 'maximalist'– according to the political import they attribute to populism. If the former approach wants to maintain a neutral stance in relation to the normative status of populism and thus tends to (in Urbinati's view, wrongly) minimize its effects on democracy, the latter fully realizes the political import of populism, identifying it in its ability to mobilize a large collective subject under the banner of 'the people' and to employ such force to rearrange the democratic order.[9] In the minimalist approach, Urbinati includes a variety of theories of populism, among which the most important is the influential characterization of Mudde and Kaltwasser, who define populism, employing the terminology of Michael Freeden, as a 'thin-centred ideology'. Populism, in their view, is essentially an ideology, but a thin one. An ideology whose content can be boiled down to a Manichean vision of society as a body divided into two homogeneous and antagonist groups: the pure people and the corrupt elites. Against such an account, Urbinati raises a powerful criticism: the 'thin ideology of morality ascribed to populism', she writes, 'conceals a thick ideology that goes to the fount of power' and that consists 'in the anti-political idea that power corrupts.'[10] That is, behind a vague moralistic view of society, populism conceals a thicker core: an anti-political ideology that rejects politics as a way of dealing with pluralism and that denies the very idea that such pluralism exists, by treating its expression as an artificial invention of the establishment to further its interests. This is an important point Urbinati makes that highlights how, despite its inconsistency at the ideological level, populism can have very significant effects. Nonetheless, as it stands, this point also highlights an inconsistency in her rendering of the relation between the form and substance of populism, on which I will come back at the end of the paper.

On the other hand, the maximalist approach – which Urbinati identifies essentially with the theory of Ernesto Laclau and Chantal Mouffe – fully recognizes the political scope of populism. Laclau and Mouffe indeed see in populism the expression of democracy's highest possibilities. In their case, therefore, the problem doesn't consist, according to Urbinati, in not fully recognizing populism's political scope. It rather consists in misreading it: that is, in not understanding the anti-democratic dimension intrinsic in the very logic of populism. Without any specific social ideology and normative

9 Ibid., p. 28.
10 Ibid., pp. 63, 50.

conception of democracy, she argues, populism is inevitably prone to assume authoritarian and illiberal connotations because, at its core, it is a hyperrealistic and voluntarist attempt at seizing power.[11]

The distinction between maximalist and minimalist approaches is interesting because to some extent it overlaps a different kind of classification that can be made of the ways in which populism is conceptualized: that between *ideational* and *stylistic* approaches – that is, between those approaches that identify in populism a type of ideology (even if, a thin one) and those that instead characterize populism essentially as a form of doing politics.[12] In my opinion, Urbinati's division makes clear an important point: that the way the ideational content of populism is articulated – that is, its form – cannot be reduced to a mere question of style.[13] On the contrary, different forms of articulation produce different political outcomes (different political relations, identities, etc.) and at the same time presuppose different political positions. In other words, the forms of politics have a politically substantive meaning. This is in effect a point that we can find in Laclau's seminal work on populism. For him, all social and political phenomena are discursively constructed through a rhetorical play of significations and re-significations.[14] And this is particularly evident in populism, which Laclau describes at the same time as a discursive strategy devoid of any substantive ideological content and as the best way to radicalize democracy, because of its potential to mobilize the people and materialize popular sovereignty.[15]

Despite such different readings, however, Urbinati and Laclau share a similar approach to populism in two important aspects: first, they analyse it from the perspective of what it does, rather than what it is; and second, they treat it essentially as a form of representation, among other reasons because they believe that it is from this perspective that the scope of populism appears most clearly. In the case of Urbinati, through dealing with populism as a form of representation, we can best grasp its basic illiberal nature. Indeed, for her

11 Ibid., pp. 33–34.

12 For instance: Aslanidis, P., Is Populism an Ideology? A Refutation and a New Perspective. *Political Studies*, 64, 2016, No. 1, pp. 88–104. Also Urbinati refers to the distinction between ideological and stylistic approaches, to which she adds a third approach: the strategic one. Urbinati, N., *Me the People*, pp. 29–31. This third approach, for reasons I will provide below, can be subsumed in a broader approach to populim that combines ideological and stylistic dimensions.

13 For 'form' or 'style' I mean all the ways, linguistically and extra-linguistically, in which political content is articulated. In this sense, I accept the Wittgensteinian conception of 'articulatory practice' adopted by Laclau and Mouffe. For instance: Laclau, E. – Chantal, M., *Hegemony and Socialist Strategy.* London, Verso 2001, pp. 108–111; Laclau, E., *On Populist Reason*. London, Verso 2005, p. 13.

14 Laclau, E., *On Populist Reason*, pp. 13, 71, etc.; Laclau, E., *The Rhetorical Foundations of Society*. London, Verso 2014.

15 Laclau, E., *On Populist Reason*, p. 47.

the main reason why populism can disfigure democracy is its endorsement of an undemocratic idea of representation: the idea of representation as embodiment, rather than as mandate. Such form of representation, for Urbinati, entails the anti-democratic idea of being able to extract 'the "true people" from the "empirical people".'[16] The populist model of representation thus violates the principles of liberal democracy insofar as it undermines what, in Lefort's terms, we can call the constitutive indeterminacy of democracy and the resulting procedural idea of the people. Because populists consider themselves the only authentic representatives of the people, once they reach power, they start treating the institutions of the state as a matter of property, thus endangering the basic principle of political equality.[17]

Rhetoric, Representation, and Populism

To the extent that the key difference between populism and liberal democracy pivots around the way of representing the people and articulating the principle of popular sovereignty, we can say that it is a difference both of principles and styles, contents and forms. The relevance of the formal/stylistic dimension indeed is emphasized by Urbinati throughout her book. As she remarks, the legitimacy of populist movements depends on the capacity they have to deploy specific rhetorical strategies. This is consonant, in effect, with Urbinati's diarchic conception of democracy, according to which legitimacy is not only an institutional and legal matter, but has to do also with the processes 'of belief formation, persuasion, and rhetorical strategy through which representatives make themselves and their constituency.'[18] However, as Urbinati remarks, what happens in the domain of opinion becomes particularly relevant for the legitimacy of populism, because of the particular kind of representation it tries to enact – what she calls direct representation: representation as the embodiment of the people by a leader.[19] The belief in the capacity of the populist leader to fully incarnate the 'authentic' people is, as she writes, a 'matter of fiction and imaginary construction', which has to be sustained through 'relentless propaganda.' The legitimacy of populism 'rests entirely on the strength of this belief.'[20] And this is particularly true when populism reaches power. Indeed, once populist parties are in power,

16 Urbinati, N., *Me the People*, p. 79.
17 Cf. Urbinati, N., *Representative Democracy*, p. 32; Urbinati, N., The Democratic Tenor of Representation. In: Brito-Vieira, M. (ed.), *Reclaiming Representation: Contemporary Advances in the Theory of Political Representation*. London, Routledge 2017, pp. 198–199.
18 Urbinati, N., *Me the People*, p. 86.
19 Ibid., p. 62.
20 Ibid., pp. 131, 137.

they need to solve a dilemma, which is not unique to them, but which is in their case particularly pressing: the dilemma of how to maintain the illusion of purity and the possibility of redemption, while simultaneously carrying on a real, pragmatic politics. Such a dilemma, Urbinati argues, cannot be solved without a strong amount of rhetoric. For these reasons, populism, more than other forms of politics, can be said to belong to the very 'craftwork of persuasion.'[21]

In contrast with rationalist approaches, however, Urbinati recognizes the key role of rhetoric not only in the case of populism but as a general feature of democracy itself. Representation, in a certain sense, accentuates this rhetorical dimension. For her, indeed, representative democracy is made of passionate ideological affiliations and partisan disputes on questions that cannot be solved once and for all. In mediating the passage from the social to the political through the construction of political subjectivities around ideological narratives, representation 'renders democratic society an intricate fabric of meanings and interpretations of citizens' beliefs and opinion.'[22] This work of mediation operates through a variety of intermediary bodies and discourses that populate the public arena and that nurture the game of interpretations. As a constitutive activity that essentially contributes to the creation of the object it claims to represent, representative politics cannot but be rhetorical. Its aim, as Urbinati writes, is 'to construct the interpretation that makes the constituency' and to preserve and expand consent 'by attracting new people and developing new claims.'[23] And this is something that requires rhetoric. In effect, according to the classical understanding of rhetoric – that of Aristotle or Cicero, for instance – the essential role of this art consists precisely in being at the same time receptive of the particularities of a specific audience (in other words, to represent it as it is) and, through persuasion, able to move that audience in a new direction (or, to represent it in a new way). That is, we can say that in a certain sense the function of rhetoric coincides with what representation does as it mediates the passage from the social to the political by providing partisan interpretations of the general interest.[24]

21 Ibid., p. 118.

22 Urbinati, N., *Representative Democracy*, p. 30.

23 Urbinati, N., The Democratic Tenor of Representation, pp. 185–186.

24 I have developed such parallelism between representation and rhetoric in my article Ballacci, G., Representing Judgment – Judging Representation: Rhetoric, Judgment, and Ethos in Democratic Representation. *Contemporary Political Theory*, 18, 2019, No. 4, pp. 519–540.

But What Kind of Rhetoric?

Urbinati thus clearly recognizes the rhetorical character of representative politics and especially of populism, which, as we have seen, she understands primarily as a form of distorted (in democratic terms) representation. So, what is the problem with her approach? In my opinion, the problem consists of the following: on the one hand, Urbinati seems to argue that the key difference between populism and liberal-democratic politics hinges to a significant extent on their different ways, not only of conceiving, but also of enacting the representation of the people – so a difference that manifests itself, not only at the level of principles but *at the same time* at the stylistic and rhetorical level. On the other hand, she seems to avoid dealing with the question of how to differentiate between these different kinds of rhetoric, with the implicit argument that such a question is either theoretically untreatable or irrelevant. Apart from not providing any ground to differentiate the role of rhetoric in populism from that of standard partisan politics in liberal democracy, this neglect has the additional negative effect of suggesting that the key difference between populism and non-populist ideologies in liberal democracy is a difference that concerns primarily their ideational content and that only subordinately manifests itself at the aesthetic level, in different rhetorics and forms of representation. This idea is problematic for a number of reasons: first of all, because it is at odds with a constructivist understanding of representation, which Urbinati endorses; second, because it ends up attributing to populism a higher ideological consistency than it actually has and thus somehow reifying it as liberal democracy's foe. This in turn obscures one of its most prominent traits: its capacity to assume different shapes according to different contexts, in itself a clear manifestation of populism's rhetorical nature.[25] These negative effects are clearly interrelated: if it is true, as I argue, that Urbinati's account of populism recognizes only partially and not fully consistently the role rhetoric in it, then such an account cannot provide guidance to distinguish such a role in populism compared with that in standard partisan politics in liberal democracy.

Let's start with the first point. On a couple of occasions in *Me the people*, Urbinati underlines that the kind of rhetoric scholars attribute to populism is in fact a feature of all normal, partisan politics within the liberal democratic paradigm. Significantly, however, the rhetoric she refers to is related to an aspect many consider to be at the very core of populism: the postulation of a basic contraposition in society between the honest many and the

25 This capacity is something Urbinati recognizes but doesn't examine in depth. Urbinati, N., *Me the People*, p. 17.

corrupt few. Actually, we could say that this is a point that concerns more the ideational dimension of populism – its dichotomic and Manichean view of society rather than its rhetoric. Nonetheless, this opposition is clearly also rhetorical in character.[26] As Urbinati argues, 'the dualism of "we are good"/"they are bad" is the motor of all forms of partisan aggregation'. However, as she specifies, it presents itself in different 'intensities and styles.'[27] That is, seen from this perspective the difference between populism and the rest of partisan politics in liberal democracy hinges on the rhetorical form in which such opposition is presented.

In a second passage, which can be found in an interesting section on the analogies and differences between demagoguery and populism, Urbinati discusses the role of manipulation and rhetoric in these two phenomena. Here she notes that even if rhetorical manipulation is essential for the demagogue to seize power, this form of discourse is common among all modern political parties that are involved in electoral politics. So, she concludes, 'there is nothing scandalous in the rhetoric of demagoguery and populism per se.' In a form of government based on opinions, as democracy is, 'populist style is ubiquitous' and therefore 'it is difficult to distinguish between populist rhetoric and party rhetoric.'[28]

Now, Urbinati is certainly right in stressing the ubiquity of *this kind* of rhetoric in democracy. In this respect, her position is very close to that of Hannah Arendt. Arendt in effect never tired of stressing that politics is the realm of opinions and persuasion, rather than of truth and conclusive demonstrations, because politics can only exist when a plurality of equal individuals, each possessing her own perspective on the world, is able to find a provisional shared ground to act in common.[29] Nonetheless, drawing from the admission of the difficulty to distinguish between different kinds of rhetoric, the conclusion that to do so is impossible, or not important, is a mistake. In effect, the different use of rhetoric by populist parties compared with non-populist ones, according to Urbinati's same argument, seems to be a key element to establish whether the former can be said to remain within the liberal democratic paradigm or not. And even if, as she says with regards to the discourse, 'we are good'/ 'they are bad', the difference manifests more

26 For instance, Aslanidis, and Norris and Inglehart believe that the opposition between the people and the elite – which they take as the defining feat of populism – is better understood as a question of rhetoric (or of 'discourse' as they say) rather than ideology. Aslanidis, P., Is Populism an Ideology? In: Norris, P. – Inglehart, R., *Cultural Backlash: Trump, Brexit, and the Rise of Authoritarian-Populism.* Cambridge, Cambridge University Press 2019, p. 4.

27 Urbinati, N., *Me the People*, p. 29 (emphasis added).

28 Ibid., p. 103.

29 For instance: Arendt, H., *The Human Condition.* Chicago, University of Chicago Press 1998; Arendt, H., Philosophy and Politics. *Social Research* 57, 1990, No. 1, pp. 73–103.

in quantitative than qualitative terms (it is a difference of 'intensities and styles', as she says), it is nonetheless a *rhetorical* difference.

The point I am trying to make should become clearer if we look at another part of *Me the people*, where Urbinati canvasses Laclau and Mouffe's theory of populism. The main criticism she raises against them seems to pivot around the question of rhetoric and persuasion: as she says, the problem for her consists in 'the sole role that consent plays in proving the validity of hegemony' in their theory, to the extent that 'consent could imply (or at least does not exclude a priori) the imposition of the winning principles on groups that do not agree with them.'[30] What for Urbinati can be grasped from Laclau and Mouffe's view of populism as discursive logic is that populism is 'a domain of pure voluntarism and rhetoric, similar to that described in the first book of Plato's *Republic*, where Thrasymachus famously defends the idea 'that power is always the power of the winning part, and that justice is always the justice of the strongest part.' It reveals that populism is a 'rhetorical-ideological mechanism, which conceals the intentions of power by making it appear as if it were the embodiment of the true interest of the people.'[31] The key point Urbinati raises here is that, differently from what Laclau, Mouffe, and other leftist thinkers who support populism believe, populism is not a neutral style, a tool without content that can be cunningly employed for a progressive agenda. As she says:

> Pro-populist leftist assumptions about populism are mistaken, because populism is not merely a tool that can be harnessed to reformist or conservative plans. It is not simply "a style of politics"; in order to be successful, populism has to transform the basic principles and rules of democracy itself. [32]

Here, I think, a certain ambiguity with regards to the relation between form and content becomes apparent. Indeed, it is unclear whether Urbinati is claiming that, behind the apparently neutral populist style, there is a dangerous ideology that threatens democracy (the anti-political ideology of populism mentioned before), or instead that the populist style is in itself anti-democratic. As I argued before, however, Urbinati's same distinction between minimalist and maximalist approaches seems to point to the latter option: that the political style can have significant effects by itself; that is, that it can be politically substantive. Urbinati indeed situates Laclau's (and

30 Urbinati, N., *Me the People*, p. 145.
31 Ibid., p. 151.
32 Ibid., p. 206.

Mouffe's) theory among the maximalist approaches, even if he defines populism *only* as a discursive strategy. And this impression is confirmed also by another passage where Urbinati writes:

> Populism is not merely a claim-making form of representation … The leader does not merely perform before the audience; and his or her representation is not supposed to be 'merely symbolic' … The populist leader plays the role of the 'reconstructor of authority,' not merely that of counterpower.[33]

This passage hints at the idea that the style of politics cannot be understood as a question of merely giving form to a pre-existing reality. On the contrary, the style essentially contributes to creating its content. This is in effect one key aspect of the argument put forward by the constructivist turn in representation theory, in which we can certainly locate Urbinati. So, the style performed by populist parties or movements generates political consequences, even major ones. This is an idea that Urbinati seems to agree with, but, I think, without fully drawing its consequences.

In a political regime based on opinions as democracy, the power of rhetoric is particularly strong. Rhetoric has the capacity to mould the symbolic space of the public sphere not only for *what* it says, but also for *how* it says it. To speak in public means much more than to express a point of view. It means to mould the very space in which opinions can be framed and thus to control the opportunities and modalities that others have to express their points of view. Populist rhetoric is emblematic in this respect. As Urbinati writes, populism is 'the language of politics when there can be no politics as usual.'[34] But here we need to underline that populism doesn't merely take advantage of a critical situation. It rather actively participates in creating this situation. It participates in creating the context where politics as usual is not more possible and does so also, and crucially, through its style and rhetoric. For instance, the polarization that Urbinati takes as a key condition for populism to grow cannot be understood only as a condition. It is also an effect of populism and especially of the rhetoric it employs.[35] It is an effect that populism tries to achieve to capitalize on it politically and advance its vision of society. In this respect we could say that, similarly to the ancient demagogues, the contemporary populist leaders need to be masters in the

33 Ibid., pp. 117–118.

34 Francisco Panizza cited in: Ibid., p. 108.

35 Moffitt and Tormey have shown how central the attempt to amplify the perception of an imminent crisis is to populism. Benjamin, M. – Tormey, S., Rethinking Populism: Politics, Mediatisation and Political Style. *Political Studies*, 62, 2014, No. 2, pp. 381–397.

rhetorical capacity to deal with what the Greeks called the *kairos*: the possibilities and constraints that a specific context offers to act.[36]

Now, these considerations shouldn't be taken to imply that I want to reduce populism to demagoguery. In populism, as the very word seems to suggest with its suffix *-ism*, there is an ideological dimension (even if a thin one) that is absent in demagoguery.[37] What they indicate however is why a theory of populism (and of democracy in general) should give more attention to the question of how the content implies the form and vice versa. This would require, in particular, a thorough rhetorical analysis to assess the political effects and views some styles and discourses produce and imply. This sort of combined analysis should be able to provide, if not clear-cut criteria, some grounds to differentiate between forms of democratic rhetoric and others that, as in the case of populism, can instead disfigure democracy. But in order to do that, we would need also a theoretical account of rhetoric itself. And it is precisely such an account that is missing in Urbinati's analysis of populism, despite the attention she devotes to rhetoric. In this respect, as I have said, her position is ambiguous. In some points of the book, she seems to identify in the manipulatory rhetoric of populism a key element to explain its anti-democratic character. An example in this respect is her reference to the sophist Thrasymachus in Plato's *Republic* and his conception of rhetoric as the art of persuasion at all costs, or the idea she defends that populist representation is problematic for democracy as it promotes a relationship between the leader and his supporters based on irrational identification.[38] In other occasions, however, Urbinati seems to discard the idea that rhetoric plays a distinctive role in populism, arguing, as mentioned before, that this kind of rhetoric is a common feature of all partisan politics in democracy and thus that to make a clear distinction is difficult.

How can we explain this position? I think there are two possible explanations: either Urbinati thinks that it is not important to try to discriminate between the role of rhetoric in populism and its role in non-populist politics (because of its ubiquity in democracy), or she thinks that it is actually impos-

36 For instance: Plato, *Phaedrus*. Transl. Ch. Rowe. Warminster, Aris, and Phillips 1986, 271e–277b.

37 Moreover, as Urbinati points out, between ancient demagoguery and contemporary populism there is an additional difference related to the institutional contexts in which they operate: direct democracy in the former case and representation in the latter. If the ancient demagogues could have a direct effect on the assembly with their discourses, the contemporary populists operate in a mediated context that renders their words 'less dramatic in their impact on decisions and more capable of creating a continuity of narrative.' Urbinati, N., *Me the People*, p. 87. However, as we have seen, representation, in another sense, emphasises the rhetorical dimension of politics compared to direct democracy: because its indirectness and mediation promote a game of interpretations that can only be rhetorical (and ideological) in nature.

38 Urbinati, N., *Me the People*, p. 163.

sible. Let's start with the latter possibility. Is it really relevant to understand whether rhetoric plays a special role in populism compared to standard partisan politics in liberal democracies? As mentioned, Urbinati is ambiguous on this point. Such ambiguity, as I have suggested, is due to an inadequate thematization of the question of the relationship between form and content in populism – that is, the question of how different kinds of rhetoric and style produce different political outcomes and entail different views and, inversely, of why particular views entail particular rhetorics and styles. Now, if such relationship is essential in politics in general, in the case of populism it is particularly so because of the inarticulation and vagueness of its ideology.

As we have seen, to stress the ideological thinness of populism doesn't mean to deny the political significance of this phenomenon. Urbinati provides a strong argument in this respect to show that behind its thin core, populism hides a 'thick' anti-political ideology. But we should be careful to clarify the sense in which we understand the adjective 'thick' here. According to Freeden's distinction, thickness refers to the quantity and internal coherence of the ideational components of the core of an ideology.[39] In this sense, then, we cannot apply it to populism. Thick, in the sense Urbinati uses to describe populism, has to be understood more generically as politically substantive. Recognizing that populism is politically substantive, however, shouldn't imply a denial of its ideological thinness (in Freeden's sense) – that is, the inarticulation and vagueness of its ideology – which, indeed, Urbinati doesn't deny. This inarticulation and vagueness however is not an incidental feature of populism. On the contrary, it belongs to the very core of its worldview. This becomes clear when we connect it to other cognate elements normally ascribed to populism, such as anti-intellectualism and its voluntarist and decisionist understanding of politics. The centrality of the rhetorical, and more generally the stylistic, dimension in populism has to be understood precisely in connection with the worldview formed by this cluster of related ideas. Indeed, the complementary side of populism's penchant for practice rather than theory, for immediate and decisive action rather than reflection and deliberation, or for its realistic and strategic conception of politics, is its predilection for emotionally charged and confrontational discourses, the recurrent use of demagoguery, or the promotion of irrational forms of identification with strong leaders. In this sense, we can say that it belongs to the very ideational core of populism, the idea that politics is es-

39 See for instance: Freeden, M., *Ideologies and Political Theory: A Conceptual Approach.* Oxford, Oxford University Press 1996, p. 485; Freeden, M., Is Nationalism a Distinct Ideology? *Political Studies*, 46, 1998, No. 4, pp. 748–765, esp. p. 750. I thank an anonymous reviewer for calling my attention to this point.

sentially rhetorical and, more generally, mainly concerned with form rather than content. And indeed, it is essentially through such styles and rhetoric that populism tries to obtain its goals and implement its view of society. Its politically substantiveness thus is the result, to a significant extent, of its stylistic dimension (as Laclau's 'maximalist' approach recognizes). For these reasons, therefore, we can say that in populism rhetoric plays a special role in comparison to other more articulated ideologies.

What I have being arguing so far should also answer, at least in part, the question of whether it is possible to distinguish the role of rhetoric in populism from its role in non-populist politics in liberal democracy. But this question also makes clear why in order to develop such an analysis we need a more systematic conception of rhetoric. The responses to such a question, indeed, would be very different if we endorse, for instance, the idea that rhetoric is opposed to rational discourse, or rather that it is a form of argumentation. Without oversimplifying, we can say that the former is the understanding of rhetoric that can be originally found both in Plato and the sophists such as Thrasymachus; or nowadays, in rationalist thinkers such as Habermas, on the one hand, and poststructuralist or postmodern ones – from Roland Barthes to (in part) the same Laclau – on the other who consider that all kind of discourse is equally rhetorical, which means equally strategic, a mere rationalization. The latter conception, instead, is the position originally defended by Aristotle, according to whom rhetoric is an argumentative practice based on the combination of rational and extra-rational means of persuasion.[40] An Aristotelian understanding of rhetoric can provide, certainly not clear-cut criteria, but at least some guidance to differentiate populist and demagogic kinds of rhetoric from more deliberative ones. This could be done in different ways. Eugene Garver, for instance, has argued that the Aristotelian conception of rhetoric as an argumentative art implies a difference between a kind of discourse whose only aim is persuasion, which is an 'external' aim of such an art, and one that is instead moved by the aim of finding the best means of persuasion, rational and extra-rational, in every circumstance (independently, to some extent, from the result of persuasion), which is instead an 'internal' or 'guiding' aim for it.[41] Otherwise, we could look also at the recent rhetorical turn in deliberation theory (mainly an Aristotelian rhetorical turn), which has provided important insights on how rhetoric can contribute to democratic deliberation: for instance, by showing how it is necessary to create the motivational and affective basis without which

40 For instance: Ginzburg, C., *History, Rhetoric, and Proof*. Hanover – London, University Press of New England 1999, Ch. 1.

41 Garver, E., *Aristotle's Rhetoric: An Art of Character.* Chicago, University of Chicago Press 1994.

reason and thus deliberation cannot operate, or how it can contribute to establish bridges among different groups in a society by engendering trust among them, or, more in general, how to develop not only more inclusionary but also more realistic models of public deliberation.[42] As Bryan Garsten has rightly underscored, what is central to such a turn is the idea that rhetoric is not a supplement to reason, but rather a form of reasoning itself, and thus it cannot be reduced to instrumental considerations because, on the contrary, it plays a primary role in how we configure our political world.[43]

It is important to note, however, that in *Representative Democracy*, Urbinati actually has expressed her preference for an Aristotelian conception of rhetoric, with the argument that it accepts both the passionate and partisan character of politics and its deliberative dimension. And coherently she is critical both of the rationalism of Habermas and other deliberative theorists and the sophistic conception of language endorsed by Laclau (which, as we have seen, she considers a sort of discursive voluntarism). Nonetheless, in *Me the People* such a conception is not fully and consistently brought to bear to her analysis of populism[44]

To conclude, it should be clear that in calling for the introduction of a rhetorical perspective in a normatively oriented democratic theory I am advocating the necessity to produce absolute standards to distinguish between different kinds of rhetoric, according to their democratic status, as if it would be in a sort of enlarged, non-rationalist Habermasian theory of deliberation. Rhetoric cannot do that, because it is an art intrinsically resistant to systematization. In this sense, the distinction between the different kinds of rhetoric cannot but be a work of fine-grained interpretation, a difficult exercise of judgment (such an essential political faculty for Urbinati) to assess how the means of persuasion are employed, under which circumstances, to what political ends, and according to what political views – and all this with an eye to the specific contexts in which this occurs. Such impossibility to develop clear-cut standards, however, shouldn't be considered an obstacle because, as Urbinati has written (quoting Hanna Pitkin), judgment on democratic legitimacy is 'a matter of degree, an idea or ideal realized more or less well in various circumstances, conditions, and institutional arrangements.'[45]

42 Abizadeh, A., The Passions of the Wise: "Phronêsis", Rhetoric, and Aristotle's Passionate Practical Deliberation. *The Review of Metaphysics*, 56, 2002, No. 2, pp. 267–296; Allen, D. S., *Talking to Strangers: Anxieties of Citizenship since Brown V. Board of Education*. Chicago, University of Chicago Press 2004. For an overview of the recent use of rhetoric in political theory see Garsten, B., The Rhetoric Revival in Political Theory. *Annual Review of Political Science*, 14, 2011, No. 1, pp. 159–180.

43 Garsten, B., The Rhetoric Revival in Political Theory.

44 Urbinati, N., *Representative Democracy*, pp. 119–120.

45 Pitkin cited in: Urbinati, N., The Democratic Tenor of Representation, p. 186.

The Aesthetic Dis- and Configuration of Democracy: On Nadia Urbinati's Conception of Democratic Opinion and the Aesthetic Function of Democratic Politics

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Abstract:
Nadia Urbinati, in her writings, has recurrently warned about the dangers of theorizing democracy in aesthetic terms. She sees most aesthetic elements of a mediatized politics as harmful for the very project of democracy itself. In Democracy Disfigured (2014) and other writings, she urges that in a democracy the people ought to be conceptualized as organized around the principles of voice and of written law and not as an audience enthralled by the aesthetic or visual and theatrical representation of the sovereign. She levels her critique of an aesthetic take on democracy primarily at Jeffrey Green's model of ocular democracy and its plebiscitarian undercurrent. While echoing Urbinati's concerns about Green's model of democracy, this article argues for an aesthetics of democracy that is detached from plebiscitary undercurrents and that points to the democratic value of aesthetic judgment and aesthetic experience in terms of citizens' freedom and participatory-critical engagement, by insisting on the fundamental political meaning of the sensual (pertaining to aesthetics writ large): that who, why, and how something can become publicly recognizable rests on aesthetic sensibilities that belong to a democratic conception of citizenship. The article suggests that these considerations could be compatible with Urbinati's conceptualization of political opinion, provided that this conception acknowledges that the aesthetic can take over some of the critical and participatory functions, which the epistemic and political functions of public opinion are supposed to fulfil.

Keywords: public opinion, aesthetics, democratic judgment, aesthetic judgment, political community, political participation

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Nadia Urbinati, in her writings, has recurrently warned about the dangers of theorizing democracy in aesthetic terms. She sees most aesthetic elements of a mediatized politics as harmful for the very project of democracy itself. In *Democracy Disfigured* and other writings, she urges that in a democracy the people ought to be conceptualized as organized around the principles of voice and of written law and not as an audience enthralled by the aesthetic or visual and theatrical representation of the sovereign.[1] She levels her critique of an aesthetic take on democracy primarily at Jeffrey Green's model of ocular democracy and its plebiscitarian undercurrent. While I agree with her that Green's model is problematic for various reasons, I want to invite her to consider the aesthetic arguments about democratic politics that are detached from the plebiscitary model and that insist on the fundamental political meaning of the sensual (pertaining to aesthetics writ large): that who, why, and how something can become publicly recognizable ultimately rest on aesthetic sensibilities that belong to a democratic conception of citizenship.

I will argue for two main claims that will emerge from my discussion of the relationship of Urbinati's conception of democracy to aesthetics. The first claim is that Urbinati's rather negative view of "aestheticized" democratic politics originates from two different sources, one of which belongs to her conception of democracy rather accidentally, and the other of which is at its core. The former is her extended criticism of Jeffrey Green's plebiscitarian ocular model of democracy and the specific problematic aesthetics that derives from his model. I will suggest that her criticism of an aestheticized democracy primarily refers to the media aesthetics of this specific plebiscitarian model and does not per se preclude the possibility of a normative reflection of democratic ideals in aesthetic terms. Yet, the second source of her negative view is her conception of political opinion that does preclude this possibility. Urbinati believes that opinions can only fulfil their critical functions of safeguarding individual autonomy and providing necessary checks on institutions and majority-decisions if they are confined to reasoned public discourse that corresponds to the enlightening word and written law, despite their legitimate "cacophonic and imprecise character".[2] That is, it can fulfil these functions only if the aesthetic in democracy is limited to safeguarding the publicity, transparency, and accountability of political power.

1 Urbinati, N., *Democracy Disfigured: Opinion, Truth, and the People*. Cambridge, Harvard University Press 2014; and Urbinati, N., *Me the People: How Populism Transforms Democracy*. Cambridge, Harvard University Press 2019.

2 Urbinati, N., *Democracy Disfigured*, p. 6.

However, I will argue that this is a too narrow understanding of the normative significance of aesthetics to democracy. I will propose, as a second claim, that an aesthetic reflection on democratic politics shows that both aesthetic experience and aesthetic judgment are valuable for the *political* and *critical* functions of democratic opinion, at the level of individual democratic citizenship, but not in principle detached from political procedures and institutions.

The paper is organized in three sections. In the first section I discuss Urbinati's criticism of Green's aesthetic model of democracy against the background of her conception of democratic opinion that requires the simultaneous and equilibrate performance of its aesthetic, epistemic, and political functions. I largely agree with Urbinati's assessment that Green's plebiscitarianism – together with its reliance on the aesthetic configurations of and the interplay between mass media, political elites, and the democratic masses – renders this model highly problematic. In the second section, I suggest that if we disentangle aesthetics from a plebiscitarian model of democracy, it might be possible to lay bare the aesthetic underpinnings of democratic freedom and democratic citizenship. In particular, I show that the ideals of democratic citizenship and democratic freedom both have an aesthetic dimension that is dependent on aesthetic judgment and aesthetic experience. I further discuss these ideals in relation to viewership and images in the context of documentary photographic images. This account of aesthetics and democracy may inspire a revision of Urbinati's exclusively negative stance on viewership and images in connection with democratic politics. In the third and final section, I consider whether the arguments presented in section two speak in favour of Urbinati's conceptualization of political opinion or whether an extension of the aesthetic function of opinion would be required, and how such an extension would affect her conception of political opinion.

Urbinati's Warnings of the Aestheticization of Politics and the Resulting Disfiguration of Democracy

The suggestive title *Democracy Disfigured* implies that in order for democracy to become disfigured some sort of original figuration – a proper democratic form – has to be assumed that can become deformed. While the term "disfigure" in everyday usage means to deface, to make ugly, to make unattractive, to spoil the appearance of, etc. and refers to a face or surface that is impaired aesthetically, what is at stake here, rather, is the proper functioning and equilibrium of the complex relationship between contemporary democratic institutions and democratic citizenship.

Democracy's proper *form*, for Urbinati, resides with a conception of democratic proceduralism that accentuates the core features of the democratic ideal. Such proceduralism has two main legs. One leg refers to the dynamic and interacting *diarchic* structure of democratic sovereignty: the dual rule of will and opinion. The sovereign democratic people rule by way of expressing their wills in democratic elections on the one hand, and on the other hand by way of exercising their faculties of forming opinions on political matters outside of formal institutions. The other leg refers to a conception of representative democracy that corresponds to the diarchic structure of democratic sovereignty. Taken together, this results in a conception of representative democracy as a diarchic system in which will and opinion, the two powers of sovereign citizens, influence each other but never fully merge. The public forum links together opinion and will, and it has a central legitimating function for Urbinati: by enabling the interchange of ideas and perspectives between citizens, it produces a form of communicative power between the two legs of democracy's diarchy, so that opinion can influence political decisions and the will (decision) remains fallible and is checked.

In its proper form, the public forum has to reliably employ three functions that have to be kept in a state of equilibrium: an epistemic, a political, and an aesthetic function:[3]

> "Representative democracy defends and benefits from the complexity of the public sphere of opinion: its critical and cognitive function, its political style and spirit, and its propensity to make power visible and also for this reason public. Yet none of these functions are sufficient alone; in fact, taken in isolation they may compromise the diarchic configuration of democracy."[4]

The epistemic function refers to the capability of the public sphere of opinion to enable the rational exchange and deliberation of perspectives on political matters among citizens. The political function refers to the participatory and inclusionary effects of the public sphere of opinion, and the aesthetic function relates to the positive effects of the public forum in terms of publicity, transparency, and accountability of political power.

At the heart of this proceduralism looms the normative "idea of citizenship as an expression of political autonomy," which pivots on the ideal of equal freedom for all citizens. In Urbinati's estimate, this is best realized through the diarchy of will and opinion, because this diarchy engenders ex-

3 Ibid., p. 173.
4 Ibid., p. 12.

actly the right form of active participation by citizens.[5] But what constitutes the right form of active participation in democracy according to Urbinati? Although she seems to provide no direct answer to this question, what is clear is that, for her, actively participating citizens must rely on two specific human senses in order to actualize or realize the underlying normative value of individual autonomy: voice and hearing. She holds that:

> "voice and hearing together, not one or the other, are the two complementary senses that ordinary citizens use when they form their views and listen to others' and change and express their opinions and seek through them to acquire a political presence, to watch and judge their elected politicians."[6]

Active participation in democracy, in other words, takes place by way of using one's voice to form opinions and make one's will heard and by way of using one's capacity to listen. According to this determination, both these capacities are necessary preconditions of participatory forms of political action, whereas, for example, mere spectatorship is passive and therefore unsuitable for political participation. "Opinion is a form of action and a form of power that has voice at its heart," Urbinati urges, "not sight."[7] Because "speech is the organ of political autonomy," hence, a deliberative configuration of the democratic public forum is a necessary condition of political autonomy.[8]

Against the background of this understanding of democracy, Urbinati identifies three contemporary disfigurations of the democratic concept of diarchic sovereignty in representative democracy: epistemic, populist, and aesthetic-plebiscitarian conceptions of democracy. These disfigurations refer to the three functions of the public sphere of opinion. What makes them dangerous, in Urbinati's view, is that they isolate one of the three functions at the expense of the other two, thus creating an imbalance between them. In other words, these disfigurations are all characterized by the conviction that there is one single function or value that trumps democracy's diarchy and the equilibrium of the three functions that characterize the public sphere of opinion.

I am particularly interested here in Urbinati's discussion and rejection of one of these disfigurations, namely the aesthetic-plebiscitarian conception

5 Ibid.
6 Ibid., p. 15.
7 Ibid.
8 Ibid., p. 226.

of democracy that Jeffrey Green presents in his book *The Eyes of the People*.[9] Green defends a plebiscitary theory of democracy which is intended to promote a paradigm shift in our reflections of the democratic ideal: from the predominance of the vocal form – active democratic participation based on communication – to the ocular model. In this model, the origin of democracy's power is no longer sought in words and in the citizen as a deliberative participant, but in images and in the citizen as a spectator as part of a political audience. Beyond the mere affirmation of the political reality that citizens of contemporary mediatized democracies find themselves in, Green attempts to draw up a normative map of how to navigate such a shift from the vocal to the ocular in contemporary democracies.[10] One of his key claims is that citizens' ocular capacities constitute on an aggregative level a form of empowerment of the people by virtue of the disciplinary power of the gaze. He enlists Foucault and Bentham to elaborate his central proposition that the gazing plebiscite can exercise a genuinely empowered form of vision in contemporary mass society. The idea here is that the politician is forced to present herself before the eyes of the citizens in order to constantly solicit approval and favour. What is normatively decisive for Green is that the conditions under which the politician has to prove herself need to be beyond her sphere of influence. Such loss of control over the conditions of her public appearance, Green claims, give the citizens power over the politician because it compels her to "candour", by which he means the idea of sincerity in appearance due to circumstances that are beyond the politician's control.[11] Hence, within the ocular model of democracy, the gaze is the tool of democratic power, and candour is the normative standard, which takes some power out of the hands of political leaders and hands it over to the viewers. In short, the communicative public is being transformed into an aesthetic and theatrical one, a transformation that, according to Green, is desirable because it leads to the politicization of citizens and thus is able to realize the egalitarian and liberal ideals of democracy.

In chapter four of *Democracy Disfigured*, Urbinati critically discusses Green's ocular model of democracy. Her main disagreement is with its underlying plebiscitarian premise, which Green unhappily fuses with the aesthetic elements of a mediatized public. The problem with plebiscitarianism

9 Green, J. E., *The Eyes of the People: Democracy in an Age of Spectatorship*. Oxford, Oxford University Press 2011.

10 "Most citizens most of the time are not decision-makers, relating to politics with their voices, but spectators who relate to politics with their eye". Ibid., p. 4.

11 Ibid., p. 13.

is that it reinterprets citizens along the lines of "a mass spectator of political elites. Visual audience becomes the only collective capacity of the people".[12] And thus, aesthetic values necessarily become key: politics turns into a theatrical stage where spectators watch actors play their parts. As a result, the discursive role of citizens participating in the public forum is replaced by the cheering and booing of political leaders in the visual media, reducing the active participation of citizens in voting and politics to a reality TV show. This is troubling for Urbinati because it deprives democracy of both its epistemic and political function and instead reduces it to the aesthetic function of publicly presenting power. Consequently, Green's "videocracy" essentially buys into a conception of democracy that tends to be devoid of rational and critical engagement.[13] *This* is the central problem of the aestheticization of democracy for Urbinati:

> "In making vision, rather than hearing, central, television is said to have contributed in purging the opinion of the masses of all pretence or rationality upon which the power of persuasion of the orators relied. […] Video democracy confirms the fact that the politics of the masses belongs in the domain of aesthetic and theatrical, not cognitive or deliberative; it actually has nothing to do with rationality."[14]

The ocular public sphere of video democracy is populated by the *homo videns*, whose mind is no longer shaped by concepts but by images. The *homo videns* sees without understanding, makes political decisions on an affective rather than a rational basis, guided by the tastes of the masses and the fashions of the time, "within which the subjective point of view becomes an embarrassing sign of anachronism."[15] Opinion becomes "the name of crafted images unfurled by video technicians to which the people react."[16] Such an understanding of "opinion" leads to the normative valorisation of aesthetic pleasure and emotional capture at the expense of deliberative processes of opinion-formation in terms of rational justification and factual and moral reasoning. Without such processes, Urbinati fears, *doxa* cannot be the critical tool that provides the control of majority decisions and elected politicians that her diarchic model requires. Green's democratic vision must accept what is given to our senses, and consequently, because it lacks the

12 Urbinati, N., *Democracy Disfigured*, p. 232.
13 Ibid., p. 5.
14 Ibid., p. 203.
15 Ibid.
16 Ibid., p. 8.

epistemic and political functions, it defies the idea of active-critical citizenship as an expression of political autonomy.

By conveying all critical power to citizens as viewers, Green's aesthetic plebiscitarianism must rely on the critical function of mass media and online communication, but such reliance is problematic for democracy, because "the world created by the mass media is the world itself, a total and only reality".[17] I am here reminded of Guy Debord's criticism of the spectacle in terms of its overwhelming power of making us inhabitants of industrialized modern mass-societies assume that there is nothing beyond the spectacle itself:

> "The spectacle presents itself as something enormously positive, indisputable, and inaccessible. It says nothing more than "that which appears is good, that which is good appears." The attitude which it demands in principle is passive acceptance which in fact it already obtained by its manner of appearing without reply, by its monopoly of appearance."[18]

Urbinati's criticism of Green's audience plebiscitarianism relates to what concerned Debord, namely that the media-ruled political spectacle, no matter how well intentioned its organizers may be, carries totalitarian tendencies. Unlike Debord, however, Urbinati's critique of a mediated spectacle democracy is concerned with the irrational power of the human gaze and the impossibility of letting the rational power of the voice appear and take effect. The *homo videns* always makes *post hoc* decisions on conditions and matters that it did not choose or consent to, which as a result renders the "public a passive audience that watches leaders act with insatiable curiosity and no participatory aim."[19] Furthermore, Urbinati argues, there exists a negative correlation between a decline of electoral and political participation and the "the aesthetic and theatrical function of the public, a voyeuristic machine that serves to gratify people's longing for political spectacle more than their liberty from arbitrary power."[20]

Indeed, it remains unclear how politicians' submission to the disciplinary position of being seen by the people influences and transforms their actions in any significant way. The claim that the people's gaze contains a significant amount of popular power seems especially doubtful because of the economic and technological conditions that deeply shape the medially conveyed po-

17 Ibid., p. 215.
18 Debord, G., *Society of The Spectacle*. London, Bread and Circuses Publishing 2012, § 12.
19 Urbinati, N., *Democracy Disfigured*, p. 20.
20 Ibid., p. 226.

litical experiences of contemporary democratic citizens. A plebiscitary audience democracy might very well be dictated by the logic of commercial marketing and publicity that creates a form of political visibility and discourse where perceived attraction determines attention and visibility. And, what is even worse, it has the effect of veiling the true power of the leader by creating a pretence of publicity and transparency in making the life of the leader visible and an object of spectacle. Thus, merely seeing politicians, even under ideal circumstances of "candour", has very limited critical and participatory potential.[21]

For these reasons, I broadly agree with Urbinati's criticism of Green's ocular model of democracy, and I also agree with her that the aestheticization of democracy in the form of Green's plebiscitarianism in fact depoliticizes and normatively legitimizes the rule of the few over the broad mass of citizens, thus undermining the democratic ideal of equal freedom. At the same time, however, I argue that their warnings against an aestheticization of democracy should only apply to aesthetic plebiscitarianism and not, in principle, to any conceptualization of an aesthetic of democracy.

We can distinguish between three separate but intertwined concerns that motivate her criticism of Green's model. The first concern relates to her negative view of images in politics and our corresponding specific sensory capacity pertaining to vision. As we have seen above, the problem with our ocular senses for Urbinati is that they can neither evoke critical engagement – because the viewing of images does not convey any argumentative substance that could be part of communicative efforts that make our political disagreements rational – nor do they represent an active form of participation in politics.

The second concern relates to the socio-psychological mechanisms of the mob that can reduce and even change the critical behaviour of individuals who are part of a mass audience.[22] Individuals who are part of a crowd tend to become emotionally invested in how the crowd reacts to what it sees and

21 Another reason for this limitation is that Green's account of the gaze is confined to the supposedly disciplining effect of being seen that reduces watching to a passive disciplinary tool of surveillance, hence not really accounting for the watching subjects, which require an exploration of the aesthetics and ethics of watching. This aspect of the limitations of Green's conceptualization of the gaze is discussed well in Bíba, J., Democratic Spectatorship beyond Plebiscitarianism: On Jeffrey Green's Ocular Democracy. *Filosofický časopis – Philosophical Journal*, 2017, No. 1, pp. 71–91, esp. pp. 84–88.

22 This concern particularly comes out in a section of *Democracy Disfigured* where Urbinati discusses the de-rationalizing and affect-intensifying effects of the crowd in the context of the Roman model of the forum and Le Bon's analysis of the crowd in mass society. Urbinati, N., *Democracy Disfigured*, pp. 217–221.

hears and thereby lose their sense of critical reflection. While being part of a crowd enhances emotional participation, it tends to reduce critical-rational participation.

The third concern relates to Green's specific form of audience plebiscitarianism, which tends to reduce representative democracy and democratic citizenship to the direct support or rejection of a leader or a proposal; it leads to passivity and requires no form of political activity other than approval or rejection. Plebiscitarianism consolidates and justifies the unequal relationship between the powerful few and the passive majority.

Urbinati's first concern seems, to me, to be coloured by the second and third of her concerns, and her criticism seems targeted not at the aesthetic lens through which Green models democracy in plebiscitary terms, but rather at the specific aesthetic constellation that the plebiscitarian model of democracy asks for. Green's model of democracy is problematic in its dependence on aesthetics because it generates specific aesthetic effects that result from an interplay between contemporary mass media and the conditions of a plebiscitarian democracy. Indeed, Urbinati's unease with aesthetics should be not so much a worry about the aesthetic in connection with democratic politics as such (or the gaze or images as such), but rather a worry about the specific aesthetic forms that plebiscitarianism engenders.

But what happens if we uncouple an aesthetic reflection on democracy from plebiscitarianism? How can we think about democratic citizenship and democratic ideals in aesthetic terms beyond a plebiscitarian model? Urbinati in passing offers the view that a non-plebiscitarian interpretation of the idea of ocular democracy could, in fact, be "interpreted as a tool for more participation, or even the breaking of ordinary politics."[23] While she does not explore this possibility in her writings, in the next section I would like to outline how this could be done.

The Aesthetic Configuration of Democratic Citizenship

Urbinati enlists Kant's theory of aesthetic judgment and taste to illustrate the trade-off between the aesthetic function of democratic opinion on the one hand and the epistemic and political functions of democratic opinion on the other hand. She explains that for Kant, aesthetic judgments of taste, because they are not determining, "isolate but [do] not foster communication."[24] This is so, she holds, because taste only expresses subjective likings and as such

23 Ibid., p. 212.
24 Ibid., p. 209.

cannot be a means of mutual understanding or agreement. Indeed, Kant rejected the idea that aesthetic judgments could ever be determining in that they could be proved or disproved by evidence. At the same time, however, he insisted that aesthetic judgments are not entirely subjective, because judgments of beauty postulate the agreement of others and fall into the realm of quarrels and contention (Kant calls it *Streiten*): "For in a matter in which contention is to be allowed, there must be a hope of coming to terms".[25] The judgment "this sculpture is beautiful" is not the same as the assertion "I like pizza", and hence it would be odd to say that this sculpture "is beautiful *for me*".[26] Consequently, for Kant, aesthetic judgments of taste do not only express idiosyncratic likings.

This has two important implications. The first implication relates to what Arendt (1992) held about Kant's conception of aesthetic judgment, namely that it provides a template for theorizing political judgments: both political and aesthetic judgments pertain to appearances as appearances and refer to universality of a special kind.[27] Because political judgments resemble aesthetic judgments, we can quarrel about those judgments in inter-subjective communication, which could establish agreement as the upshot of persuasion rather than evidence or verification. A judgment of taste, Kant held, is based on a concept that "acquires at the same time validity for everyone […] because its determining ground lies, perhaps, in the concept of what may be regarded as the supersensible substrate of humanity."[28] For Arendt, this idea of a supersensible substratum of humanity underpins reflective aesthetic judgments: judgments that we arrive at by "think[ing] in the place of everybody else", which calls for imagination and a sense of community, the latter of which Kant defines as an enlarged mentality and Arendt calls "representative thinking".[29] For Kant, a state of enlarged mentality demands the bracketing of purely subjective and private grounds of judgment and the reflection of one's "own judgment from a *universal standpoint* (which [one] can only determine by shifting his ground to the standpoint of others)."[30] From this, Arendt suggests that taking into account the standpoint of others in the absence of known rules and established concepts is the nature of both aes-

25 Ibid., p. 166.
26 Kant, I., *Critique of Judgement*. Ed. N. Walker. Transl. J. C. Meredith. Oxford, Oxford University Press 2007, p. 44.
27 Arendt, H., *Lectures on Kant's Political Philosophy*. Ed. R. Beiner. Chicago, University of Chicago Press 1992.
28 Kant, I., *Critique of Judgement*, p. 168.
29 Arendt, H., *Between Past and Future*. Ed. J. Kohn. New York, Penguin 2006, p. 217 and p. 237.
30 Kant, I., *Critique of Judgement*, p. 124f.

thetic (reflective) and political judgments. Consequently, Arendt's reading of Kant's conception of aesthetic judgments recognizes the inter-subjective room for quarrels that both aesthetic and political judgments provide for, which engenders a form of (political) objectivity that bears a strong resemblance to Urbinati's conception of *doxa*.[31]

While these reflections on Kant's theory of aesthetic judgment are intended to show that aesthetic judgments of taste, for Kant, not only express idiosyncratic likings, but, if we follow Arendt, exemplify the structure of political *doxa*, we can also interpret Kant in a way that implies that there are two separate moments in our encounter with an aesthetic object: the instant of aesthetic experience, and the instant of aesthetic judgment. The difference between these two instances can be mapped in terms of how Kant understands disinterestedness: Disinterestedness in judgment denotes the moral-political capacity of representative thinking, whereas disinterestedness in connection with aesthetic experience denotes the disintegration of representation and judgment. Kant affirms that the judge:

> "can find as reason for his delight no personal conditions to which his own subjective self might alone be party. Hence he must regard it as resting on what he may also presuppose in every other person; and therefore he must believe that he has reason for expecting a similar delight from everyone."[32]

While this passage seems to reiterate the above point about the objective aspiration of judgments of taste, it also conveys something else, namely that the subject of aesthetic experience is disinterested because it is disconnected from entrenched interests that shape its manner of organizing meaning, values, and facts.[33] Disinterestedness in connection with aesthetic experience then means the entire suspension or temporary bracketing of refer-

31 Linda Zerilli recently has argued that Arendt's conception of *doxa* assumes some sort of political objectivity and assumes "a public notion of truth." Zerilli, L., *A Democratic Theory of Judgment*. Chicago, University of Chicago Press 2016, p. 120. "Public truth" is not the Platonic absolute Truth (with a capital *T*) pitted against opinion, but the Socratic truth of opinion (with a lowercase *t*). This, it seems to me, determines *doxa* in a very similar way to how Urbinati does, namely with reference to how Aristotle used the term "verisimilitude" to conceptualize opinion. See Urbinati, N., *Democracy Disfigured*, pp. 31ff.

32 Kant, I., *Critique of Judgement*, p. 43.

33 On this interpretation of Kantian "disinterestedness" see chapter 2 of Guyer, P., *Kant and the Experience of Freedom: Essays on Aesthetics and Morality*. Cambridge, Cambridge University Press 1996. As well as chapter 1 of Panagia, D., *The Political Life of Sensation*. Durham, Duke University Press 2010.

ence and normativity – the disarticulation of any interest in the object we relate to in our experiences. In other words, the disinterestedness of aesthetic judgments is rooted in the feeling of freedom from practical or cognitive constraints that aesthetic experience engenders.[34]

The disinterestedness that the aesthetic experience of freedom incites, I submit, has import for how we think about democratic freedom. The idea of freedom in democracy represents, partially, the freedom to begin anew and represents the most precious form of human freedom, namely the form of freedom through which human beings break free of alienating or oppressive relationships to other people, to institutions, or to the commonly shared human world.[35]

The freedom to begin anew seems to require the extraordinary that breaks through the ordinary. However, it seems that shifting the attention away from the ordinary to the extraordinary is an implausible or even dangerous basis for reflecting on politics, and seems to confirm Urbinati's reservations about an aestheticized democracy, because the extraordinary seems to create the ecstatic moment of eruption that sparks interest, intensity, and emotional consummation, just as is the aim of a hyper-mediatized spectacle-democracy. But is this the right way to understand the extraordinary, as something that gives us aesthetic satisfaction in terms of making us "interested"? Kant's conception of aesthetic experience suggests that it is exactly a kind of *disinterested* interest that aesthetic experience commands and that we have to bring to bear on our sensual perceptions in order for the genuinely new and the extraordinary to emerge. A hard dichotomy between the new that gives us a thrill or horror and thus is laden with aesthetic quality and the boring "old" familiar or normal case of the political is normatively undesirable. If the extraordinary in politics is conceptualized in terms of such an understanding of the "aesthetic" (that which sparks interest and gives us immediate satisfaction), which only fits the nature of an undesirable spectacle-democracy, we get the following picture about democratic politics: We accept as given a world of common practice and understanding in which our interactions can make sense in comprehensible but largely unquestioned

34 Such a feeling of freedom is simultaneously independent from and indirectly tied to other values for Kant, as Guyer has shown: "[Kant recognized that] aesthetics could serve the interests of practical reason or morality in the long run… only if it were to remain free of any direct constraints of theoretical as well as practical reason in the short run." Guyer, P., *Kant and the Experience of Freedom*, p. 50.

35 On the argument that democratic freedom has to presuppose the idea of aesthetic freedom see e.g., Rebentisch, J., *The Art of Freedom: On the Dialectics of Democratic Existence*. Cambridge, Polity Press 2016. And Schaub, J., Aesthetic Freedom and Democratic Ethical Life: A Hegelian Account of the Relationship between Aesthetics and Democratic Politics. *European Journal of Philosophy*, 1, 2019, No. 27, pp. 75–97.

ways. Without the possibility for the new to become part of the political, we are left with an ossified and self-sealed political space.[36]

What if the democratic function of encountering and creating the new and extraordinary lies not only in our rational-critical capacities of reasoning, argumentation, and judgment, but also in the disarticulation of judgment through aesthetic experiences? What if such disarticulation takes on a critical function for democracy that lies beyond deliberative conceptions of public reason and critical analyses of alienating social relationships? Because aesthetic experience interrupts our perceptual, conceptual, and rule-based givens, such experiences may create occasions to suspend authority and newly reconfigure the arrangement of any order. Whereas Green's ocular model of democracy values the surveilling gaze as a critical instrument of control, we could say that Kant's notion of aesthetic experience emphasizes the aspect of the *loss* of control: aesthetic experience is a critical instrument of freedom, whereby the critical aspect resides precisely with this loss of control.[37]

For the liberating effect of aesthetic experiences to accrue, the experiencing subjects must have a disposition for a disinterested interest in the objects of their experiences, which means that they should have the willingness not to attribute preconceived judgments and meanings to the objects of their experiences. How should we imagine such a disposition for a disinterested interest to take effect in the context of democratic politics? With regard to citizens' ocular senses, it would require a form of viewing that is not a mere seeing. Contemporary visual media and visualized politics mostly want us to merely see (and hear) the uninterrupted flow of ensembles of images and narratives that guide citizens' political convictions and allegiances. To punctuate this uninterrupted flow, citizens must practice a form of viewing that cannot be reduced to mere seeing, but includes active participation in the act of viewing itself. The difference between seeing and viewing, we could say, points to an ethics and pedagogy of viewing (that I can only briefly address here), which are closely linked to the phenomenology of the aesthetic experience of viewing.

36 On the value of the extraordinary for democratic politics see Kalyvas, A., *Democracy and the Politics of the Extraordinary: Max Weber, Carl Schmitt, and Hannah Arendt*. Cambridge – New York, Cambridge University Press 2010.

37 To be clear, the controlling gaze of Green and the loss of control in Kantian aesthetic experience refer to different contexts: While the object of control in Green refers to the conditions of appearance of political actors, the loss of control in the Kantian notion of aesthetic experience refers to a subject's lack of possibility to make comparative judgments based on given and established standards, rules, or norms. I am only concerned here with pointing out that the functional connection between aesthetics and democratic freedom can be drawn up differently from Green and his concept of the controlling gaze.

To view an aesthetic object – let us say a photograph – requires two modes of being disinterested towards the image: the moral capacity of representative thinking in judgment, and the temporary suspension of representation, significance, and meaning. With Laura Marks, we can call the latter disinterested disposition "haptic visuality", which she distinguishes from:

> "optical visuality, which sees things from enough distance to perceive them as distinct forms in deep space: in other words, how we usually conceive of vision. Optical visuality depends on a separation between the viewing subject and the object. Haptic looking […] is more inclined to move rather than focus, more inclined to graze than to gaze."[38]

Both forms of visuality are important for an ethics and pedagogy of viewing. They relate, I suggest, to the Kantian idea of disinterestedness – optical visuality to aesthetic judgment and haptic visuality to aesthetic experience that precedes the judgment. What is important is that both forms of visuality can be conceptualized as an active participatory event. Optical visuality is that which enables the necessary critical distance between the viewing subject and the object viewed. It is the form of viewing that makes the viewer an actor, insofar as "she observes, selects, compares, interprets. She links what she sees to a host of other things that she has seen," as Rancière has put it.[39] In other words, optical viewing is an activity in which we observe and connect what we see with what we have already seen, said, thought, and imagined, and from it, we create something *new*. Optical viewing is a truly individual act of interpretation and imagination that is not guided by the dynamics of the masses and thus does not consist in exerting a collective disciplining force on the actors on the political stage.

Haptic visuality, on the other hand, is active in that it requires the viewing subject to set aside their narrative habits and interpretive patterns for the sake of engaging only the image itself. It, Marks explains, "forces the view-

38 Marks, L., *The Skin of the Film: Intercultural Cinema, Embodiment, and the Senses*. Durham, Duke University Press 2000, p. 162.

39 Rancière, J., *The Emancipated Spectator*. London, Verso 2011, p. 13. Rancière uses the notion of the "emancipated spectator", which in essence denotes emancipation from inequalities with regard to conventional forms of viewing, or with regard to any hierarchical and asymmetrical forms of sensing and how these forms take effect in social and political interaction. Relating to Kant's idea of disinterestedness, Rancière argues that visual aesthetic experience has an emancipatory and liberating potential by temporarily suspending the rules and norms of validation. My argument relies, thus, as much on Rancière as it does on Kant and Arendt. See, however, footnote 45 below, where I briefly outline a key difference between my concern in this essay and Rancière's aesthetic account of politics.

er to contemplate the image itself instead of being pulled into narrative."[40] Thus, haptic visuality marks an aspect of aesthetic experiences that is not sufficiently captured by narrative interpretation. In contrast, optical visuality relies on narrative interpretation, in which the viewing subject applies his or her interpretive habits to the image's parts and aspects and tries to understand what the image means in the context of a narrative structure and semantic representation. Whereas optic visuality relies on a separation between viewing subject and image whereby an all-perceiving subject organizes the aspects and parts of an image into a unifying whole that gives those parts and aspects sense and meaning, haptic visuality is directed exclusively at the parts and aspects of the picture itself. It occurs phenomenologically when the viewer becomes immersed in, or is pulled into, the images and the sensations they produce. It binds together parts and aspects in a contingent manner, which means that the viewing subject creates associations between them that are not determined by any necessity and thus are free of criteria of judgment that could be epistemically verified or that could be hermeneutically justified. In short, the process of relating aspects and parts of images to one another in haptic visuality does not follow any determining rules or a common measure but rather invites the creative association of parts and aspects beyond verification and interpretive judgment.

These two forms of viewing and their ethics and pedagogy have implications for how to think about equal citizen participation in democratic politics. That and how a person registers as an appearance with others depends in part on how they are viewed, and how a person is viewed depends on the viewing habits of the viewing subjects. The ethics and pedagogy of viewing outlined above therefore influence how viewed subjects can become perceivable as appearances and are registered as such by others: If viewing subjects relate to other subjects by bracketing judgment, narrative, and meaning, the former accept the latter *as appearances* without any need for determinate recognition in any representative context of reference.

In the democratic-political sphere, such a notion of viewing and of being viewed would allow that subjects do not need specific epistemic and cognitive abilities or qualifications that enable them to appear as political subjects, as it would suffice to appear and to be viewed as an appearance in order to "count" as a political subject. On the part of the other political subjects, this requires an act of admission that, as I have tried to show, is based on the

40 Marks, L., *The Skin of the Film*, p. 163. In order for this to happen, viewers need to exercise what Davide Panagia calls an "act of admission: an appearance advenes upon us, and we admit to it." In: Panagia, D., *The Political Life of Sensation*, p. 151.

bracketing of judgment that aesthetic experience requires. The temporary loss of narrative structure and determinative control that goes with the disarticulation of judgment in aesthetic experience, then, might serve the democratic function of offering possibilities to political subjects of equal participation in a polity, independent of any provisos to participation. Provided that democratic citizens admit others by their way of viewing, principally anybody can appear as a political subject without having to make a cognitive claim, because the appearance is the "claim". For this simple reason, vision and appearance are tools for egalitarian democratic participation different from narration, deliberation, and voting. Of course, these tools have their own technological, material, and – as I have tried to outline above – ethical and pedagogical prerequisites and requirements, which are implied in the notion of viewing,

Consider as an example the iconic photographic images of Aylan Kurdi, the Syrian child who washed up dead on the coast of Bodrum in autumn 2015. The photographs seemed emblematic of the catastrophe that was taking place every day on the fringes of Europe in the wake of the "refugee crisis". In the days that followed, the images were distributed millions of times in print and television media and via digital networks, provoking considerable public and political reactions. The reactions provoked show that images and photographs are never merely aesthetic or documentary objects. Rather, they always prove to be interwoven with social and political relations. On the one hand, these particular images seem to illustrate the problem of photography, which, as Susan Sontag famously wrote:

> "has so many narcissistic uses, [and] is also a powerful instrument for depersonalizing our relation to the world. […] It offers, in one easy, habit-forming activity, both participation and alienation in our own lives and those of others – allowing us to participate, while confirming alienation."[41]

As voyeuristic viewers, Sontag says, we might be touched affectively by the shock-effects that horrific photographic images such as these generate, but affective capture does neither give us a clear path for critical engagement, let alone genuine participation, but instead creates a false sense of participation.

On the other hand, however, as Ariella Azoulay has argued, anyone – even a stateless person – who addresses others through photographs, or is ad-

41 Sontag, S., The Image-World. In: *A Susan Sontag Reader*. New York, Farrar, Straus and Giroux 1982, pp. 349–371, esp. p. 349.

dressed by photographs, can become a member of the citizenry of photography.[42] Viewing photographs, Azoulay argues, is a civil act, and taking photographs, being photographed, and disseminating and looking at photographs has opened a space of political relations that operates beyond the ruling power of the state. Appearing in, making, and viewing photographic images enables the subjects of human suffering to appear and to present their suffering. She insists that the photograph of politically induced suffering constitutes a tool for "contesting injuries to citizenship. […] When a photograph turns into a grievance, whoever articulates it becomes its civic subject."[43]

The subjects portrayed in a photographic image of human suffering, in other words, can be taken to be putting forward wordless claims to citizenship *qua* being an appearing subject in an image. Such a "claim" does work because of the force of the image, which at the same time requires an act of admission on the part of the viewing subject: The viewing subject is touched by the image and thereby brought into a position to contemplate the image, rather than being directly pulled into narrative or judgment – which cannot simply be dismissed as an opportunity for shallow voyeurism. The unspeakable presence of the dead child's body has an appellative character that requires an act of admission, and both the presence and the admission of it are prerequisites for any forms of recognition – for example, recognizing the appeal as a claim to citizenship or democratic recognition that goes beyond the image and the portrayed subject itself. The aesthetic experience of viewing these photographic images precedes such forms of recognition. Clearly much more is needed in addition for the image to "work" as a political claim to citizenship, for example that the depicted event in the image is a testimony to an actual event (if it turned out that the image was fictitious or otherwise manipulated, it would lose its ethical-political force) and that the viewing subject can combine the horror of seeing the dead child with a sociopolitical reality and with a narrative context that ultimately structures their political judgment.[44] But it cannot work without the aesthetic experience of viewing. It is not only the documentary character (i.e., the possibility of being perceived as an authentic testimony of a story, which is decisive for the appellative power of the photographic documentary image), but also the as-

42 Azoulay, A., *The Civil Contract of Photography*. New York, Zone Books 2008.

43 Ibid., 132.

44 The question of the authenticity or veracity of photographic images, in turn, refers to aesthetic norms and habits of viewing and presenting, which are closely linked to a complex mixture of ultimately fragile (and contingent) but powerful social and political norms. Butler, for example, calls these aesthetic norms and viewing habits "frames", and Rancière calls them "forms of visibility". See Butler, J., *Frames of War: When Is Life Grievable?* London – New York, Verso 2010; Rancière, J., *The Politics of Aesthetics*. London, Bloomsbury 2013.

pect of the perception of a mere unspeakable presence is essential for this, which is coupled with it.

Consequently, the political function of making and viewing images and appearances is not only that they might enable political discussion and judgment and ultimately policy, but that they try to capture our attention and invite us to acknowledge and question the commonsensical ways of perceiving and sensing that guide our (political) life. Thus, the participatory and possibly inclusionary effects of viewing and being viewed do not simply include hitherto non-recognized subjects, groups, or claims into institutions or the way democratic politics is done, but more fundamentally, they also involve the challenging of the entire aesthetic *a priori* of what (and not only who) counts as sensible and what and who does not count as sensible in a polity.[45]

Conclusion

By way of conclusion, I would like to offer some thoughts about how what I proposed in terms of the democratic value of aesthetics relates to Urbinati's diarchic conception of democracy.

45 My argument coincides with some aspects of Jacques Rancière's aesthetic account of democratic politics, especially with his conception of the "emancipated spectator" and with his idea that the "partition of the sensible" organizes our public lives not (only) according to moral, epistemic, or judicial rules and norms, but is (also) conditioned by aesthetic systems and modalities of sense that, in the way of historical-social, contingent *a priori*, distribute social positions in society, according to which things and people present themselves to sense experience and become recognizable as parts of a common world. See primarily Rancière, J., *Disagreement: Politics and Philosophy*. Minneapolis, University of Minnesota Press 1999; Rancière, J., *The Politics of Aesthetics*. However, Rancière's account intentionally does not provide the basis for a normative theory of democracy, because it assumes an incommensurability between the partition of the sensible on the one hand and our moral, epistemic, and judicial rules and norms on the other hand, and because it associates genuine politics only with the partition of the sensible but not with any sort of judging, interpretation, and mutual understanding (on the implications of Rancière's deliberative lack of a theory of political judgment see Panagia, D., *Rancière's Sentiments.* Durham, Duke University Press 2018). Rancière is clearly animated by a deep commitment to radical equality, and it is this commitment that motivates change for Rancière in the way common sense-making and organizing the senses do not account for. Yet, he does not want to give us a sense of what normatively directs such change. As a result, Rancière's democratic account is incompatible with Urbinati's diarchic model of democracy. In order to be part of a conception of democratic opinion, an aesthetic of democracy would not only have to recommend the *disarticulation* of structures of concepts, norms, and rules through an aesthetic mode of world reference, as Rancière does, but would also have to additionally point to a normative horizon for the *transformation* of such structures of habit-forming and appropriation of power. An aesthetic of democracy that is compatible with Urbinati's account, in other words, would have to be premised on a political theory that understands the structures of *aisthesis* and its disruptions to be continuous with the formation of critical habits and rules, through judgment and will. I elaborate such a theory in Räber, M., *Knowing Democracy – A Pragmatist Account of the Epistemic Dimension in Democratic Politics*. Cham, Springer 2020.

I believe that everything I have said about aesthetic experience and aesthetic judgment could be compatible with Urbinati's conception of public opinion. In order for that to be the case, however, we would have to extend her conceptualization of the aesthetic function of public opinion beyond the narrow limits of enabling publicity and transparency. Public opinion, defined by Urbinati as "a plural space that is composed of several kinds of opinion", would have to be more that a discursive forum in which opinion plays "the role of a unifying and 'inclusive discourse'".[46] It would have to be conceived not only as a public space in which a multitude of different judgments and wills assemble, but also a space in and through which the forms of such assemblages and of the subjects constituting them can be experienced, acted on, and discussed.

While Urbinati insists that democracy needs to perform an aesthetic function by making power visible and public, she considers it necessary to keep this function in check through the political and epistemic functions of will and opinion, because only in this way can the balance between these functions be maintained: "The empire of the ocular or the inflation of images" and, more generally, the "aesthetic factor of public opinion" come at "the expense of understanding and participating."[47] I tried to show in the previous section why this is not necessarily the case (but is related to Green's plebiscitarianism) and that the aesthetic function of public opinion in democracy is by no means exhausted in the creation of transparency and publicity, but can take up a participatory and a critical function. The aesthetic function of public opinion can help to engender equality of participation, and it can help to engender the freedom necessary for countervailing and checking institutionalized democratic politics, which is the function of public opinion. The democratic value of this aesthetic function of public opinion is less its direct check on norms, rules, and laws that are produced on the institutionalized level of democracy, but rather consist in second-order effects on democratic freedom, democratic participation, and democratic citizenship.

Extending the aesthetic function of public opinion in democracy would break the symmetry Urbinati assumes between the aesthetic, the epistemic, and the political function of opinion for democracy, because the aesthetic would take up some of the critical and participatory functions that the epistemic and the political functions of her conception of opinion are supposed to perform. But this symmetry is perhaps also less desirable than Urbinati believes. It is based on two potentially contradictory premises. On the one hand, Urbinati argues against epistemic democrats, populists, and plebisci-

46 Urbinati, N., *Democracy Disfigured*, p. 40.
47 Ibid., p. 208.

tarian democrats that what is at stake in politics are neither (only) instrumental considerations about political ends, nor the supposed homogeneity of the people or the mere judgment of the citizen-audience of the political spectacle, but the very terms under which citizens' opinions and wills interact. On the other hand, her conception of democratic opinion implies that these terms never really and fully are at stake in democratic politics, but have always been normatively fixed on the rationalizing effect of the spoken and written word. A politics of opinion based on public reason and public justification alone, however, is not sufficiently attuned to the democratic processes of marginalization that go with these socio-political assignments of value and the kind of agency necessary to counteract them.

In other words, what is at stake for Urbinati in democratic politics is the *content* of politics – political claims and ideologies – but not its *form*, which configures how democratic ideals and citizenship are enacted and what and who can become the subject of politics. The political procedures we follow, the possibilities we have to participate politically by way of speaking and viewing, and the framing of political debates and images are decisive not only for the expected results, but also for the perspectives and interests we develop, the decisions we are willing to make politically, and the type of people we take ourselves to be. To put it another way, when we change the game, we change not only the outcomes, but also the character of the players and their relation to each other, as well as their relation to the game itself. By addressing the *form* of democratic citizenship and democratic politics, an aesthetics of democracy, as outlined in this article, suggests that the considerations of who is sensible, as well as the conditions of possibility that something or someone can become sensible, should be subject to political interaction and also to a normative philosophical reflection on democratic politics.

Beyond "Democracy vs. Populism": Urbinati's Theory of Populism from a Central European Perspective[1]

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Abstract:
This article criticizes the tendency to subsume under "populism", in an undifferentiated manner, both national-conservative movements with authoritarian tendencies and post-ideological movements promising to replace the incompetence and corruption of established parties with technocratic efficiency and/or civic virtue. It calls for an internally differentiated conception of populism that does not reduce it to an anti-democratic phenomenon. In this context, Nadia Urbinati's position is ambiguous. As she depicts the political upheavals of the last decade through the prism of "democracy vs. populism", her position amounts to a clear example of the framework this article rejects. By emphasizing anti-establishmentarian and anti-partisan features of populism, however, she opens the door, albeit inadvertently, to a conception of populism that could include actors that aim to transcend established modes of party organization and classical partisan ideologies of the 19th century, without necessarily subverting democracy and the globalist or pro-European orientation of their countries.

Keywords: The "democracy vs. populism" framework; national-conservative populism; technocratic populism; civic populism; Nadia Urbinati's conception of populism; the Visegrad Four

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This article examines the widespread tendency to associate the rise of populism in Central Europe in the last 10 or 15 years with nationalist and conservative movements, while overlooking those that have used populist strategies to challenge the established political parties without undermining the principles of democracy. I argue that the concept of populism can subsume these other challengers under ideal subtypes of "technocratic" and "civic" populism, which are different from the national-conservative subtype and

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which have been already theorized in the North American and Western European context by Marco Deseriis, Carlo Invernizzi-Accetti, and Christopher J. Bickerton under the label of "technopopulism".[2] I largely adhere to their analyses, although I take issue with the two latter authors for attributing an inherent anti-democratic bias even to technopopulism. Rather than seeing this bias as a necessary feature of populism, I suggest it should be considered as a contingent possibility that must be assessed empirically on a case-by-case basis.

In *the first part* of this article, I outline a modified – internally differentiated – concept of populism in the context of the political turmoil in Central Europe in the 2010s. In *the second part*, I dispute Urbinati's assertion that every form of populism is by definition authoritarian and exclusionary. As I show in *the third part*, her definition of populism as anti-establishmentarianism nevertheless allows for the internal differentiation and, thus, also de-stigmatization, of populism. In *the fourth part*, I maintain that a personalized populist leadership that draws on technocratic and civic tropes is no more of a danger to democracy than oligarchies that inevitably form in traditional political parties.

1. "Populism" in the Central European Context

To gain an understanding of the political upheavals of the last decade in the four countries of the Visegrad Group, we must distinguish between different types populism, which may have different relationships to liberal democracy, and thereby loosen its a priori stigmatization as a threat to democracy. In Hungary and Poland, national-conservative populism has been the most successful, while in the Czech Republic and Slovakia, technocratic and civic types of populism (often appearing as two aspects of a single movement or party) have predominated. Whereas the former type of populism has jeopardized the constitutional order, the latter has usually (albeit not always) respected its boundaries. To miss its distinctive nature amounts to missing the primary agents of the re-structuration of the political landscape in the Czech lands and Slovakia over the last 15 years. Such an omission – and more generally, the fusion of all kinds of populism into one internally undifferentiated category – has a crippling effect on the analysis, which loses the capac-

2 Deseriis, M., Technopopulism: The Emergence of a Discursive Formation. From Section Global Justice to Occupy and Podemos: Mapping Three Stages of Contemporary Activism. *Triple C, Journal for a Global Sustainable Information Society*, 15, 2017, No. 2, pp. 441–458; Bickerton, Ch. J. – Invernizzi-Accetti, C., *Technopopulism: The New Logic of Democratic Politics.* Oxford, Oxford University Press 2021.

ity to explain (or at least, to understand) different outcomes in the four different countries. In Hungary (since 2010) and Poland (since 2015), the arrival of the populists to power has undermined democracy, while in Slovakia (in 2019–2020), it saved it by removing the corrupt political establishment from power. In the Czech Republic, the first stint of the main populist party ANO within the coalition government (2013–2017) arguably strengthened democracy, while the second stint (2017–2021) reversed the balance and indeed began to threaten it.

We can gain a clear conceptual understanding of the various and changing consequences of the emergence of populism in power in the Visegrad countries only if we break populism down into three ideal subtypes that differ in how they define the elite, the people, and the aim of the struggle between them. National-conservative populism criticizes the ruling elite for being globalist and liberal, and claims to represent a culturally or ethno-racially homogeneous nation and its conservative and religiously rooted values, often drawing on the country's far-right traditions. Even secularist leaders such as Miloš Zeman and Viktor Orbán, who had no traditionalist or religious proclivities in the first half of their political lives (the former as a social democrat, the latter as a neoliberal), started to stylize themselves as protectors of Christianity and conservative values against an LGBT+ political correctness and "gender ideology" once they became national-conservative populists. Their cases seem to reflect a more general pattern: national and conservative aspects almost always empirically combine into one movement or party in Central Europe. We can contrast this with Western Europe. The French National Rally under the leadership of Marine Le Pen, for example, shows that neo-nationalism can function independently of conservatism, which allowed Eric Zemmour to construct a national-conservative alternative to Le Pen's neo-nationalism in the presidential elections of 2022. As this article focuses mainly on the Central European situation, the undifferentiated category of national-conservative populism is sufficient.

The rise of national-conservative populism in Central Europe was accompanied by the rise of technocratic and civic populisms. Movements or parties that fall under those subtypes (usually but not always empirically mixed) are characterized by attacks against the ruling elite as incompetent, corrupt, and/or imprisoned in outdated ideological concepts. They speak on behalf of the society outside the alienated political class that rules over it. A purely technocratic populism conceives of the people as "ordinary people" who want the state to be governed by competent and efficient managers so that they can devote their lives to their own concerns. The analogy between the efficient administration of the state and the firm, as well as the high number of successful businessmen among the populists playing this card, has

led some analysts to label this kind of populism "business" or "managerial" populism.[3]

Civic populism presents a different image of the people, conceptualizing it as a public of engaged citizens who care about their common good. In contrast with technocratic populism, which emphasizes scientific or economic standards of decision-making and therefore defends the rational government led by the experts, civic populism emphasizes moral standards and defends the participation of citizens (and NGOs and civic initiatives) in the political decision-making process (e.g., referenda or consultations with citizens assemblies chosen by lottery). Despite the two types of populism having completely different images of the people, they very often combine into a single political movement. The reason is simple: to the extent that civic populism rejects the ideological frames of party politics of the 19th and 20th centuries, it has no other option than to combine appeals to the techno-scientific standards with those to common sense. As a result, the two ideal types are frequently found empirically mixed.

All three forms of populism appeal to modern majoritarian democracy when they promise to overthrow a long-establishing ruling minority to restore the rule of the majority's representatives. These revolutions, however, are distinguished by three different – and potentially conflicting – visions of the majority. The national-conservative interpretation of the majority invokes a homogeneous "heartland"[4] (which could be defined by a particular way of life, nation, region, civilization, race, or combination thereof), whereas the other two appeal to "ordinary people" and civic public, respectively. National-conservative and technocratic images of the "people" correspond to the images of "nation" and "ordinary people", as singled out by Margaret Canovan's analyses of populism.[5] The image of the people as active citizenry corresponds with the idea of civil society promoted by Central European dissidents such as György Konrád, Aleksander Smolar, and Václav Havel in the 1980s.[6] Milan Znoj labelled Václav Havel's position, as he enacted it politically

3 For convincing applications of this category to Babiš and his ANO party see Kopeček, L., "I Am Paying, so I Decide": Czech ANO as an Extreme Form of a Business-firm Party. *East European Politics and Societies*, 30, 2016, No. 4, pp. 725–749; Císař, O. – Kubát, M., Populismus in Tschechien: Ein ostmitteleuropäischer Regionalvergleich. *Osteuropa*, 71, 2021, No. 4–6, pp. 115–130.

4 Taggart, P., Populism and the Pathology of Representative Politics. In: Mény, Y. – Surel, Y. (eds.), *Democracies and the populist challenge*. Basingstoke, Palgrave 2002, pp. 62–81; Taggart, P., *Populism*. Buckingham, Open University Press 2000.

5 Canovan, M., "People", Politicians and Populism. *Government and Opposition*, 19, 1984, No. 3, pp. 312–327; Canovan, M., Trust the People! Populism and the Two Faces of Democracy. *Political Studies*, 47, 1999, No. 1, pp. 2–16.

6 Konrád, G., *Antipolitics.* New York, Henry Holt and Co. 1987; Smolar, A., Towards "Self-limiting Revolution". In: Roberts, A. – Ash, T. G., *Civil Resistance and Power Politics. The Experience of*

in the first half of the 1990s, as "moral populism". However, the term "civic", used by other authors such as Michal Kopeček, is more suitable for the context and purpose of this article.[7]

The established parties or alliances that oversaw the accession of the Visegrad countries to the EU in 2004 and/or maintained the status quo, thereafter, began to disintegrate under the pressure of national conservatives on the one hand and civic and technocratic populists on the other in the 2010s. The former challenge had a distinct ideological basis, stemming from the split of national conservatism from the post-communist liberal-conservative consensus that it had belonged to until the 2000s and – in some countries even – the early 2010s.[8] The latter challenge was post-ideological: it did not target the *content* (or direction) of the post-communist transformation but rather its *form* and the allegedly bankrupt and incompetent political elites who carried it out and then got entrenched in power.

Observers of Central Europe who fused the two kinds of challenge into one and talked about an attack of "populism" against "democracy" took for its empirical paradigms the Hungarian Fidesz and Polish PiS. The blurring of the distinction between those established right-wing parties and anti-establishmentarian and "ideologically thin" political forces – which, in theory, should have been the primary candidates for the "populist" label, according to Cass Mudde[9] – has evacuated the latter from the visual field. They have either been assimilated into the image of national-conservative populists (Babiš has been made into a Czech Orbán or Kaczyński), or their populist features have been made invisible (e.g., presidents Kiska and Čaputová in Slovakia or the Pirates, STAN, and Million Moments for Democracy in the Czech Republic). After merging the two kinds of populism into one and conceiving such an internally undifferentiated populism as inherently authoritarian and anti-pluralistic, one has to suppose that whenever populism comes to power, democracy necessarily starts collapsing or at least is in grave danger. Thus, for instance, the proponents of such a view of populism claim

Non-violent Action from Gandhi to the Present. Oxford, Oxford University Press 2009, pp. 127–143; Havel, V., O smyslu Charty 77. In: Havel, V., *Do různých stran. Eseje a články z let 1983–1989*. Praha, Lidové noviny 1990.

7 Znoj, M., Václav Havel, His Idea of Civil Society, and the Czech Political Tradition. In: Kopeček, M. – Wciślik, P. (eds.), *Thinking Through Tradition: Liberal democracy, Authoritarian Pasts, and Intellectual History in East Central Europe.* Budapest, CEU Press 2015, pp. 109–138.
Kopeček, M., From Narrating Dissidence to Post-Dissident Narratives of Democracy: Anti-totalitarianism, Politics of Memory and Culture Wars in East-Central Europe. In: Barša, P. – Hesová, Z. – Slačálek, O. (eds.), *Central European Culture Wars: Beyond Post-Communism and Populism.* Prague, Charles University 2021, pp. 28–83 and p. 76.

8 For this aspect of the populist revolt in the Central Europe of the 2010s see Barša, P. – Hesová, Z. – Slačálek, O., *Central European Culture Wars.*

9 Mudde, C., The Populist Zeitgeist. *Government and Opposition*, 39, 2004, No. 4, pp. 541–563.

that Babiš's participation in the Czech government (2013–2017) and his premiership (2017–2021) had to have undermined democracy in the Czech Republic.[10] As Radek Buben, Karel Kouba, and Ondřej Císař have convincingly shown, those claims have no empirical basis.[11] Such errors could have been avoided through the conceptual uncoupling of populism and national conservatism, which would have allowed for the differentiation of two types of actors in Central Europe in the 2010s: authoritarian national conservatives who *can* be but *need not* be populist and technocratic and civic populists who *can* be but *need not* be authoritarian.[12]

2. Urbinati's Concept of Populism

The upshot of the preceding section is that without an internally differentiated concept of populism, no meaningful analysis of the political turmoil in Central Europe in the 2010s can be done. In terms of such a framework, Urbinati's conception of populism occupies an ambiguous position;[13] it conceives of populism as a homogeneous and internally undifferentiated phenomenon, attributing the same features found in its nationalist and conservative varieties to its technocratic and civic varieties. This aligns her with the "democracy vs. populism" framework. However, by specifying populism as a challenge to *political* elites – rather than elites in general – and their *party oligarchies*, Urbinati, opens the door, albeit inadvertently, for a more inclusive and less Manichean concept of populism. An anti-establishmentarian revolt need not be linked to the defense of a particular national identity against globalization, as most movements of the 2010s usually identified as "populist" were.

10 Mounk, Y., The Czech Trump: Populists May Soon Rule Central Europe from the Baltic Sea to the Aegean. *Slate* 11. 10. 2017. Available online at www: https://slate.com/news-and-politics/2017/10/andrej-babis-the-czech-republic-has-a-trump-of-its-own.html [cit. 29. 5. 2023]; Vachudová, M. A., Ethnopopulism and Democratic Backsliding in Central Europe. *East European Politics*, 36, 2020, No. 3, pp. 318–340.

11 Buben, R. – Kouba, K., How Czech Democracy Defies the Illiberal Trend. *Current History*, 122, 2023, No. 842, pp. 108–114; Císař, O., *Civil Society Organizations under the Conditions of Managerial Populism: Much Ado about Nothing?*, not yet published.

12 An outline of this framework is presented in Barša, P. – Hesová, Z. – Slačálek, O., *Central European Culture Wars*, pp. 7–16, 325–334, as well as in a less academic form in Barša, P., *To Do Away with Populism.* Vienna, IWM. Available online: To Do Away with "Populism" – The New Republic of Letters [republic-of-letters.eu; cit. 29. 5. 2023]. For a more general context of this perspective see also Barša, P., Three Responses to the Rise of National Conservatism in the Central and Eastern Europe of the 2010s and the Legacy of 1989. In: Maslowski, N. – Torbicka, K. (eds.), *Contested Legacies of 1989: Geopolitics, Memories, and Societies in Central and Eastern Europe.* Berlin, Peter Lang 2022, pp. 167–186.

13 Urbinati, N., *Me the People: How Populism Transforms Democracy.* Cambridge, Harvard University Press 2019.

Such a revolt could also include movements that had a positive or neutral attitude towards globalization (or Europeanization): instead of an image of restored national sovereignty, they could conjure up an image of competent managers and virtuous citizens who should replace corrupt and incompetent politicians.

If Urbinati does not follow through on this possibility to enlarge and internally differentiate "populism", it is due to her a priori stigmatization of it as one of the three major disfigurations of democracy.[14] The other two are plebiscitarianism and unpolitical democracy: the former revolves around an active leader whose decisions are acclaimed (or rejected) by a passive and homogeneous public; the latter involves a tendency to replace the work of opinion (*doxa*) with knowledge (*episteme*), which can manifest itself both in technocracy and in "counter-democratic" civic activism, which, according to the tripartite scheme of Pierre Rosanvallon, "surveils", "impedes", and "judges" political power.[15] Although Urbinati points out that three disfigurations emerged in the earlier phases of the development of modern democracy, she focuses on their manifestations in the present times, which are characterized by the rise of what Bernard Manin calls "audience democracy": the last stage of the development of modern democracy – after the democracy of notables and party democracy.[16]

Urbinati specifies the relationship between populism and the other two disfigurations as follows. Populism, she states, meets plebiscitarianism in its stressing of an immediate and direct connection between a leader and the masses. Conceptually speaking, however, the two disfigurements differ. The current plebiscitarianism involves an everyday plebiscite (measured by continuous opinion polling and "likes" or "dislikes" registered on social media) in which a passive and undifferentiated audience either acclaims or rejects the leader, who communicates with it continuously through, for example, the TV screen or Twitter. A populist leader, on the other hand, cannot dispense with a more or less permanent mobilization of at least one part of his base. Despite this difference, plebiscitarianism and populism can empiri-

14 Urbinati, N., *Democracy Disfigured: Opinion, Truth, and the People.* Cambridge, Harvard University Press 2014.

15 Rosanvallon, P., *Counter-Democracy: Politics in an Age of Distrust.* Cambridge, Cambridge University Press 2008. For the analysis of the place "counter-democracy" occupies in Rosanvallon's general conception of the crisis of democracy see Barša, P., Democracy without the Demos: Rosanvallon's Decentering of Democratic Theory. In: Bíba, J. – Znoj, M. (eds.), A Crisis of Democracy and Representation. *Filosofický časopis – Philosophical Journal (Special Issue)*, 2017, No. 1, pp. 41–50.

16 Manin, B., *The Principles of Representative Government.* Cambridge, Cambridge University Press 1997.

cally merge. Populist leaders, for example, are very good at practicing everyday plebiscite via media and at transforming elections into acclamations of their power.

The relationship between populism and unpolitical democracy is delimited differently by Urbinati. The former is primarily characterized by a direct or "embodied" representation of the will of a particular people in a leader, whereas the latter tends to replace the collective decision-making process by the supposedly impartial expertise of technocrats or by the supposedly no less impartial surveillance, impediment, and judgments of civic activists. In this view, populism and unpolitical democracy are antithetical: The former emphasizes the collective *will*, the latter the scientific, legal, or moral *knowledge*. One politicizes the public sphere by encouraging the direct engagement of the people, while the other depoliticizes it by submitting it to the cognitive or moral criteria that are represented and defended by experts or *civic* activists (as opposed to *political* activists who advocate for their respective parties and ideological projects). Whereas the relationship between populism to plebiscitarianism is based on resemblance and empirical overlap, its relationship to technocracy and civic "counter-democracy" is based on difference and opposition. These two opposing forces come together only through an adversary reaction, when the excess of the one provokes the rise of the other.

In their 2015 article, Carlo Invernizzi-Accetti and Christopher J. Bickerton[17] noted that, although Urbinati underlines the differences between populism and unpolitical democracy, at a deeper level they can be seen as similar. Both challenge the political process, which is centred around parliaments and parties: both blame its intermediation and proceduralism for suspending immediacy and directness – be it that of the collective will, as expressed in a word or deed of the leader, or that of the judgment (scientific or moral) of a technocrat or civic activist. Jan-Werner Müller's conception of populism, to which Urbinati also refers, points to a related aspect of an agreement between populism and technocracy: both seek to replace an undecided contest of alternatives with a single, correct answer to a given problem. However, in the former case, it is provided by an expert's know-how, whereas in the latter by the unanimous will of the people.[18] According to Müller, this explains why one often paves the way for the other.

Urbinati agrees that rather than combining empirically, the similarity between populism and technocracy smooths their alternating. If both authors

17 Bickerton, Ch. J. – Invernizzi-Accetti, C., Populism and Technocracy: Opposites or complements? *Critical Review of International Social and Political Philosophy*, 20, 2017, No. 2, pp. 186–206 [online 2015, pp. 1–21].

18 Müller, J.-W., *Was ist Populismus?* Berlin, Suhrkamp 2016.

omit the possibility that the two could intersect in their aim of depoliticization, it is because they both tend to assign depoliticization to technocracy (and to Rosanvallonian "counter-democracy" in the case of Urbinati), whereas they see populism as a noxious attempt at re-politicization. This opinion is shared by two of the most prominent defenders of populism in contemporary Western political philosophy: Ernesto Laclau and Chantal Mouffe.[19] The opposite normative assessment of populism by the two former and two latter authors can be understood in light of their underlying analytical consensus regarding its primary function: what Müller and Urbinati deem to be a misguided form of re-politicization, Laclau and Mouffe consider to be the only way thereof.

I contend that a more comprehensive understanding of populism can be gained if we distance ourselves from the underlying consensus between the two sides of the dispute by allowing the possibility that populism can be an agent of de-politicization. The unanimous collective will, for instance, can merge with a fixed identity that excludes not only undesired "others" but the very political debate and democratic process in which the common will should have been elaborated. Once de-politicization is taken into account, one can push Müller's and Urbinati's acknowledgment of the similarity between populism and technocracy one step further: one may not only prepare the road for the other, but they can actually converge. Accetti and Bickerton highlighted this possibility in an article from 2018 and a book from 2021, in which they actualized the possibility opened up by their article from 2015, which was referred to positively by Urbinati.[20] In their view the similar features of technocracy and populism allow them to combine as too "parallel symptoms of a broader 'crisis' of democratic legitimacy. They therefore seem more likely to stand or fall *together* as characteristic features of European politics in the future."[21]

We can complement their diagnosis with the abovementioned "identitarian" potentiality of populism. The rise of populism is understandable by its capacity to combine not only with technocracy but also with identity politics. No matter what "European politics" looks like "in the future", the salience of technocratism – at present, anyway – goes hand in hand with that of nationalism. Populism can easily combine with both.

19 Laclau, E., *On Populist Reason.* London, Verso 2005; Mouffe, Ch., *For a Left Populism.* London, Verso 2018.

20 Bickerton, Ch. J. – Invernizzi-Accetti, C., "Techno-populism" as a new party family: The case of the Five Star Movement and Podemos. *Contemporary Italian Politics*, 10, 2018, No. 2, pp. 132–150; Bickerton, Ch. J. – Invernizzi-Accetti, C., *Technopopulism*.

21 Bickerton, Ch. J. – Invernizzi-Accetti, C., "Techno-populism" as a new party family.

3. Post-Ideological Anti-Establishmentarianism

Despite Urbinati's characterization of populism as a misguided attempt at re-politicization, she inadvertently points to a potentially de-politicizing aspect of populism by emphasizing its "anti-establishmentarianism". This specification of the elite as a political and administrative class linked to state institutions and their functioning gives more specificity to the notion that populism pits the "people" against the "elite". Nationalists mobilizing against globalization or Europeanization (as its regional variant) can thus easily portray that elite as uprooted cosmopolitans who want to replace homegrown national traditions with artificial transnational norms. The anti-establishmentarian posture, however, can be adopted not only by the politics of national identity but also by technocratic and civic forms of Rosanvallonian "counter-democracy". Moreover, anti-establishmentarianism can broaden the cultural and social pool on which the revolts of the "people" against the "elite" can draw. They need not appeal only to the plebeian segments of society but also to its educated middle-class segments. Members not only of economic elites but also of cultural and professional elites can become the supporters and spokespersons of such movements when they get the feeling that politicians have become a parasitic class whose incompetence and corruption suffocate their professional activities and society at large.

Despite Urbinati's intention, "anti-establishmentarianism" opens the door to an internally differentiated concept of populism that would make space for its technocratic and civic form(s), thereby also uncoupling it from a priori stigmatization as an anti-democratic phenomenon. However, she neutralizes this possibility with another feature that she attributes to populism: "factionalism". She characterizes it as a particularism – a posture of *pars pro parte* that goes against the principle *pars pro toto* on which democratic representation is based. The rhetoric of technopopulist movements, however, tends to be inclusive and universalistic. They are not factionalist or particularistic, at least no more so than other political movements.

This would exclude them from Urbinati's definition of populism, since she supposes a necessary link between anti-establishmentarianism and factionalism. More precisely, she depicts the latter as an implication of the former: populists represent the people *minus* the elite. Hence, they represent a part of the whole, not the whole through its part. To my mind, this generalization holds true for a populism based upon a culture war between the people rooted in their ethnonational identity and a cosmopolitan elite that supposedly tries to impose upon them global norms. Once the elite is defined primarily by identity, culture, or way of life, its members become the enemies of the people, which is defined by another identity, culture, or way of life. Such

a populism amounts, indeed, to an exclusionary movement that promotes one part of the society against the other and drops any pretence of universality in its definition of the common good.

I contend that there are populist movements that are not based primarily on identity politics and do not involve culture wars. Their definition of "the people" is more or less "civic" and, at least in principle, inclusive, and their definition of the elite is narrowly "political", i.e., in Urbinati's term, "anti-establishmentarian": the privileged few have illegitimately usurped political power that should belong to the representatives of the people. To get rid of this parasitic elite does not deprive its members of their equal rights as citizens but merely of their privileges, which set them apart from and above other citizens. The archetype of such a project was provided by Pierre-Emmanuel Sieyès's equivalence between the third estate and the French nation, in which the aristocratic estate was to be cancelled because it did not add anything to the wealth of the society but, on the contrary, subtracted one part of it for its own use. Its members, however, were to be transformed not into a group of pariahs, but rather into equal members of the nation. With the help of Urbinati's dichotomy, we can say that this inclusive kind of populism is on the side of a posture of *pars pro toto* rather than that of *pars pro parte*. When the political establishment is corrupt and incompetent – lacking any expertise for its tasks, harming society rather than contributing to its development, and relying on outdated ideological concepts – then civic populism can combine easily with a technocratic one.

Both aspects are encompassed in two distinct yet overlapping theoretical frameworks for populism that have been elaborated by Marco Deseriis, and Invernizzi-Accetti and Bickerton. The former author conceives of it as a Foucauldian "discursive formation", the latter two as a new "party family".[22] Both perspectives point to the Italian M5S and Spanish Podemos as the two most salient European examples of this kind of populism.

Deseriis identifies a distinct activist strand of technolibertarianism that is articulated with a populist critique of the political intermediaries, whereas Bickerton and Invernizzi-Accetti introduce a more general concept of populism that focuses on the public discourse of M5S and Podemos in the 2010s. While Deseriis perceives the core of this phenomenon as being associated with the new modes of social communication and organization associated with the internet and social media, Bickerton and Accetti subsume it under a larger umbrella of a new party family. Members of this party family replace a confrontation of *ideological* projects rooted in *values* with *pragmatic*

22 Deseriis, M., Technopopulism; Bickerton, Ch. J. – Invernizzi-Accetti, C., "Techno-populism" as a new party family.

solutions to the pre-given *problems*, i.e., solutions based on the knowledge of *facts* and *practical* experience of dealing with them.

The two authors argued that M5S, Podemos, and similar parties filled the void with policies that were no longer based on traditional ideologies, but instead pretended to solve current issues, one by one, in a piecemeal, business-like manner. They won over the public not by mobilizing passions but rather by having a supposedly fact-based approach to the questions of the public interest. Rather than deploying grand narratives, they focused on the technical reasons why public institutions did not work as they were supposed to. Their source of legitimation was not a particular ideology associated with a certain political tradition and social class, but rather scientific or technical knowledge, which was, however, presented as being in line with the common sense of ordinary people.

In the two countries of former Czechoslovakia over the last decade, various combinations of those arguments about professional competence, common sense, and digital democracy could be found in civic and technocratic populist parties or movements, such as VV (Public Affairs), ANO (Association of Unsatisfied Citizens), Pirates, and Million Moments for Democracy in the Czech Republic, and SaS (Freedom and Solidarity), OLANO (Ordinary People and Independent Personalities), and Za ludí (For the People) in Slovakia.

Urbinati extensively comments on both Podemos and M5S in her book on populism. If not for the names, however, one could easily get the impression that she is talking about completely different political movements than Deseriis, Invernizzi-Accetti, and Bickerton are talking about. One reason she emphasizes completely different aspects of the two movements is obvious. If she had focused on the elements pointed out by those three authors, it would have undermined her tripartite scheme of democracy's disfigurements. It would cast doubt on her construction of populism as a full-fledged alternative to unpolitical democracy. She associates the latter with a universalistic stance taken by the actors and movements who claim to be able to judge particular political projects from an impartial distance by applying either techno-scientific or moral criteria. This split of unpolitical democracy into an epistemocratic and civic wing corresponds to the differentiation of two aspects of movements such as M5S, Podemos, and Pirates in the Czech lands and For the People in Slovakia – their valuation of expertise on the one hand and of morally motivated civic activism on the other.

4. Me-the-People vs. Party Oligarchy

The elusiveness of Urbinati's take on M5S and Podemos have yet another and more general explanation, which I have already touched upon in the third part: she partakes of a widespread tendency to depict the populist upsurge of the last decade as a reaction against a technocratic depoliticization of government linked to the shift in decision-making in many important areas (e.g., economics) to the bodies of non-elected experts that operate at both national and supranational level. Populism is seen as a misguided and harmful attempt at re-politicization which pits the supposed will of the people, embodied and personalized by the leader, against the well-considered judgments of the knowledgeable elite; it tries to replace meritocratic oligarchy, which appeals to the competence and education of the few by the "peoplecracy" – the rule of the many who act on strong convictions concerning values and identity rather than on competence and education.[23] According to this characterization, a homogenized majority embodied by the leader opposes constitutionally ensured pluralism and the rights of individuals and minorities. This view tends to equate the populism of the 2010s as a whole with the national-conservative populist movements of that decade, which, indeed, had an undeniable anti-intellectualist and authoritarian bias.

Even parties such as Podemos and M5S, which obviously did not belong to that version, were associated with it by the mainstream media and academic observers, such as Urbinati. In her eyes, the main link between the two parties and national-populist movements was authoritarianism, which stemmed from the "me-the people" posturing of the leaders – their exclusive claim to represent the people against the alienated "casta" was supposed to be proof that they would necessarily slip into the dismantlement of constitutional democracy once they would gain power. That is because they, too, replaced the democratic *pars pro toto* principle with its *pars pro parte* alternative.

In the third part, I have made a case against this automatic disqualification of an "anti-casta" posture as an anti-pluralistic attitude by likening it to the Abbé Sieyès "anti-aristocracy" stance. The wisdom of hindsight allows us to add to this conceptual point an empirical falsification of Urbinati's claims from her book published in 2019. M5S was able to switch from an alliance with the Lega to an alliance with the Democratic Party, and Podemos entered the alliance with the Socialist Party in 2019. Against Urbinati's assumption, the two parties have proven their readiness to accept both coexistence

23 Diamanti, I. – Lazar, M., *Peoplecratie. La métamorphose de nos démocraties*. Paris, Gallimard 2019.

with more traditional parties within one government and the pluralistic constitutional framework. This fact does not exclude the possibility that, at some point, they might turn anti-pluralistic and authoritarian (in its alliance with the Lega, M5S tested this possibility). However, it prevents us from assigning them this tendency *a priori* as an ineluctable consequence of their populism, which is precisely what Urbinati does in her book.

This is not to deny their authoritarian potential nor the association thereof with a "me-the-people" kind of strongly personalized (or "embodied") representation, which is entailed in their attack on the oligarchical representation practiced by traditional political parties. No doubt, this is a problematic feature of the "leaderist" (as opposed to "leaderless")[24] variant of technopopulism. As Urbinati herself acknowledges, however, partisan democracy has its own problematic feature, namely the "iron law" of the emergence of party oligarchies. Her defence of partisan democracy takes for granted that the latter evil amounts to a lesser danger to democracy than the former one. But such a supposition is far from obvious. What appears more reasonable is to take the struggle and oscillation between the charismatic and personalized form of leadership and its oligarchical and institutionalized (Max Weber would say "routinized") form as a perennial internal feature of democracy, whereby it remains alive: by pushing the pendulum into opposite directions, the two evils balance and check each other, thus ensuring the continuation of the democratic game.

Even if we reject Urbinati's merger of technopopulists with national-populists, we have to concede that the former share with the latter the false promise of unmediated or direct representation, which would replace indirect representation mediated by party oligarchies. This promise has, indeed, a potential for authoritarianism and anti-pluralism and can lead to efforts to dismantle constitutional procedures, once its carriers get to power. It can, but it need not. Urbinati's theoretical rejection of the latter possibility has been falsified by recent developments of Italian and Spanish politics, which have provided still more proof (if any more was needed) that the matter is empirical, not theoretical: the question cannot be tackled *a priori*, but only *a posteriori*.

This claim has been born out also by the Czech and Slovak experience with technopopulist parties in power.[25] Andrej Babiš's transition from a junior partner in the government of Social-Democratic prime minister Bohuslav Sobotka from 2013–2017 saw an increase in his authoritarian tendencies in

24 For this distinction see Deseriis, M., Technopopulism.

25 For the argument that Babiš's participation in power did not lead to a "democratic backsliding" or an "illiberal turn" see Buben, R. – Kouba, K., How Czech Democracy Defies the Illiberal Trend.

the second stint of the government, when he became senior partner of the Social-Democrats and prime minister (2017–2021). This was as much the consequence of his populist "me-the-people" posture as of his efforts to defend himself against charges of having conflicts of interest and corruption. The growing danger of authoritarianism was also a consequence of his opportunistic alliance with Czech president Zeman, who, in the wake of the 2015 refugee crisis, became a full-fledged national-conservative populist. The crisis had a similar effect on Babiš, although the nationalistic xenophobia of his party was not any greater than that of the Civic Democratic Party, which was an established post-communist political force (and was thus not seen as a threat to democracy by mainstream academics and the media). Despite an increase in Babiš's authoritarian tendencies in the final years of his premiership, the Czech constitutional system survived undamaged.

Setting aside the short-lived appearance of the Public Affairs (VV) party in the Czech Parliament from 2010–2013, two other technopopulist parties gained representation in the 2010s: STAN (Mayors and Independents) in 2010 and Pirates in 2017. The latter has been the least xenophobic and eurosceptical and the most culturally pluralist pole of the five-party coalition government led by the Civic Democratic Party (ODS), which replaced that of Babiš in January 2022. Due to the technolibertarian legacy, the authoritarian potential of the Czech Pirates is no more significant than with any other mainstream party in the Czech parliament. Its leader, Ivan Bartoš, with his dreadlock hairstyle, can hardly pretend to directly "embody" the Czech majority. STAN, which also participates in the government, lacks a strong "me-the-people" leader too.

The government of Slovakia, which was formed in March 2020, consisted of four more or less populist parties. It could be blamed for many mistakes and erratic moves, but not for an attempt to overthrow the constitutional regime and establish an authoritarian rule. Igor Matovič, who served as its prime minister in the first year before transferring to the finance ministry in spring 2021, was an almost pure type of a "me-the-people" leader. He caused many problems but arguably no more than any other problematic politician of this kind from a more traditional party.

Conclusion

This article has criticized a tendency to associate the rise of populism in the last decade with authoritarian and xenophobic leaders and movements and to elude those that have challenged the established political elites from the centrist position without necessarily holding a bias against democracy, globalism, or European integration. I have shown that those other challeng-

ers usually contain a combination of the features of two ideal subtypes of populism, which we can call "technocratic" and "civic". Without taking into account those subtypes, we cannot understand the turmoil caused by the rise of populism in the Visegrad countries in the 2010s. The political status quo established in them in the 1990s and 2000s was attacked by national-conservative populism on the one hand, and by technocratic and civic populism (usually mixed into one movement whose nature depended on the relative weight of the two elements) on the other. If the first kind of populism marked its greatest successes in Hungary and Poland, the latter two were politically successful in the Czech and Slovak Republics.

I have shown that Nadia Urbinati's conception of populism occupies an ambiguous position vis-à-vis the proposed revision of the conceptual framework. For one thing, she expresses the criticized view by perceiving the turmoil of the last decade through the prism of "democracy vs. populism" and categorizing all populists as enemies of the democratic order. At the same time, she indirectly opens up the door to the alternative perspective by emphasizing anti-establishmentarian and anti-partisan bias of populism. If we add an anti-ideological bias, a space has been cleared for a kind of populism that wants to transcend party oligarchies and classical ideologies but does not attack liberal democracy.

I have followed Deseriis, Invernizzi-Acceti, and Bickerton in acknowledging the emergence of distinctly technocratic populism, to which, regarding the context of the Czech and Slovak Republics, I added civic populism, whose leading paragon was Václav Havel, the founding father of the post-communist Czechoslovakia from which they both emerged in 1993. I have followed Urbinati, Invernizzi-Accetti, and Bickerton in acknowledging the dangers that follow from the populist promise of a non-mediated or embodied representation of the people in and by the leader. I have rejected, however, their Manichean tendency to overestimate the threat to democracy posed by this direct (or embodied) representation and to underestimate the threat thereto posed by the mediated representation provided by traditional political parties. I have instead argued that the evils of party oligarchies that haunt the latter kind of representation can be as dangerous to democracy as a "me-the-people" posture of populist leaders and that these two evils can be seen as checking and neutralizing each other. More generally, I have reversed the usual view of populism as a movement of re-politicization, and I have instead begun to regard it as the opposite. This has allowed me to conceive of the two main incarnations of the populism of the 2010s (i.e., national conservatism and civic technopopulism) as related to two broad de-politicization trends of the past fifty years: identity politics on the one hand and Rosanvallonian "counter-democracy" (or Urbinati's "unpolitical democracy") on the other.

Transformations of Democracy and the Problem of Wealth: Some Remarks on Oligarchy and the Czech Case*

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Abstract:
There are many signs that our democracies are undergoing a transformation: populism, an erosion of civic participation in political parties, to replace citizens' decision-making with expert knowledge, and the growing power of super-wealthy people. Urbinati grasps these problems in terms of three phenomena: technocratic depoliticisation, populism, and plebiscitarianism. This article argues that the central issue in contemporary democracies is wealth and inequality, and that is why we need a fully developed concept of oligarchy. Although Urbinati tries to take oligarchy into account, she does so mainly in relation to media ownership. This article considers oligarchy as a phenomenon typical for the contemporary era, and analyses it in the context of the development of Czech society during the last decade. The article adapts Jeffrey A. Winters' oligarchy theory to the Czech context, effectively connecting political and societal spheres. Finally, the article suggests that only a re-conceptualised theory of democracy enriched by the theory of oligarchy can provide an effective starting point for addressing the pitfalls of the transformations of democracy.

Keywords: Czech Republic; democracy; economic inequality; media ownership; oligarchy; opinion formation

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Today populism, the rise of wealthy politicians in many countries, the erosion of civic participation within political parties, and the tendency to exclude citizens from decision-making in favour of experts, may be regarded as manifestations of democracy's malaise. There are many signs that our democracies are undergoing profound change. The most visible aspect of this transition in the Czech Republic is probably the success of Czech billionaire Andrej Babiš and his political movement ANO 2011 (English: YES 2011) and the rise of right-wing populist tendencies associated with nationalism, anti-immigrant and anti-elitist rhetoric.[1] The growing power of the very rich (plutocrats or oligarchs) in the political sphere seems to be an essential aspect of these changes, and can be characterised as the problem of wealth. This paper suggests that the oligarchical order of modern society is crucial for understanding contemporary politics and societal processes.

The paper's primary purpose is to offer an interconnected analysis of the phenomenon of wealth in democracy from two partially distinct perspectives. The first is political theory, and the second is political sociology and political science. Hence the paper aims to analyse the problem against the background of the theory of transformed democracy and the theory of oligarchy. It employs both Urbinati's *theory of disfigured democracy* and Jeffrey Winters' *theory of oligarchy*, adapted to Czech society. The focus is on the context of Czech politics from 2013 to the present day. Czech society is an excellent example of the growing influence of super-wealthy people in politics for several reasons. First, Czechia is a relatively equal society in the distribution of income, but is relatively unequal in wealth (as will be shown below).[2] Second, the economic elite formed after the Velvet Revolution is relatively stable, and in the last decade some members of this social stratum – the super-wealthy[3] – have tried to shape Czech politics directly. Thus Czechia represents an outstanding example of a newly reshaped democracy (after the 1990s), which is now experiencing transformations in democracy.

1 The most potent populistic political subject in the Czech Republic is the party *Svoboda a přímá demokracie* (SPD; English: *Freedom and Direct Democracy*) led by Tomio Okamura. Cf. *Timbro Authoritarian Populism Index.* Stockholm, Timbro 2019, p. 22.

2 For example cf. Komárek, J., *Wealth Inequality in the Czech Republic.* Praha, PAQ Research 2021. Available online at www: https://drive.google.com/file/d/1eCt-Y216ynSaRcYVudAIum1_goCFW1w_/view [cit. 29. 5. 2023].

3 According to Branko Milanović's attitude, the super-wealthy individuals' list (based on Forbes list) "… includes in 2013 and 2014 about 1,500 individuals who together with their families represent one-hundredth of one-hundredth of one percent of the world population (yes, it is 1 percent of 1 percent of 1 percent)." Milanović, B., *Global Inequality: A New Approach for the Age of Globalization.* Cambridge – London, Belknap Press of Harvard University Press 2016, p. 37. In the Czech context, this means calculating with the top of Czech billionaires: ten or fifteen in maximum.

The general aim of this text is to enrich Urbinati's position by highlighting the significance of the role of wealthy people in the analysis of politics. In the first section of the article, different views on the current state of democracy are summarised. The paper considers several empirical indexes of democracy and different approaches to the problem, from the *crisis thesis* to Urbinati's theory of the metamorphosis of democracy. It argues that rising inequality and the influence of super-wealthy people in politics constitute a serious threat to democracy. The second part of the paper turns to the question of the most appropriate theoretical model for grasping the rise of super-wealthy people and their political influence. It looks at concepts of elites and oligarchy, or plutocracy. I suggest that Jeffrey A. Winters' theory of oligarchy provides the most useful model for understanding the role of super-wealthy people in politics. Furthermore, analysis of oligarchs as individuals is highly compatible with the class analysis of modern society, and supplements it. The paper's third section is devoted to the methodological specification of the application of Jeffrey Winters' theory of oligarchy to contemporary political and social processes in the Czech Republic. This section also briefly introduces empirical analysis of Czech oligarchs and their impact on politics and society from 2013 onwards. The last section (conclusion) deals with the theoretical consequences of these findings for a proper understanding of changes in democracy, especially in the Czech Republic. Hence, the paper combines different spheres of analysis: political theory and empirical analysis of politics (political science and political sociology).

1. Crisis or Transformations of Democracy: Urbinati's Diarchic Theory of Democracy

Democracy is today the most widespread global political system.[4] But in recent decades contemporary democratic societies (especially the European and North American countries) have faced a number of phenomena in the political sphere that suggest ongoing change in democracy and politics. After the series of political revolutions and social changes in the 1990s, when some believed that democracy was becoming the universal form of political system, contemporary societies have started to face disruptions of democratic stability. The German political scientist Wolfgang Merkel distinguish-

4 According to *Democracy Index 2020*, almost half (49.4 %) of all humanity lives under full or flawed democracy. Cf. *Democracy Index 2020. In Sickness and in Health?* London, The Economist Intelligence Unit 2021, p. 3. Available online at www: https://www.eiu.com/n/campaigns/democracy-index-2020/ [cit. 29. 5. 2023].

es three analytical approaches to the presumed disruptions of democracy: use of indexes of the quality of democracy, mass surveys of public opinion, and finally, empirical analyses of components of democracy.[5] In the following section I concentrate only on the first two.

As suggested by scholars who create democratic indexes, strictly speaking there is no crisis of democracy. For example, the US nongovernmental organisation Freedom House measures democratic governance in 29 countries (the Czech Republic included) based on expert knowledge. The primary tool is the *Democracy Score* using a scale from 1 to 7, with 7 representing the highest level of democracy.[6] It seems there have been no extensive changes in stabilised democracies across the world for the last three decades.[7] According to the Democracy Score, the Czech Republic is among the consolidated democracies, although there has been a certain minor decline in its rating from 5.79 (in 2015) to 5.64 in 2020.[8] For comparison, however, the *Democracy Index* (compiled by the Economist Intelligence Unit, the research division of the Economist Group) shows a persistent trend of deterioration in the quality of democracy almost everywhere in the world. The value of the Democracy Index for the world was 5.52 in 2006, but 5.37 in 2020.[9]

There are other indicators of democracy not based on expert knowledge. One example is the *Democracy Barometer*, an index that measures the quality of democracy against three basic principles: freedom, equality, and power control.[10] In 2017 the highest DQ rating (which is the final index of the quality of democracy) in 2017 was that of Switzerland (4.41), and the lowest that of Turkey (3.10). In the last decades, it has shown a mild decrease in general. The DQ for the Czech Republic in 2017 was 3.83, and the mean for the period from 1993 to 2017 was 3.76 (with the lowest value in 2005).

5 Merkel, W., Is There a Crisis of Democracy? *Democratic Theory*, 1, 2014, No. 2, pp. 11–25.

6 The last published edition involved over 125 analysts and nearly 40 advisers for evaluation. Cf. *Freedom in the World 2021 Methodology*. Washington, Freedom House 2021, p. 2. Available online at www: https://freedomhouse.org/sites/default/files/2021-02/FreedomInTheWorld_2021_Methodology_Checklist_of_Questions.pdf [cit. 29. 5. 2023].

7 Merkel, W., Is There a Crisis of Democracy?, pp. 18–19.

8 Bartovic, L., *Nations in Transit 2020.* Czech Republic, Freedom House 2021. Available online at www: https://freedomhouse.org/country/czech-republic/nations-transit/2020 [cit. 29. 5. 2023].

9 Like the Democracy Score, the Democracy Index is based mainly on expert assessments. It takes a value from 0 to 10. It differentiates four types of democracy: full democracies, flawed democracies, hybrid regimes, and authoritarian regimes. Cf. *Democracy Index 2020. In Sickness and in Health?*

10 "The Democracy Barometer is based on a middle-range concept of democracy, embracing liberal as well as participatory ideas of democracy, which illuminate the phenomenon from different perspectives." Engler, S. – et al., *Democracy Barometer. Codebook. Version 7*. Aarau, Zentrum der Demokratie 2020, p. 6. According to this approach, a good democracy should establish a balance between equality and freedom. The power control is the tool for the maintenance of this balance.

To sum up, some indicators of democracy have not changed dramatically for the well-established democracies (like France or Germany). Specific changes in participation and representation have nonetheless been observable even in these countries. In particular, while the representation of women and minorities has risen, "[e]specially the lower social classes increasingly abstain from political participation and do, for instance, participate less in general elections."[11] The Czech Republic appears to be a comparatively stable country with a relatively average quality of democracy. All the same, as I intend to demonstrate later, the problem with the abstention of lower social classes from politics also affects the Czech Republic.

Another option for examining the question of changes in democracy is mass survey. This enables us to evaluate the level of trust in political institutions. The EU surveys published by Eurobarometer have been showing the stability of level of trust in core political institutions (parties, parliaments, governments) since the 1970s,[12] and this trust is relatively low. According to the Report published by Eurobarometer in 2020, we can see a moderately low trust in political institutions ranging from 23 % (trust in political parties) to 40 % (trust in governments).[13] One way to interpret this phenomenon is that the data might indicate relatively low trust in the political (democratic) system. However, this does not necessarily imply a rejection of the system. The fact is that Czech citizens, like in most Eastern and Central European countries, express relatively lower trust in the government (40 %), the national parliament (27 %), and political parties (only 17 %) than is the average of the EU (except for trust in government where the number is the same).

According to the Czech Public Opinion Research Centre (CVVM), the proportion of citizens showing distrust in the government of the Czech Republic has been higher than the proportion showing trust for the whole period since 1998, with just several episodes when the reverse was true.[14] The situation is worse in the case of the Chamber of Deputies (the lower house of parliament) where the level of distrust has been higher than trust continuously since 1993 (with the only exception in July 1996). The highest level of trust in the chamber was in November 2002, when it reached 40.2 %. On the other hand, distrust for the Senate of the Czech Republic (the second house of the Czech parliament) has dominated since January 1997.[15] These findings

11 Merkel, W., Is There a Crisis of Democracy?, p. 19.

12 Ibid, p. 19.

13 *Public Opinion in the European Union. Standard Eurobarometer 93*. European Union, The European Commission, Directorate-General for Communication 2020.

14 I.e., two months in 1998, from September 2002 to January 2003, from June 2009 to May 2010, October 2014, and October 2019.

15 *Time Series of Selected Questions from The 'Czech Society' Survey.* Prague, Public Opinion Research Center (CVVM), 2020. Available online at www: https://cvvmapp.soc.cas.cz/ [cit. 29. 5. 2023].

show that trust in the central political institutions in the Czech Republic is not very high, but it is doubtful to see them as proof that democracy in the Czech Republic (and in general) is in crisis. Nevertheless, for Roberto Foa and Yasha Mounk, these kinds of finding do indeed suggest that liberal democracies in Western or Atlantic states face a severe and profound structural crisis.[16] Yasha Mounk, in his insightful analysis of liberal democracy in recent decades even argues that "…liberal democracy is now decomposing into its component parts, giving rise to illiberal democracy on the one side and undemocratic liberalism on the other."[17] Mounk links illiberal democracy with the rise of populism and undemocratic liberalism with the tendency of elites to govern without public consent.

It is in fact difficult wholly to accept or wholly to reject the theory of the crisis of democracy. Western democracy certainly seems to be experiencing some alterations, but I believe that the most promising way of understanding these trends is via the concept of transformations of democracy. Nadia Urbinati's theory of democracy as a diarchy builds on a very similar understanding of the current dynamics in democracy. For example, Urbinati sees populism as a post-fascist reductive version of democracy, but not as a form of destruction of democracy.[18] The concept of transformations of democracy is a good fit with her conception of disfiguration of democracy.[19]

In the analysis of the dynamics of democracy, Urbinati prefers Bernard Manin's concept of a metamorphosis of representative government.[20] Manin argues that changes in a democracy are related mainly to two of the four principles of the representative system: that those who are governed have freedom of expression, and that political decisions are public and submitted to public deliberation (the other two principles are elections for the selection of rulers and a certain independence of those elected). These two principles are precisely the areas of the transformations of the democratic body described above: the decline of trust in political parties and, in general, low levels of trust in representative forms of politics. In short, the political par-

16 Foa, R. S. – Mounk, Y., The Danger of Deconsolidation: The Democratic Disconnect. *Journal of Democracy*, 27, 2016. No. 3, pp. 5–17. To identify the disruptive forces in democracy, they analyse data from the Worlds Values Survey from 1995 to 2004. On this basis, they observe two complementary tendencies: withdrawal from democratic institutions and rising support for authoritarian alternatives.

17 Mounk, Y., *The People vs. Democracy. Why Our Freedom Is in Danger and How to Save It*. Cambridge, Harvard University Press 2018, p. 20.

18 Urbinati, N., *Me the People. How Populism Transforms Democracy*. Cambridge, Harvard University Press 2019.

19 Finchelstein, F. – Urbinati, N., On Populism and Democracy. *Populism*, 1, 2018, No. 1, pp. 15–37.

20 Urbinati, N., Reflections on the Meaning of the 'Crisis of Democracy'. *Democratic Theory*, 3, 2016, No. 1, pp. 21–26.

ties and their mediating function between government and the people are in decline. This is manifest in the growth of leadership in politics (the personalisation of politics) and is leading to what can be termed *audience democracy*.[21]

Urbinati connects her theory with empirically detectable processes in contemporary politics and society. She analyses contemporary dynamics in the political sphere as three types of disfiguration: the epistemic and unpolitical directions of deliberation, populism, and the plebiscite of the audience.[22] In addition, Urbinati uses a diarchical conception of democracy based on the identification of two corresponding kinds of power. The first is (political) *will*, which refers to elections, institutions, and the political frame. The second kind of power is *opinion* based on public reason and political judgment, not on institutions of political order. These two kinds of power are separate but still very close to each other.

The disfigurations mentioned above (sometimes viewed as manifestations of the crisis of democracy) relate to the distortion of the sphere of *opinion*. For example, what Urbinati calls the unpolitical democracy of experts refers to the effort to bring rationality and knowledge into the heart of democratic decision-making by neglecting democratic procedures in the course of the search for truth (democratic Platonism). The idea of the intellectual elite (or experts) as a suitable body of government prevails in unpolitical democracy,[23] and is the essence of this type of disfiguration of democracy. Populism is the form of disfiguration based on the strategy of the use of opinion to unify people as an alleged single and indivisible body. Finally, plebiscitarianism as the third type of disfiguration involves the fabricating of the opinion content presented to the people in the form of political images. Communication experts and the media in general are responsible for forming this content.

Urbinati's theory is also grounded in a procedural conception of democracy, emphasising the normative character of proceduralism. Democratic procedures are a sufficient (and, in fact, the best) tool for ensuring a stable and peaceful society and equal political rights, i.e. political liberty. For Urbinati, procedural democracy is therefore the companion of liberalism: liberal values are inherently connected with democracy. "Grounded on opinion pluralism and vote-counting, democracy entails the open expression of dissenting views and the existence of a majority–minority divide – it thus entails civil

21 Manin, B., *The Principles of Representative Government*. Cambridge, Cambridge University Press 1997, pp. 193–235.

22 Urbinati, N., *Democracy Disfigured: Opinion, Truth, and the People*. Cambridge, Harvard University Press 2014.

23 Urbinati, N., Unpolitical Democracy. *Political Theory*, 38, 2010, No. 1, pp. 65–92.

and political rights."[24] These add *isegoria* (the equal opportunity to be heard, in short equal political rights) to *isonomia* (the right to vote). Equal political rights are implicit in democratic procedures. "The democratic process can thus open the door to an endless process of democratisation as contestation against new forms of unequal distribution of power."[25] Fully acknowledged political rights are the very foundation of democracy itself. An inclusive democratic process is a tool for assuring equal liberty to all citizens. According to Urbinati (and Maria Paula Saffon), procedural democracy is both liberal and egalitarian at the same time. It integrates citizens into the social body through the system of political, civic, and social rights, making these rights the preconditions of their participation in democratic processes. It is therefore difficult to imagine a society that is both democratic (in this sense) and at the same time in any way significantly unequal (in the economic sense) because severe economic inequality would be a real obstacle to the participation of the poorer in democratic processes. All the same, according to Urbinati, "…proceduralist democracy is inherently liberal and egalitarian; its foundational value and guiding principle is equal liberty – the equal opportunity to express one's voice in politics, and the equal weight given to that voice in decision making."[26] My view is that democracy (specifically democratic procedures) demands a more egalitarian society with tangible outcomes. On the other hand, proponents of proceduralist democracy, such as Urbinati, believe that the goal of these procedures is linked only to political equality.

Urbinati's conception is normatively proceduralist because for her the principal value of proceduralism lies in its relationship to citizens' self-government. She agrees with the minimalists (such as Adam Przeworski) that the proper conception of democracy should refer only to procedures, not to results. On the other hand, while the minimalists are content with the claim that democracy conceived in this way prevents violence and leads to peaceful resolution of conflicts, Urbinati emphasises that it also protects *equal liberty*. This is the normative aspect of her proceduralism. In other words, what distinguishes this notion of proceduralism from that of the minimalists is precisely the emphasis on citizens' self-government. Liberal principles should thus be inseparable from democracy. Political equality gives democracy its proper figure. Contemporary disfigurations disturb democracy's figure, but while disfigured, it does not cease to be democracy. According to Urbinati,

24 Saffon, M. P. – Urbinati, N., Procedural Democracy, the Bulwark of Equal Liberty. *Political Theory*, 41, 2013, No. 3, p. 456.
25 Ibid., p. 458.
26 Ibid., p. 460.

then, political equality embodied in democratic procedures in all spheres of democracy (not just in the sphere of institutional order) is the guarantee of a stable and well-ordered society.

The equal distribution of political power is, according to Urbinati, the most promising tool for controlling power itself. To her normative arguments Urbinati adds some suggestions for improving the state of democracy, offering at least three guidelines "…for maintaining and protecting democracy's diarchic figure."[27] The first is the suppression of opacity in the process of interdependence between representatives and citizens. The second is the reduction and regulation of the use of private resources in political campaigning. The third is the protection of pluralism of information from the power of political majorities and potentates. Nadia Urbinati also mentions the problem of the relationship between rich and poor in politics, or in other words the problem of oligarchy, but in a very general way. In her book *Pochi contro molti* (2020), she worked with the image of the political struggle of the few against the many. On this occasion, she noted that the few are much more politically aware than the many.[28]

The question nonetheless remains: why do super-wealthy people have such immense political power in contemporary democracies? I believe this question should be asked the other way around: why do so many poor people remain almost powerless under these circumstances? The question is essential because democratic indices and other instruments do not offer clear evidence of a significant crisis of democracy. At this point, it might be objected that the theory of proceduralism – which is, in fact, the content of Urbinati's theory – cannot be criticised for the workings of actual existing democracies. In other words, the theory of proceduralism simply cannot be subject to the same objections that we justly raise against a specific liberal-democratic practice. Urbinati could always easily defend her theory by arguing that proceduralism has not been sufficiently applied in these cases and that this is the main reason why problems persist. My argument here does not therefore challenge the very idea of proceduralism but I only point out what I consider essential to emphasise or add in the context of the "proceduralist idea". In my opinion, Urbinati does not give the problem of wealth and oligarchy (plutocracy) the weight that it deserves.

Back to the question mentioned above: Why do so many poor people remain almost powerless under these circumstances? (Or why do super-wealthy people have such immense political power in liberal democracies?)

27 Urbinati, N., *Democracy Disfigured*, p. 239.

28 Urbinati, N., *Pochi contro molti. Il conflitto politico nel XXI secolo*. Bari – Roma, Editori Laterza 2020.

From the point of view of Urbinati's diarchic understanding of democracy, the significant influence of wealthy people in politics (in contradistinction to the influence of the poor) manifests itself in the sphere of opinion. The most obvious form of this influence is media ownership and the functioning of the media world itself. The ability to be heard is not the same for wealthy people and poor people. That is probably why for Urbinati the media constitute the primary terrain where the democratic process must be improved by limitation of the power of wealthier social groups. The improvement would be ensured by a better concept and practice of public ownership of media and the restriction of media ownership by super-wealthy people.[29] This is not, however, the only way in which super-wealthy people influence politics. I address this topic in the context of Czech realities below.

Besides all this, I believe we can speak of an inner disfiguration embodied in normative proceduralism. The source of this inner disfiguration is that proceduralism does not provide reliable and unconditional social and economic mechanisms to ensure the fulfilment of democracy's promise for everyone. The main problem of current trends in democracies may be less democratic Platonism, populism, or plebiscitarianism than the absence of solid foundations for social engagement. I believe this problem needs to be approached on the basis of an understanding of oligarchy (or plutocracy) ground in political science and political sociology. This is where political theory interacts with political sociology. Furthermore, I believe that the findings of political science and political sociology could be crucial for political theory in some cases. In short, I suggest that empirical facts could (and should) provide limits to our normative thinking.

2. Plutocracy: Elites or Oligarchy?

Our task is to sociologically analyse the contemporary dynamics of transformations of democracy in the political sphere. To do so, we can build on a set of relevant theories and conceptions: the theory of economic elites, or theory of oligarchy and related empirical approaches. Before approaching this task, however, I must mention some findings concerning wealthy people in general and in Czech society in particular, because knowledge of the empirical context is essential to my argument.

There have been several recent studies of the relationship between wealth and the growth of inequality. For example, Branko Milanović has found a specific pattern in the growth of inequality over the last decades (on the global

29 Urbinati, N., *Democracy Disfigured*, pp. 53–59.

level). Quite a large group of people (approximately 50 % of the world population) has benefited from significant economic growth. They include people from booming Asian economies (mainly China). By contrast, in Western societies over the last thirty years, the middle stratum, while still relatively wealthy by global standards, has experienced a decline in economic growth. In other words, the middle classes in economically strong countries like the USA or the EU countries have gained less than in previous periods. The social group whose wealth has been growing very rapidly indeed is that of the super-rich – the global plutocrats or the Top 1%.[30] The global wealth share of the Top 1% of the wealthiest people in the World is now approximately 46 %. According to Milanović, we should look in detail at the super-wealthy because there are significant differences between subgroups from the Top 1%. In 2013 there were just 735 bi-billionaires (with a wealth of $ 2.25 billion in 1983 prices).[31] This is a minuscule group, but its members have incredible economic power, which most of them use in politics, i.e. global plutocrats.

How should we conceptualise this group of the super-wealthy individuals? One possibility is to dust off the idea of elites. Various classical theories of elites have been developed since the 19th Century as part of attempts to understand aspects of modernisation that emphasise power relations and social hierarchies. The classics of elite theory include Gaetano Mosca, Vilfredo Pareto and Robert Michels, but during the 20th Century, the conceptual category of elites was used for critical analyses of social structure or division of power. For example, C. Wright Mills offered a study of the American power elite,[32] and G. William Domhoff used the concept of the elite to research the US upper elite.[33] The contemporary context of elite studies is intellectually even broader. According to Shamus Rahman Khan, "…we can think of elites as occupying a position that provides them with access and control or as possessing resources that advantage them – the difference is in our unit of analysis (individuals or the structure of relations)."[34] One widely employed approach to elites today is the theory of performance-based positional or functional elites. Sociologists analyse the elites as specific groups in media, politics, administration, business, judiciary, military, or trade unions.[35]

None of these approaches are wholly suitable for the understanding of the importance of super-wealthy individuals, because in their case we are talking

30 Milanović, B., *Global Inequality*, pp. 36–45.
31 In 2013, there were 1,426 people on Earth with a wealth of over $ 1 billion.
32 Wright Mills, C., *The Power Elite*. Oxford, Oxford University Press 1956.
33 Domhoff, G. W., *Who Rules America? Power, Politics, and Social Change*. New York, McGraw-Hill 2006.
34 Khan, S. R., The Sociology of Elites. *Annual Review of Sociology*, 38, 2012, No. 1, p. 362.
35 Hartmann, M., *The Sociology of Elites*. London – New York, Routledge 2007.

about at most a few thousand people in the world. The general orientation of these sociological approaches is analytically helpful, but because the group of super-wealthy people is tiny and relatively closed (making it hard to analyse directly), a more individualistic methodological approach is required. I prefer the approach offered by *oligarchy theory* as developed by Jeffrey A. Winters.

Winters' theory of oligarchy[36] offers a unique approach to the description and analysis of an essential part of political life that he believes has eluded both sociological class analysis and study in terms of classical political science. Winters' starting point is that wealth and its concentration have in practice been considered almost untouchable in various political and economic systems.[37] Of course, the legitimacy of wealth and property has been questioned numerous times throughout history, but never for a significantly long period. Unlike citizenship, slavery, racial discrimination, or gender, questioning wealth has so far not been a sustained primary theme in the struggle of the poor or less affluent against super-wealthy people. In this context, Winters argues that "… massive personal wealth is an extreme form of social and political power imbalance that, despite significant advances in recent centuries on other fronts of injustice, has managed since antiquity to remain ideologically constructed as unjust to correct."[38] Winters' approach focuses primarily on key actors – oligarchs – that possess economic and material resources with political consequences for the functioning of the whole society. 'Wealth defense' is the central motivation of oligarchs' behaviour and forms the foundation for their ideology.

Winters' conception differs from the classic theories of oligarchy. Authors using the term oligarchy have followed Aristotle in focusing mainly on understanding oligarchy as a form of governance.[39] This means that they have taken a collectively orientated point of view of the role of super-wealthy peo-

36 Winters, J. A., *Oligarchy*. Cambridge, Cambridge University Press 2011. For analysis of US oligarchy cf. Winters, J. A. – Page, B. I., Oligarchy in the United States? *Perspectives on Politics*, 7, 2009, No. 4, pp. 731–751; for analysis of Indonesian oligarchy cf. Winters, J. A., Oligarchy and Democracy in Indonesia. *Indonesia*, 96, 2013, pp. 11–33. For analysis of oligarchy in a broader sense as a problem of the relation between politics and wealth cf. Winters, J. A., Wealth Defense and the Complicity of Liberal Democracy. In: Knight, J. – Schwartzberg, M. (eds.), *Wealth: NOMOS LVIII, vol. 58.* New York, New York University Press 2017, pp. 158–225.

37 The significant point of Winters's theory of oligarchy is that it is a materialist theory. According to Winters, the influence of property and wealth is key to a particular individual's position and power in politics. Thus, one essential aspect of this theory is that it is not a strong theory in the sense that it could contradict general theories of democracy or even Marxian/Weberian analyses of social structure. Quite the opposite, it complements these theories and points to certain elements that these theories cannot identify and describe.

38 Winters, J. A., *Oligarchy*, p. 4.

39 Coincidentally, it is Nadia Urbinati who is the author of the entry on 'oligarchy' in the *Encyclopedia of Political Theory*, where she claims y that "[s]ince its inception, the term has referred

ple in politics. In his approach, Winters emphasises the individual, but he stresses that his theory and analytical methodology do not conflict with either Marxism (because he analyses different aspects of power) or democracy itself (neither its practice nor democratic theory). Instead, Winters points out that under democratic conditions, modern capitalist society has created (due to its level of production) unique conditions for the concentration of property and wealth. Thus, he builds on a material inequality analysis, which he sees as the basis for a power imbalance. As Winters sees it, the coexistence of democracy and oligarchy is fragile, founded on the need for the lower strata to accept the legitimacy of the given distribution of power and, in particular, economic inequality. In order to discuss this subject more analytically, Winters uses the term 'power resources'.[40]

The concept of power resources directs attention to the ability to take advantage of power from the individual's perspective. Winters does not study the way power functions. Instead, he claims that power functions both consciously and unconsciously, that power relates to culture and that its performance is bound to social structure. None of this, however, plays a vital role from the perspective of the theory of oligarchy. The main point is that, according to Winters, we can construct an individual power profile as a theoretical, heuristic device potentially enabling us to rank all members of society according to this. In this context, he identifies five power resources: formal political rights,[41] official positions,[42] coercive power,[43] mobilisational power,[44] and material power.

particularly to the determination of a social class to acquire political power in order to further its own interests and so implied not simply a government by the few, but rule by and for the few." Urbinati, N., Oligarchy. In: Bevir, M. (ed.), *Encyclopedia of Political Theory*. Los Angeles – London – New Delhi – Singapore – Washington, Sage 2010, p. 984.

40 Winters, J. A., *Oligarchy*, pp. 11–20.

41 Formal political rights correspond to the Western liberal freedoms that emerged during modernisation in the 19th and 20th centuries. However, human societies have witnessed various forms of exclusion throughout history based on race, ethnicity, nationality, or gender. The introduction and development of liberal rights are a reaction to the frequent social struggles during modernity.

42 Power based on official positions reflects the function or office that an individual holds. It can include decision-making functions in government, important organisations (secular or religious), corporations, etc. In modern society, these are entities that function based on rules and involve a certain level of meritocracy. However, their functioning is influenced by the possibility of financing (for instance, from public budgets) and their networks of operations and individuals. A central characteristic of modern society is that power that comes from such positions in society is not owned but is held for a certain period of time. This form of power naturally relates to oligarchs as well, but it is far more the domain of economic, political, or cultural elites. Since this power is more or less conditioned and temporary, it does not form one of the core criteria of Winters's theory. Nevertheless, what is essential for my analysis is the extent to which political elites such as key figures from the political parties (to take one example) contribute to creating policies favourable to oligarchs.

From the perspective of an analysis of oligarchy, the most important form of power is *material power*. This power is directly (about) wealth. According to Winters, wealth and property are the essence of oligarchy, for it is through them that oligarchs can buy 'wealth defense'. In countries without a solid institutional order, one dimension of this power is the ability of oligarchs to ensure that the courts, public officials and police (to name just a few) act in their favour. In countries with a more developed rule of law, this might involve payment for the legal services of experts specialising in services for the rich and super-wealthy people (security agencies or tax advisors, for example). Although the material power of the middle and lower classes is immense if taken as the sum of all individual members of these classes, it suffers from a high level of dispersion (including the awareness related to this power). Such power depends on the (political) mobilisation of the masses, but the broad masses do not usually identify as members of a united class (or as strata with similar interests), and it is relatively difficult to mobilise them politically. By comparison, super-wealthy people are much more conscious of their position and interests than the broad masses. Their fundamental shared objective is the defence of their wealth. As Winters aptly puts it, their "…shared commitment to wealth and property defense is the source of their cohesion as a set of political actors."[45]

As indicated above, the core of an oligarchy's political activities is wealth defence, and this is related to the forms of property ownership, meaning relationships that always exclude someone from using a property or thing. For this reason, ideology plays an essential role in the justification and legitimisation of the level and extent of wealth for that particular period. Violence (exclusion from ownership) and the legitimisation of violence are integral aspects of ownership. Here Winters distinguishes between property claims and property rights. The difference between the two is the space where a giv-

43 Of all the types of power, coercive power apparently underwent the most profound transformation during modernisation. Today, it is essentially a fact that the state holds a monopoly on direct (in particular physical) violence and coercion. Moreover, in societies of the modern type, this form of power usually no longer appertains to individual actors. We shall ignore, for instance, the question of the collapse of state sovereignty during wars or armed conflicts in developing countries.

44 The fourth type of power, mobilisational power, has two dimensions. The first is the individual ability to lead, convince, and mobilise others. The second form of this power, which relates to the mobilised, is what Winters calls people power. In his view, this power and its effects can be relatively unpredictable, and it tends to play a more significant role for only shorter periods of time in a society's history – times that, from the perspective of oligarchy, can be viewed as crises. These are often followed by extended periods of ordinary politics, which are periods of stability for oligarchs.

45 Ibid., p. 20.

en claim/right is enforced. Whereas an individual brings claims against the rest of a community or in opposition to the community, property rights are enforced by the community or in the community's name. A key point for understanding the dynamics of oligarchic aspects of politics is the relationship between individual claims and the tools by which they are enforced. Oligarchs are people who, thanks to their economic power, are capable of enforcing their claims.

Moreover, the institutional order of modern society plays a vital role in the sense that on the one hand it has disarmed the oligarchs (it is only the state that is authorised to use violence) but on the other hand it has created the tools for the common defence of their wealth: property rights, the police, a court system, to name just a few. It is important not to succumb to the illusion that democratic societies lack this element of violence (enforcing one's property rights against the rest of society): If anything, this element has been cultivated and written into democracies as one of the de facto objectives of the evolution of modern institutions. According to Winters, it is still true that wealth produces an unprecedented ability to influence political life, and at a certain level of accumulation and concentration, "…wealth and property become material power."[46]

Winters further identifies two dimensions of wealth defence: *property defence* and *income defence*.[47] By property defence, he means oligarchs' activities aimed at defending their property against two kinds of possible attack: horizontally from other oligarchs and vertically from the poorer classes. In European feudalism, for instance, this involved the defence of one's extensive landholdings (used for agricultural production) through knights and defensive fortifications, while in modern society, the defence of property is in the hands of the state, meaning its legal system. The greatest threat to oligarchs' property is thus taxation. In today's societies, income defence requires professionals specialised in ensuring the lowest possible taxation of wealth: besides tax advisors (for optimising one's tax burden), this includes a relatively wide range of actors working through political parties. If the state is reliable in this regard and oligarchs do not face the threat of taxation (of either their property or income), then the oligarchs become to a certain extent invisible. If, this is not the case, however, they may become active in a more visible manner. Winters analyses the main ways in which oligarchs' activities are expressed in society and creates a typology of different kinds of oligarchy: warring, ruling, sultanistic, and civil.[48]

46 Ibid., p. 23.
47 Ibid., pp. 20–26.
48 Ibid., pp. 32–38.

Perhaps the most distinctive methodological tool that Winters uses in his analyses is the *Material Power Index* (MPI), which quantifies the relative power of the super-wealthy people in a society. Generally speaking, the MPI expresses a person's material power in a particular society by showing by what multiple a member of a super-wealthy group is more affluent than a member of the poorest classes. For example, for Classical Athens, Winters shows that if the MPI for a slave is set at 1, the MPI for the ten wealthiest oligarchs is 2,432.[49] Winters works with multiple case studies, each involving different data depending on what is available. For example, in analysing the oligarchy of the USA today, Winters did not work with slaves or the country's ten wealthiest people (as he had with Athens) but calculated the country's bottom 90% versus its 400 wealthiest individuals. In addition, for all the cases that he analysed, Winters presented graduated MPI values – e.g., for the top 0.1%. I have decided to adapt this approach to the Czech situation.

3. The Theory of Oligarchy and the Czech Case

After the Velvet Revolution, the Czech Republic became an excellent example of a society that has transitioned from undemocratic rule to democracy in politics and from a state-directed economy to capitalism. This section offers a brief analysis of the sociopolitical development of Czechia after 2013 with an emphasis on oligarchy. There are two significant perspectives: socioeconomic inequalities and their manifestations or consequences (in terms of social structure or political life) on the one hand, and the gradual increase in the power of oligarchs in Czech society on the other. In this regard, in this context, I have worked (with minor alterations) with Winters' methodological approach, as explained above.

In many countries the economic crisis of 2008 led to the transformation of civic dissatisfaction with economic development and politics in general into civic and (sometimes) political movements challenging neoliberalism and austerity policy (Occupy Wall Street in the USA, Syriza in Greece or Podemos in Spain). A similar development did not, however, occur in Czechia. Instead, a relatively short period (from 2011 to 2013) of openness to the development of criticism of austerity politics and also the post-1989 development in general, was exploited by agile and influential political forces connected to right-wing parties and oligarchs: on the one hand, they made corruption and

49 Winters' calculation is based on a study of reliable sources, from which he calculated the average wealth of the ten wealthiest Trierarchs (486,000 drachmae), which he compared to the value of a slave (200 drachmae – slaves did not own property, but they had a quantifiable value). By dividing these two average values, he arrived at the number 2,432. Cf. Ibid., p. 79.

political mismanagement a central theme, and on the other hand, they offered a nationalist critique of social conditions. This de facto right-wing reaction did not, however, touch on the core of the problems that afflict society (economy and inequality) but instead addressed the cultural level of these problems: immigration and some other substitutive and imaginary issues.

In 2011, one of the wealthiest Czechs, Andrej Babiš, founded his own movement. He was the owner of one of the giant corporations in the Czech Republic doing business in the chemistry and food processing industry, Agrofert. Babiš named his political movement ANO 2011, an abbreviation of the title: *Action of Dissatisfied Citizens*. The party acronym ANO spells out the word 'yes' in Czech. The name itself indicates the new political movement's image as a response to the marked and relatively widespread public dissatisfaction with the politics and rule of the post-1989 political elites.[50] At the same time, the acronym demonstrates the ideological grounding of the movement ANO 2011, which is, in fact, non-ideological. Andrew Roberts characterises Andrej Babiš as the self-interested type of billionaire entering politics.[51] His movement has not transformed the ethos of protests against austerity politics into policies that might define a new direction for society. Instead, it fixed on a topic that could potentially damp down this protest ethos. This was the theme of an attack on bribery.

The elections to the Chamber of Deputies in 2013 resulted in the formation of a government by the victorious Czech Social Democratic Party (ČSSD) – with 50 seats – together with two other parties: the second strongest party, Babiš's movement ANO 2011 (with 47 seats), and the People's Party (with 14 deputies). This was a relatively strong coalition government with the support of 111 deputies out of the total of 200. Bohuslav Sobotka (chairman of ČSSD) became Prime Minister and Andrej Babiš became Finance Minister. It must be stressed that Babiš's political movement, ANO 2011, is not a standard political party. Instead, it is a kind of a corporate project that complements the critical components of power that Babiš had systematically ac-

50 The source of this dissatisfaction was the partially unsuccessful transformation of the Czech economy after 1989. The best-known part of this transformation was coupon privatisation, which created the basis for the economic elite and wealthy individuals. It also caused disillusionment and disappointment in a large part of the Czech population. Besides, coupon privatisation was perceived as controversial: according to the CVVM survey from 2009, approximately 54% of respondents described privatisation as probably or decidedly unfair. Cf. Červenka, J., *Postoje veřejnosti k vyrovnání se s minulostí.* Tisková zpráva. [Publics to the topic of the settlement with the past. The Press Release]. Prague, CVVM 2009. Available online at www: https://cvvm.soc.cas.cz/media/com_form2content/documents/c2/a646/f9/100962s_po91103.pdf [cit. 29. 5. 2023].

51 Roberts, A., Czech Billionaires as Politicians. *Problems of Post-Communism*, 66, 2019, No. 6, pp. 434–444.

cumulated around his business empire at the latest from the moment when he bought the influential media group MAFRA.[52] To this day, Babiš presents himself as a businessman who understands business and not politics, and uses this profile to rhetorically distance himself from traditional political elites, which is a common populist strategy. In other words what seemed his disadvantage at the beginning (his lack of familiarity with politics) was something that he gradually turned to his advantage, at least in the media. At the same time, ANO 2011 adopted part of the social-democratic agenda, strengthening the outflow of ČSSD voters in favour of ANO 2011.[53]

Andrej Babiš and his political movement are expressions of both populist and oligarchic trends. Nevertheless, many political scientists and commentators have speculated on the individual motives that led him, as one of wealthiest people in the Czech Republic, to go directly into politics. In 2010, Václav Klaus (the then President of the Czech Republic) vetoed an amendment to the Act on Air Protection that would have increased the proportion of bio-components compulsorily blended into diesel and petrol. It was a complication for Babiš's business and probably the impulse for his entry into politics.[54]

Another process that demonstrates the impact of oligarchs in the political sphere in the Czech Republic from 2013 has been the gradual transfer of media ownership from international corporations to domestic moguls. After 1989, most of the media was rapidly and spontaneously privatised and later (from 1993 to 2000) sold to foreign companies. Between 2001 and 2007, media ownership in the Czech Republic essentially stabilised, the majority in foreign hands. After 2008, however, some Czech businessmen from the established economic elite ventured onto the media scene. One of the reasons for their acquisitions was the consequence of the economic crisis of 2008, which negatively affected Czech media, especially print media. Most foreign owners were no longer willing to invest in their portfolios, and so tried to sell their shares. It is not necessary to describe individual sales of significant

52 To characterise the nature of this party, we can use the concept of 'entrepreneurial party'. See Hloušek, V. – Kopeček, L., Different Ways of Institutionalising Entrepreneurial Parties: Czech Public Affairs Party and ANO. *Czech Journal of Political Science*, 24, 2017, No. 2, pp. 92–115.

53 See e.g., Maškarinec, P., The rise of new populist political parties in Czech parliamentary elections between 2010 and 2017: the geography of party replacement. *Eurasian Geography and Economics*, 60, 2019, No. 5, p. 527.

54 During the last decade it was published many – more or less skilled – analyses of Andrej Babiš and his influence on the economy and politics. For example Kmenta, J., *Boss Babiš*. Nymburk, Nakladatelství JKM – Jaroslav Kmenta 2017; Patočka, J. – Vlasatá, Z., *Žlutý Baron. Skutečný plán Andreje Babiše: Zřídit stát jako firmu* [*Yellow Baron. Andrej Babiš's Real Plan: To Establish the State as a Company*]. Brno, Vydavatelství Referendum 2017; Pergler, T., *Babiš. Příběh oligarchy* [*Babiš. The Story of Oligarch*]. Praha, Mladá fronta 2014.

media in detail, but it is essential to emphasise that in terms of ownership in 2013 the media landscape in the Czech Republic was almost entirely different from that of 2002. In 2013, only two newspapers were partly owned by foreign subjects (these can be considered tabloids). As regards market share, the most important newspapers were Mladá fronta DNES and Lidové noviny, and since June 2013 they have both been owned by Andrej Babiš. Zdeněk Bakala and Daniel Křetínský are other Czech media moguls.[55] This change in the ownership structure of the Czech media has signalled the rise of oligarchs in Czech politics. I believe it can be interpreted as a manifestation of oligarchs' efforts to defend their property, at least in the case of Babiš and his business, media, and political tri-empire (Agrofert, Mafra, and ANO 2011).

Czechia has enjoyed steady economic growth, low inflation, and low unemployment in recent years. Income inequality (the Gini coefficient in 2018 was 0.249) is the third lowest among OECD countries.[56] At this level, the Czech Republic looks like a relatively stable and equal society. The problem, however, is wealth inequality. While the Czech elites are probably relatively small and unconsolidated by West European standards,[57] according to the Credit Suisse Research Institute, just 1% of the wealthiest people in the Czech Republic own 36 % of the wealth (and the Gini index of wealth concentration is 77.7), which is a high concentration of wealth.[58]

According to Winters, around 30,000 individuals in the United States can be considered oligarchs – i.e., one 1/100th of 1 percent.[59] In the Czech Republic, this would be around 1,000 people. Like Winters, my analysis of oligarchy will always involve an even smaller portion of this segment of the

55 A more detailed analysis is offered by a study by Václav Štětka. Cf. Štětka, V., *Media Ownership and Commercial Pressures*. London, London School of Economics and Political Science 2013.

56 OECD, *OECD Data. Income inequality*. 2018. Available online at www: https://data.oecd.org/inequality/income-inequality.htm#indicator-chart [cit. 29. 5. 2023].

57 In 2019 a sociological team around Daniel Prokop and Martin Buchtík realized the survey of Czech Republic class structure. They were inspired by Great British Class Survey. Unlike in British class structure, Prokop's team decided not to use the term elite because they think elites are not firmly constituted in Czech society. "Unlike in Britain, in the Czech Republic there isn't a class that has very high capital of all kinds and constitutes more than 0.5%–1% of population… For the evolution of elites as a separate class characterised by very large economic, social and cultural capital, the essential factor is passing the social status, consisting of property as well as network of relations or cultural background, on to the younger generations. That is something that has been interrupted or made very complicated in basically every generation in the past hundred years, unlike, for instance, in Britain, where this group represents 6% of the population. The change thirty years ago did change the character of the elites but not completely." Cf. Prokop, D. – et al., *Divided by Freedom. Czech Society after 30 years*. Praha, Radioservis 2019, pp. 8, 16.

58 Shorrocks, A. – Davies, J. – Lluberas, R., *Global Wealth Databook 2021*. Zurich, Credit Suisse Research Institute 2021, pp. 115, 136.

59 Winters, J. A., *Oligarchy*, p. 19.

Year	2013	2014	2015	2016	2017	2018	2019
Czech Population	10 510 719	10 524 783	10 542 942	10 565 284	10 589 526	10 626 430	10 669 324
Net worth of households [in millions of Czech koruna]	10 904 389	11 514 449	12 130 596	13 149 791	13 751 147	14 563 975	15 132 827
Share of net worth of households per capita [in millions of Czech koruna]	1,037454	1,094032	1,150589	1,244623	1,298561	1,370543	1,418349
The sum of the wealth of the 20 richest according to Forbes [in millions of Czech koruna]	483 900	525 800	572 700	661 400	804 500	829 100	917 100
The share of the wealth of the 20 richest in the net worth of households (According to Forbes)	4,44 %	4,57 %	4,72 %	5,03 %	5,85 %	5,69 %	6,06 %
MPI^{CZ} (Material Power Index)	23 322	24 030	24 887	26 570	30 977	30 247	32 330

Table 1: MPICZ (in the Czech Republic): from 2013 to 2019 (own calculation)

population. I have calculated the MPI for the Czech Republic by comparing the assets of the twenty richest Czechs with the overall average wealth of all citizens of the Czech Republic.[60] The adoption of the MPI is a very potent empirical element of the general analysis of oligarchy, but for my analysis of Czech oligarchic structures in the post-2013 period, I will (in the spirit of the methodology mentioned above) consider oligarchic elements that may be expressed in different forms: the concentration of media power, influence on political life through intermediaries and lobbyists, and direct or indirect political engagement.

The MPI for the Czech Republic (MPI_{CZ}) is a number that expresses how many times the average member of the club of the 20 richest Czech billionaires is wealthier than the average Czech citizen. The wealth of the average Czech citizen has been calculated very simply as the total wealth of households divided by the total population of the Czech Republic. I am aware that this value is schematic and may be distorted because the net worth of households is also recalculated for infants. On the other hand, tracking these statistics over time increases their plausibility and applicability for the calculation of MPI for the Czech Republic. Table 1 shows that the MPI for the Czech Republic increased from 23,322 in 2013 to 32,330 in 2019. This expresses an increase in the difference between the twenty of the wealthiest persons and the rest of society in 2019 by almost 40 % compared to 2013. Thus, economic power, while at the same time manifesting itself in politics, has grown by almost half among the richest in the period.

Conclusion

The main goal of this text has been to show that a crucial problem of democracy is wealth and the uneven distribution of power based on inequalities. Today's democracies face many challenges, which can be characterised as disfigurations. I would argue, however, that the main problem is hidden in the very frame of the social foundations of the political body. Social and economic inequality is constantly transformed into the systematically biased influence of super-wealthy people in politics. As a result, super-wealthy people have more political power than ordinary people.

Proponents of the proceduralist theory of democracy might claim that this problem is a matter of the difference between conception and realisa-

60 I want to thank Pavel Novák, who helped me with these calculations. They are based on data from the Czech Statistical Office (ČSÚ) and Forbes, which has published a list of the wealthiest Czechs since 2014. Cf. Forbes, *100 nejbohatších Čechů* [*100 Richest Czechs*]. Forbes.cz, 2. 10. 2019. Available online at www: https://miliardari.forbes.cz/ [cit. 29. 5. 2023].

tion. They might argue that the principles of proceduralism have not been sufficiently applied in real democracies, which is why we can observe disfigurations. The implication would be that the cure for the ills of a somewhat disfigured (defective) democracy is the more consistent enforcement of proceduralism itself. As I have already noted above, Urbinati appends some guidelines to improve democracy to her normative argumentation: the suppression of the opacity in the process of interdependence between representatives and the citizens, the reduction and regulation of the use of private resources in political campaigning, and the protection of pluralism of information from the power of political majorities and potentates. In addition, Urbinati considers the problem of oligarchy in general terms, and even works with Jeffrey Winters' theory.[61] It thus seems that Urbinati takes the problem of oligarchs into account in her approach, and I believe that her guidelines could be helpful for the goal of preserving democracy from its disturbances. All the same, I do not believe that these guidelines are sufficient for the attainment of this goal. Urbinati thinks that the thorough-going application of proceduralism (democracy as diarchy) could solve these problems. In my view, however, the theory of oligarchy clearly shows that this non-minimalist proceduralism is inadequate to the challenge presented by oligarchs, and that social and economic equality – which cannot be presupposed by proceduralism – is in reality the key to marginalising oligarchic influence in politics. It is not enough to protect politics from oligarchs; we need to reduce oligarchy and inequality.

Oligarchy theory identifies and illuminates the problem of the undue influence of oligarchs in contemporary political regimes. It is not an alternative to other conceptions usually used for understanding politics. The fact of oligarchy is not in contradiction with democracy. Democracy and oligarchy can exist almost in parallel. I have tried to show that empirical facts could (and should) limit or at least influence our normative thought. How can we put up a strong defence of normative proceduralism in theory when we live in a world where money means power? I agree with Jeffrey E. Green, who reminds us that oligarchy (or plutocracy in his formulation) has been an inherent component of the liberal-democratic regime and that liberalism is, in general, blind to the problem.[62] I therefore suggest that the main disfiguration of democracy is hidden in the conception of (even non-minimalist) proceduralism because it is impossible to demand social and economic equality as preconditions of democracy in the frame of proceduralism. Oligarchy in general and specifically in the Czech Republic shows that inequal-

61 Urbinati, N., *Pochi contro molti.*

62 Green, J. E., Liberalism and the Problem of Plutocracy. *Constellations*, 23, 2016, No. 1, pp. 84–95.

ity is the driving force of changes in the political sphere, leading to the disfigurement of democracy's procedures. For me, the guidelines proposed by Urbinati are regrettably insufficient for maintaining democracy under these circumstances.

Different Approaches to Populism: Representation, Style, and the Future of Democracy*

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Abstract:
The four reviewed books belong among the most influential contemporary contributions to theories of populism. Approaches described by authors are different, and together they do not provide a coherent view of defining features of populism. Moreover, they remain in disagreement on whether to evaluate populism as a threat or deepening of democracy. To overcome such a difference of opinions, I propose to focus more on the role of populistic representation instead of defining features of populism. In addition, I suggest applying a populistic style approach that provides a helpful description of populism since it outlines populism as a useful and valuable concept when describing contemporary political changes and does not understand it necessarily as a democracy's dead-end.

Keywords: Populism; democracy; representation; political style; leader

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Benjamin Moffitt, *The Global Rise of Populism: Performance, Political Style, and Representation.* Stanford, Stanford University Press 2016.
Chantal Mouffe, *For a Left Populism.* London, Verso 2018.
Jan-Werner Müller, *What Is Populism?* Philadelphia, University of Pennsylvania Press 2017.
Nadia Urbinati, *Me the People: How Populism Transforms Democracy.* Cambridge, Harvard University Press 2019.

The vital questions that have haunted the study of populism from its very beginning concern the defining (i.e., essential) features of populism and populism's relationship to democracy. In this review essay, I compare four

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seminal works on populism and describe how diverse an answer to such questions might be. I also consider a possible strategy to overcome the theoretical heterogeneity in the field of populism by emphasizing the political style approach. Such an approach presents populism as a helpful concept delineating a possible evolution in democratic politics.

Theoretical approaches to populism are often divided into three groups: ideational, strategic, and discursive.[1] However, these ideal types are often mixed, which is also the case with the influential works of Nadia Urbinati, Chantal Mouffe, Benjamin Moffitt, and Jan-Werner Müller. Mouffe's *For a Left Populism* represents mainly the discursive approach. The same goes for Moffit's approach, with the difference that, on the one hand, it builds on the discursive approach, but on the other, it reacts to specific contemporary political configurations and is more versatile and can thus be combined with different approaches. Müller's *What is Populism?* straddles the ideational and strategic approach, while Urbinati's *Me the People: How Populism Transforms Democracy* arguably uses a predominantly strategic approach.

In this review essay, I start by defining key features of populism and its relation to democracy. The comparison of Urbinati's, Mouffe's, and Müller's important approaches illustrates the difficulty of defining the core features of populism. It also helps us to unwrap the core argument of Urbinati's theory. Nevertheless, this review essay shows how the abovementioned approaches differ, and therefore I assume that the question of general characteristics or key features of populism would be shared by Urbinati's, Mouffe's, and Müller's theories are insurmountable. Furthermore, all these theories of populism differ in relation to democracy. Secondly, I suggest a solution to overcome these differences by focusing more on populistic representation as one of the defining features of populism. For that, I use Moffit's theory, which characterizes populistic representation from a different perspective.

The possible solution follows Urbinati's theory of populistic representation as an embodiment complemented by Moffitt's theory of populism, focused on political style. Populistic representation, according to Urbinati, brings a complex paradox that every populist must overcome to be a successful politician in a democratic regime. The paradox consists in them simultaneously being the contestant of partisan democratic representation and a part of that representation. I propose that focusing on a political style to overcome such a paradox is appropriate. The political style approach, used and deepened by Benjamin Moffit, overcomes the paradox of populistic representation and therefore opens the possibility of considering populism as

1 See Rovira Kaltwasser, C. – Taggart, P. A. – Ochoa Espejo, P. – Ostiguy, P., *The Oxford Handbook of Populism*. Oxford, Oxford University Press 2017.

a phase of democratic evolution that could indicate the future of democracy, which is utterly contrary to what Urbinati suggests.

In short, by focusing on the transformation of communication toward the highly personalized connection between the people and populists, and the performance of populistic leaders in front of people, we can find in populism a helpful concept that could delineate a potential evolution in democratic theory and praxis.

What is Populism?

A generally accepted essential feature of populism is the division of citizens of the political unit between the people and the elite. This feature became part and parcel of populism theories and is also shared by Chantal Mouffe, Jan-Werner Müller, and Nadia Urbinati. However, building on this tension between the people and elites, populism can be seen either as a threat to democracy or an instrument of its strengthening and deepening. I will briefly sketch both of these options and focus on significant similarities or unifying elements that underscore the defining features of populistic politics.

In *For a Left Populism*, Mouffe claims that populism is an essential feature of politics, and it also means that she does not ponder populism as a threat to democracy. According to her, populism emerges in a historical moment when unsatisfied demands destabilize the dominant hegemonic formation, making populism the signal of its crisis.[2] Building on Laclau's theory of populism, she constructs the people as a homogenous political entity. Mouffe describes Laclau's theory of populism as "a discursive strategy of constructing a political frontier dividing society into two camps and calling for the mobilization of the 'underdogs' against 'those in power'."[3] Laclau sees the people as a political entity constructed around popular demands. The simplified logic of such a construction is based on the chaining of such demands. One of the demands begins to represent the totality of unsatisfied demands, and its particularity becomes empty. However, it is still recognizable as different from others, and moreover, it subsumes the totality of other demands.[4] The people are thus based on social demands addressed to "those in power". It is constructed as homogeneous through the exclusion of one particular demand that represents the totality of other demands.

Populism has, according to Mouffe, the power to change the situation when a concrete hegemonic formation has lost its pluralistic character and

2 Mouffe, Ch., *For a Left Populism*. London, Verso 2018, p. 11.
3 Ibid.
4 Laclau, E., *On Populist Reason*. London, Verso 2005, pp. 67–128.

ignores people and their demands. Calling such a hegemonic and contemporary formation post-democracy, she claims that it oppresses the vital pillar of the genuinely democratic regime.

Mouffe's understanding of the *democratic paradox* sees liberal democracy as combining two traditions or two pillars: the democratic pillar and the liberal pillar. The tension between the two constitutes any democratic regime. While the first defends egalitarian practices necessary to define the people, the latter stands for liberal discourse and its tendencies to abstract universalism.[5] These two logics remain in tension and ensure that the democratic regime is pluralistic. This tension expressed along the left–right axis cannot be overcome in political terms. Mouffe considers Western liberal democracy as post-democracy because neoliberal hegemony has disturbed the tension between the two pillars and established the liberal direction of politics as the only possible – or even conceivable – way of ruling public affairs.

The historical moment that gave birth to the populistic hegemonic formation[6] was the fall of the Keynesian welfare state in Great Britain in the 1970s and the replacement of this hegemonic formation with the new and populistic hegemonic formation – Thatcherism.[7] Mouffe suggests that the contemporary crisis of neoliberal hegemony leaves the door open to a new populistic formation. Such a formation would overthrow neoliberalism and establish a truly political populistic – and therefore, democratic – regime. Populism as a strategy unites the people around dominant social demands and establishes an antagonistic relation between the people and the elites. And in concrete political situations, populism becomes a key to overthrowing the "There is no alternative!" of hegemonic neoliberalism, thereby proving itself as a genuinely democratic strategy.

Mouffe's description of the populist moment springs from a particular historical situation. However, her concept is more general because it is not dependent on a concrete ideological background. The people as political actors can be formed around any social demand in opposition to ruling elites. Moreover, as we have seen, in Mouffe's approach, populism is a phenomenon not only related to democracy, but integral to democracy.

Jan-Werner Müller, in his book *What Is Populism?*, takes a stance antithetical to the one advocated by Mouffe. Müller starts by describing populism as a moralistic vision of politics. In his view, morality plays a crucial role in distinguishing between the morally pure people and the immoral, corrupt elite. However, this is insufficient. Populists are not only anti-elitists but also anti-

5 Mouffe, C., *For a Left Populism*, p. 15.
6 Hall, S., *The Hard Road to Renewal*. London, Verso 1988.
7 Mouffe, C., *For a Left Populism*, pp. 27–38.

pluralists – only populists represent the people. When populists compete for power, they label other political rivals as a part of immoral, corrupt elites. When populists are in government, they do not respect any opposition.

According to Müller, populists do not stand against representation but rather consider representation as that of a single public interest that the people claim. "The people" refers to a homogeneous entity pre-existing the democratic process, an imagined pre-political entity[8] disregarded by a ruling elite. Populists thus do not tolerate plurality in representation because only they can exclusively represent the true needs of the people. Müller calls this a *pars pro toto* logic in response to the moralistic conception of the people. This logic claims that one part of the people can stand for the whole people. Populists use this logic to present themselves as representatives of the people as a whole against corrupt elites, even though they substitute the part of the people that supports them for the moral whole.[9]

In Müller's view, populism is built on a moralistic understanding of politics, which affects the construction of the people and their relation to the elite. It presupposes the people as a homogenous entity existing prior to democratic institutions and claims that only the people can fulfil their destiny as a democratic actor.[10] The democratic conception of the people is always open to redefinition, but populism has an unchangeable and holistic idea of the people. Populism claims to fuse people into one political and final homogeneity, thereby excluding all citizens who do not share the people's moral distinction. In Müller's view, therefore, the principle of representation is based on the moral designation of the people and the populist party or leader who represents the imagined whole of democratic actors. At the end of *What Is Populism?,* Müller writes: "Populists are not against the principle of political representation; they just insist that only they themselves are legitimate representatives".[11] It demonstrates the antidemocratic appeal of populism which purposefully ignores significant parts of society. Müller sums up his observation: "The core claim of populism is thus a moralized form of anti-pluralism."[12]

Müller only briefly describes the relationship between democratic and populist representation because he is more interested in the moralistic distinction between the elite and the true people. He thus understands pop-

8 Müller, J.-W., *What is Populism?* Philadelphia, University of Pennsylvania Press 2017, pp. 19, 63, 102.
9 Ibid., pp. 22–23.
10 Ibid., p. 79.
11 Ibid., p. 101.
12 Ibid., p. 20.

ulism in the framework of representation determined by a moralistic position. This aspect deserves further consideration. Comparing Nadia Urbinati's approach to Müller's, we can see that they share scepticism about populism and its effect on democracy. However, Urbinati doesn't consider populism as being built on an appeal to morality or to morality grabbed by ideology. Instead, Urbinati brings a different, more detailed understanding of the importance of representation for populism.

Unlike Müller, who writes about the moralistic distinction of populism, Urbinati is interested in its evolution as a disfiguration of democracy and as its permanent shadow. Her prescription is not to step back toward "classic representative democracy" or to deepen democracy with populistic elements. Instead, she aims to investigate "the risks that arise when democracy stretches toward populism".[13] The analysis of these risks suggests measures that the people should provide to democracy and leads to her theory of *diarchy*, which we might consider both as an analytical tool and as a liberal representative democracy's normative design.

Urbinati evaluates populism from the perspective of her theory of representative democracy, which precisely describes basic processes in representative government and considers populism as a developmental phase of democracy. According to Urbinati, and in contrast with Mouffe, populism cannot enrich contemporary democratic praxis. Urbinati writes: "We study populism because populism is transforming democracy".[14] This is a basis for her research on populism. She approaches populism from her seminal theory of representative democracy as a *diarchy*. She postulates this complex theory of democracy in her former book *Democracy Disfigured: Opinion, Truth, and the People*, in which she characterizes democracy as representative proceduralism with two separate powers of the democratic sovereign – "will" and "opinion".[15] She uses this theory as a critical background in considering populism in *Me the People* because the *diarchic* system of representative democracy is the background against which partisanship and populism grow.[16]

There are two key features in the theory of democracy as a *diarchy*. Firstly, the two abovementioned powers are powers of the sovereign citizen. Secondly, they are fundamentally different, should remain separate, and must communicate with each other. Urbinati's concept can be summed up as fol-

13 Urbinati, N., *Me the People: How Populism Transforms Democracy*. Cambridge, Harvard University Press 2019, p. 208.

14 Ibid., p. 18.

15 Urbinati, N., *Democracy Disfigured: Opinion, Truth, and the People*. Cambridge, Harvard University Press 2014, p. 22.

16 Urbinati, N., *Me the People*, p. 87.

lows: "Diarchy is my name for a mediated or indirect kind of self-government, which presumes a *distance* and *difference* between sovereign and the government."[17]

This concept is based on representation and proceduralism. In this case, proceduralism must be understood in a broader sense because it contains not only ballot counting but also freedom of speech, freedom of the press, and freedom of association. Urbinati's proceduralism aims to make a non-institutional sphere of public opinion the element of political freedom. Democracy is thus "a combination of decisions and judgment on decisions: devising proposals and deciding on them (or those who are going to carry them out) according to majority rule."[18] As we mentioned above, will and opinion must mutually communicate, and the public sphere is the place for it.

Building on her notion of representative democracy as *diarchy*, Urbinati sees populism as a disfiguration of democracy, as it tends to merge will and opinion. It calls for blurring the distinction between these two powers. This concentration is established through a strong leader who overcomes the separation and distribution of power among political voters, parties, and other democratic institutions.[19] The role of the leader mirrors the people's unanimity and its anti-establishmentarianism,[20] as well as the criticism of parties and a superficial appeal to direct representation.[21]

In *Me the People*, Urbinati sees populism as a threat to democracy and a product of democracy's inadequacy to counter its changes and malfunction. The question of the defining features of populism is a question of the nature of the relationship between populism and democracy and the evolution of democracy, which has developed into a mixed government.[22] Furthermore, according to Urbinati, this development (i.e., populism) is pathological.

Now we see that none of the three theories of populism has substantial similarity to the others. The first considers populism as an essentially democratic concept, which provides the true emancipation of the people. The second considers populism as a shadow of democracy. The third has some similarity with the second; however, it does not see it as built on a moralistic vision of politics. Hence, I conclude that these three conceptions of populism cannot say about populism more than that it is a phenomenon related to democracy that divides society between two antagonistic groups and the

17 Ibid., p. 8.
18 Urbinati, N., *Democracy Disfigured*, p. 33.
19 Ibid., p. 124.
20 Urbinati, N., *Me the People*, pp. 74–76.
21 Ibid., p. 164.
22 Ibid., pp. 7, 190–191, 208.

leader plays an important role in populistic regimes. Of the abovementioned approaches, Urbinati's approach seems to be the most elaborate. It clearly describes the effect that strong leadership has on democracy as *diarchy* by merging two citizens' powers together.

For Urbinati, the disfiguration caused by populism takes place in political representation. The populistic leader is the main proponent of such disfiguration. In *Me the People*, she thoroughly describes the form of populistic representation, focusing on the special connection between the people and a leader. This is where Urbinati's approach to populism differs from Mouffe's and Müller's theories, since she attaches more importance to the special bond between the people and a leader, as I will explain in following section. I will also explain how Urbinati elaborates on the role of the key player of populism and which paradoxes the leader always bears in populistic politics.

The Leader and the Paradox of Populistic Representation

Urbinati claims that populist representation differs from the democratic kind mainly in that it is based on embodiment. According to Urbinati, democratic representation, as described above, presupposes, on the one hand, a clear distinction between the represented and the representatives, and on the other, effective communication between both groups, even outside of elections. Democratic representation combines particularity and universality, unity and plurality, and therefore effectively mediates between the electorate and the representatives. Urbinati writes:

> "The fact that political representatives are required to share their ideas only with their electors – not with the whole nation as a homogeneous body – means that political representation is itself a refutation of populist democracy. Indeed, in order to acquire the moral and political legitimacy to make laws for all, representation must articulate partisan pluralism without superimposing an unreflective unity over an indistinct mass of individuals."[23]

Populists stand against partisan representation and see representation as embodiment. Political representation in democracy is a process of unity and plurality. It is "a process of partial unification, not holistic majorities."[24] Pluralism of political interests, and therefore parties, is a political construction made by free and equal citizens according to their antipathies

23 Urbinati, N., *Me the People*, p. 114.
24 Ibid.

and sympathies. On the other hand, the embodiment is a different type of representation based on the attempt either to fuse political diversity or to reject such diversity. The claim of a populist leader to embody the people stands in opposition to pluralistic party democracy and representative institutions that detain the majority's power. Urbinati suggests that populists do not refuse representation but apply a different form of representation – representation as embodiment.[25] Representation as an embodiment means that the leader has a special bond with the people. Urbinati describes this bond as follows:

> "Like a prophet in relation to God, the leader has no will of his or her own but is rather a vessel of the sovereign will – the mouth from which the vox populi manifests itself. This is the symbolism of representation as *incarnation* or embodiment of the sovereign people, and it is the most radical alternative to mandate representation."[26]

This type of representation assumes that the people's collective identity is embodied in a leader. In the eyes of populists, this quasi-divine logic should bring a collective political subject to life. However, this connection makes no basis for the responsibility or accountability of the leader.[27] Populists, therefore, consider overcoming mandate representation as a sign of inclusive politics. This inclusivity means that the people are finally represented directly and can make real decisions through their leader. Due to this direct representation, mediators – parties, global organizations, and institutions defending the demands of minorities – are finally overcome.

The overcoming of representation based on the political parties and institutions is, according to Urbinati, not so simple. Direct representation based on embodiment forms a paradoxical situation. This paradoxical situation has a double logic. The first is a paradox of populist mobilization associated with anti-establishmentarian rhetoric. Populists running for office make strong proclamations against the establishment and antagonize non-populist parties, making them traitors of genuine people and true popular democracy. However, when they reach power and become part of the establishment, they have to seek a consensus with other parties. At the same time, populists have to present themselves in front of the people as refusing practices of other political agents because they had previously marked them as non-democratic traitors of the people. This means that populists are born from

25 Ibid., p. 115.
26 Ibid., p. 125.
27 Ibid., p. 128.

democracy as a *diarchy*, and pretend to be true democrats; however, they remain antagonistic to other political agents. In other words, their goal is to perform being someone else.[28] This paradox has, above all, another dimension: populists need to pretend that they are outsiders in relation to the establishment, but when they either strive for power or obtain a position of power, they must be insiders to play the game successfully. Here again, populists need to pretend to be someone else and it is vital for them to be successful in this performance.

The second part of the paradox is related to the leader. So far, we have not addressed the difference between a populist party and a populist leader. However, the second part of the paradox clarifies the relation between party and leader. Urbinati compares the populist leader to a *demiurge*,[29] implying that the leader makes a crucial impact in creating populist politics. The critical question then remains whether a populist leader can do without a populist party. Urbinati suggests that on the one hand, political movement, unlike political party, is suitable for populism because the permanent mobilization and vague shape of populist politics need a "tool that is elastic and malleable enough to adapt to the various leaders' tactical needs."[30] On the other hand, Urbinati claims that populists need a party because a leader needs a tool "that is structured enough for them to dominate but not so structured that it limits their power."[31] I would also add that populism needs a party structure to collaborate with other political agents in the democratic game. Moreover, populists need to employ some strategy and structure to help them handle being present simultaneously with the people and in the representative institutions.

Despite the need to deal with such a paradox, Urbinati writes that populists do not jeopardize the whole system of representative party democracy. They rather focus on the form of representation in the paradoxical situation and try to handle the paradox. Urbinati concentrates on direct representation – a relation between the people and the leader. She claims that the *pars pro toto* logic is implausible for populists because populists do not represent the whole but only pretend to do so.[32] The inherent need to pretend that populism is something else, and its insuperable paradox, which populists must handle repeatedly, reveals populism not as a structural logic of political space but rather as the style of pretending. This argumentation leads to the consideration of populism as a political style. Such an approach has been

28 Ibid., pp. 125, 135–138.
29 Ibid., p. 133.
30 Ibid., p. 135.
31 Ibid.
32 Ibid., pp. 107, 191.

recently revived and deepened by Benjamin Moffitt in his book *The Global Rise of Populism: Performance, Political Style, and Representation*.

Urbinati's approach stresses the role of the leader as the creator of populistic logic and the representative of the people. Therefore, a leader's position opens space for the abovementioned paradox. On the other hand, Moffitt's approach shifts towards the role of political style, which might help us understand how populists successfully overcome the paradox. This shift is based on the assumption that embodiment is a form of representation. While Urbinati agrees with this assumption, she adds that this form of representation is different from the *diarchic* system of representative democracy.[33] Despite the widespread belief that populism is a form of direct democracy, populism is a form of representation disfiguring the *diarchy* of will and opinion. However, it is still a form of representation, attributing to the leader a mandate to represent the electorate embodied in the person of the leader.

Therefore, we must focus not on the content or structure of populism in relation to direct democracy but on the significant and distinct role of the leader as populism's critical figure, which pretends not to be a part of the establishment, even though he has already seized power. A leader also pretends to be a critic of the party system despite relying not only on tools of direct democracy. The pretending seems to be a crucial feature of the representation as embodiment. It is actually a misrepresentation of populistic representation.

Furthermore, I suggest considering populistic representation as a performance that can be analysed as a political style that elucidates the means populist leaders use to adapt to changing political conditions. In addition, the political style approach elucidates that an important characteristic of populist politics may also be based on the logic of the leader's performance in front of the people, rather than simply on the construction of the people or the moral qualities of the people articulated by the leaders.

Political Style

In his seminal work, *The Global Rise of Populism: Performance, Political Style, and Representation*, Benjamin Moffitt frames populism as a political style. Moffitt does not intend to describe the nature of populism; instead, he focuses on the role of performance, representation, and rhetoric as defining features of populist style. Moffitt reacts to "the decline of ideological cleavages, the displacement of the class character of politics, and the alienation of ordinary citizens from traditional party politics amongst other fac-

33 Ibid., pp. 130, 157.

tors."[34] Moffitt claims that politics has changed, and political style is now more important than before. He reminds us that style and content are linked together and need to be examined together. Political style overlaps with the discursive approach,[35] which is keen on language, speech, written text, etc., and moves beyond aesthetic and performative features such as images, self-representation, body language, design, and "staging".[36]

Adopting Moffitt's approach has several implications linked to his definition of political style:

> "Political style can be understood as the repertoires of embodied, symbolically mediated performance made to audiences that are used to create and navigate the fields of power that comprise the political, stretching from the domain of government through to everyday life."[37]

Firstly, populism as a political style considers the people as the true holders of sovereignty – and therefore, the opposition of the elite – and as an audience for populists, who render people through their actions and performances. Secondly, populists use "bad manners" to attract attention and build a bond with the people. Thirdly, populists attract attention to the people by using particular rhetoric and narratives. These include a crisis narrative, simplifying political debate and enabling populists to establish themselves as vital political agents.[38] Moffitt's approach puts at the centre of interest not only populism as a political style but also the people as an audience.

Although Urbinati's approach to populism differs from the one suggested by Moffitt, these two approaches intersect and complement each other. To overcome the paradox explained above, the populist leader must engage a specific populist style, pretending that he is someone else – the symbolic actor accepted as the leader of the people. Urbinati emphasizes the role of the political structure of populism in line with her theory of democracy as *diarchy*, and Moffitt emphasizes populistic style, which explains how populistic politics as "the repertoires of embodied, symbolically mediated performance made to audiences" can work. Two principally different approaches to populism – as a disfiguration and as a political style – meet in this synthesis: the former explores populism without relation to cultural variables, the latter is based on them.

34 Moffitt, B., *The Global Rise of Populism: Performance, Political Style, and Representation.* Stanford, Stanford University Press 2016, p. 39.
35 Represented by Ernest Laclau (Laclau, E., *On Populist Reason*).
36 Moffitt, B., *The Global Rise of Populism*, p. 40.
37 Ibid., p. 38.
38 Ibid., pp. 43–45.

Contrary to Urbinati's claim that populism cannot be reduced to political style, I argue that both approaches complement each other, especially when the paradox of populism appears on stage. The proposed mutual compliance of these two approaches sheds new light on the relationship between populism and democracy. Populism does not have to be understood as a dead-end of democratic evolution and can be seen, as I propose, as an appropriate concept that describes the evolution of current democratic regimes. Moreover, focusing on political style enables us to see the populistic government as not necessarily shifting away from democracy.

Democracy and Its Future

In this review essay, I described the three significant theoretical approaches to populism and explored whether conceptualizing the defining features of populism using Mouffe's, Müller's, and Urbinati's approaches does not lead to a synthetic and coherent definition of populism. The fourth approach, the political style approach elaborated by Moffitt, then serves as a mean to overcome the theoretical closure described by Urbinati.

As described above, Mouffe's approach to populism is based on a specific assumption about making the people independent of actual political content. She provides a theoretical framework based on the role of social demand that constitutes the people as political agents and the political sphere in general. According to her, politics – and therefore, populism – are based on the form of making political agents. To the contrary, Müller emphasizes morality as a strategy that enables populists to declare themselves as representatives of the whole political society – the people.[39] Urbinati's theory of populism is keen on disfiguring the *diarchy* by merging will and opinion, and this disfiguration makes a new form of government, i.e., a new strategy to govern. Conceptualizing the defining features of populism using all of these theoretical approaches, as I try to show above, thus does not lead to a cohesive definition of populism, as in the case of their relation to democracy.

Moreover, the relationship between democracy and populism is also, among political theorists, evaluated differently. Mouffe makes clear that populism helps to restore the democratic balance between the two pillars of democracy. Müller, based on the populist's moralistic imagination of politics, and the distinction between the people and elite, claims that populism is a permanent shadow and a threat to democracy. Urbinati suggests that democracy faces challenges on two fronts – from the oligarchic few and the

39 Müller, J.-W., *What is Populism?*

popular many.[40] Populism, she asserts, cannot tackle the problems it reacts to, but it points out the malfunction of the constitutional government and the inadequacy of representative institutions. Populism reveals one of the mutations of representative democracy that needs to be analysed and answered. Populism is, therefore, a dead-end of democratic evolution.[41]

Nevertheless, I argue that populism is not, in fact, a dead-end of democratic evolution. I also argue that populistic studies need an appropriate theoretical framework to describe its inner logic with a focus on political style. When politics is considered a space of imagination, populism can be a key concept to describe contemporary political processes and profound political changes, e.g., a crisis of party structures, the hollowing ideological cleavages, and the personification of politics. If we adopt a general approach to democracy focused more on the role of the performance of speeches and acts and its effect on representation, populism would thus be a useful concept for further studying democracy. Moffitt's theory, which elucidates a paradox of populism presented by Urbinati, suggests that we can think about politics as being about space, where the appearance in front of the audience is the most crucial feature of populism, perhaps according to the evolution of democratic politics more important than the disruption of *diarchic* order in democracy.

As mentioned above, Urbinati does not consider populism as a political strategy contributing to the deepening of democracy. However, Moffitt's theory leaves space for the possibility that overcoming similar paradoxes, as mentioned above, might be more common in democratic politics in the future. This is because democratic politics might move – or perhaps it has already moved – closer to political style and has deflected from the conflict of ideas or ideologies. Other similar examples of dealing with such phenomena might serve Bernard Manin's conception of *Audience democracy*[42] or Jeffrey Edward Green's theory of *Ocular democracy*.[43]

Benjamin Moffitt's theory understands the future of the relationship between populism and democracy as open, allowing for different conclusions. It allows us to consider whether populism shifts the essence of politics to a solid regime competing with democracy or remains democracy's appendix, causing troubles to the vitality of the whole democratic system but has no other use except for providing a warning whenever something goes

40 Urbinati, N., *Me the People*, p. 204.
41 Ibid., pp. 207, 208.
42 Manin, B., *The Principles of Representative Government*. Cambridge, Cambridge University Press 1997.
43 Green, J. E., *The Eyes of the People: Democracy in an Age of Spectatorship*. Oxford, Oxford University Press 2011.

wrong. Moffitt's theory leaves this possibility because it does not, in general, depend on ideational or moral principle. It considers populism as a common phenomenon of the new form of politics.

The question of the relationship between populism and democracy remains open. Future research might focus on the theoretical elaboration of populistic and democratic representation or on the role of social media and its influence on democratic politics and the influence of leaders as proponents of populistic representation.

The Theoretical Debate about the Sortition Turn*

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Abstract:
Modern democracies have long faced several problems often described as a crisis of representative democracy. This review essay addresses the debate regarding the possible return and implementation of sortition as a tool to solve or mitigate many problems facing modern democracies. The review essay follows three authors who address this return to sortition, representing three distinct approaches. While two of the books under review think through the possible return and implementation of sortition, the third one presents a criticism of these efforts and finds such a return problematic. This review essay thus asks whether a return of this historically democratic tool is even possible and whether it can provide a solution for some of the problems associated with what we refer to as the crisis of representative democracy.

Keywords: sortition; representation; democracy; mini-publics; democratic innovation; non-electoral representation

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James S. Fishkin, *Democracy When the People Are Thinking: Revitalising Our Politics through Public Deliberation.* Oxford, Oxford University Press 2020.
Hélène Landemore, *Open Democracy: Reinventing Popular Rule for the Twenty-First Century.* Princeton, Princeton University Press 2020.
Nadia Urbinati – Luciano Vandelli, *La democrazia del sorteggio.* Torino, Einaudi 2020.

Modern representative democracies have long faced problems ranging from low voter turnout to distrust in elected institutions and politicians, from the rise of various populist and radical movements to the much-thematized issue of *fake news*. In the context of these problems, we can thus hear about

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the crisis of representative democracy, and at the same time, we can observe the efforts to overcome this crisis. Using a random selection to select assembly members from the public, British Columbia (2004), Ontario (2006), Iceland (2010–2013), and Ireland (2016),[1] as well as other experiments with citizens' assemblies and *deliberative opinion polls* (James S. Fishkin), open a space for debate on returning to sortition and implementing it in modern democracies. In addition to highlighting widespread participation and deliberation's benefits, political theorists who have explored these experiments have also addressed criticisms of elections and elected institutions. They point to several problems associated with elections and electoral representation, such as under-representation, distrust of elected politicians and institutions, declining voter turnout, and the rise of various populist and extremist movements.

This review essay focuses on the work of political theorists who return to sortition as a potential tool that can help solve many of the abovementioned problems. The paper discusses two works that advocate sortition or random selection and its possible implementation in representative democracy, as well as one criticism of efforts to introduce sortition within legislative institutions. Hélène Landemore, in her book *Open Democracy: Reinventing Popular Rule for the Twenty-First Century*, defends sortition from the position of epistemic democracy and attempts to replace elected representation with non-elected forms as more appropriate to democratic representation. James S. Fishkin, in his book *Democracy When the People Are Thinking: Revitalising Our Politics Through Public Deliberation*, advocates the random selection from the position of deliberative democracy as a complement to electoral representation that ensures broader citizen participation and greater representativeness of the randomly selected assembly. Nadia Urbinati, in their book *La democrazia del sorteggio* (*The Democracy of Sortition*) – written with Luciano Vandelli – provides a criticism of efforts to implement sortition in the context of legislative institutions. Through this criticism, we

1 All these experiments used sortition to select members of citizens' assemblies from among ordinary citizens. The aim of these citizens' assemblies was to involve ordinary citizens in deliberation on legislation that affected them and in decision-making processes. In the case of the citizens' assemblies in British Columbia and Ontario, randomly selected citizens participated in electoral reform (see e.g., Smith, G., *Democratic Innovations: Designing Institutions for Citizen Participation*. Cambridge, Cambridge University Press 2009, pp. 72–110). In the case of the Icelandic experiment, randomly selected citizens participated in the drafting of a new constitution (see e.g., Landemore, H., Inclusive Constitution-Making: The Icelandic Experiment. *The Journal of Political Philosophy*, 23, 2015, No. 2, pp. 166–191. Available online at www: https://doi.org/10.1111/jopp.12032 [cit. 29. 5. 2023]). In case of Ireland, randomly selected citizens also deliberate about constitutional reform – among other things about the topic of abortion (see Landemore, H., *Open Democracy: Reinventing Popular Rule for the Twenty-First Century*. Princeton, Princeton University Press 2020).

can glimpse the possibilities of deliberative democrat advocates, who often think of sortition as a complement to existing processes and institutions. This position is represented here by the work of James S. Fishkin. All three reviewed books represent different positions within the debate on the return of the sortition to representative democracy and its problems.

In her book *Open Democracy*, Hélène Landemore proposes a new democratic paradigm that can transform representative democracy into what she calls *open democracy*. This concept of democracy is no longer based on the principles of elections and electoral representation. Still, it seeks to ensure the broadest possible participation of citizens in decision-making through non-electoral forms of democratic representation (*lottocratic representation*, *self-selected representation*). Landemore thus seeks to replace elections and electoral representation with, among other things, the mechanism of sortition. In doing so, she turns both to the historical experience of sortition in the period of Athenian democracy and to recent experiments that use random selection (e.g., the Icelandic experiment). In other words, Landemore is critical of elections, which pose many of the abovementioned problems and replace elections and the transformation of the institutions built on their principles through non-electoral forms of representation and the mechanism of sortition.

Building on the criticism that Nadia Urbinati will present here, we can reject the rather radical tendencies that Landemore proposes. In other words, while the criticism of the efforts to implement sortition in the context of legislative institutions leads us to reject the new democratic paradigm, it does not entirely release us of the actions to implement sortition at least partially as a complement to existing institutions. This brings us to James S. Fishkin's book *Democracy When the People Are Thinking*, in which he discusses the role of the deliberative microcosm as a complement to existing institutions. In the context of these deliberative mini-publics, Fishkin also thinks about random selection as a democratic tool for selecting these mini-publics from ordinary citizens.

In *La democrazia del sorteggio*, Urbinati and Vandelli criticize the instrument sortition and the efforts to bring it back ("*torniamo al sorteggio*"), called for in Italy by the populist movement Movimento 5 Stelle (M5S) led by Beppe Grillo. However, it is not only Italian populists who seek a change in the composition of parliament in which one of the chambers (the Senate) should be selected by lot. The implementation of sortition is also encountered in the context of the various mini-publics that have taken place in different parts of the world in recent years. Among the most famous experiments that have also used random selection is the Icelandic experiment, to which Urbinati also relates her criticism.

For Urbinati, these attempts to return sortition into practice are problematic for several reasons, which I divide into three levels of criticism: 1) the historical role of sortition and the transformation of society; 2) the absence of accountability, responsibility, and the problem of representation; and 3) sortition as populist propaganda (anti-partisanship). It is not the first time Urbinati has criticized sortition.[2] Still, in this book, she looks deeper at sortition and attempts to implement it in modern representative democracy. Urbinati also finds it problematic to talk about representation in the context of sortition or random selection. Urbinati and Vandelli thus want to "challenge the idea that a parliament by lot is a parliament that a randomly selected assembly can be representative to the whole people. Parliament and representation are associated with 'election,' not 'sortition' ".[3]

The Historical Importance of Sortition and the Transformation of Society

Political theorists concerned with the mechanism of sortition, its political potential, and efforts to bring it back into modern democracy turn to the historical experience with this instrument. The historical background of sortition in Athenian democracy is the most frequently discussed. Still, the Florentine Republic during the Renaissance is the second historical experience that is not addressed to the same extent as the possibility of the return of sortition. Each of these historical experiences refers to different reasons to use the mechanism of sortition.

Both Landemore and Fishkin focus on the experience of Athenian democracy in relation to sortition and its defence. Thus, both authors advocate sortition as a democratic tool that ensures equality among citizens and allows participation. Both Fishkin and Landemore expose a criticism of electoral representation that widens the gap between political elites and ordinary citizens. Fishkin thinks of the random selection in the context of *deliberative microcosms*, which are intended to supplement existing (often elected) institutions. Landemore, on the other hand, calls for a new democratic paradigm within the concept of democratic representation, one form of which is *lottocratic representation*.

Landemore, in *Open Democracy*, argues that "new forms of participation in the political process that are often nested under the label of 'direct democ-

2 Urbinati, N., *Democrazia in diretta: Le nuove sfide alla rappresentanza.* Milano, Feltrinelli 2013, pp. 148–160.

3 Urbinati, N. – Vandelli, L., *La democrazia del sorteggio.* Torino, Giulio Einaudi editore 2020, p. 20. All translations from Italian to English are my own.

racy' (also 'participatory,' 'deliberative,' or even 'citizen' democracy) should be conceptualized instead as new forms of democratic representation".[4] Related to this is the criticism of electoral representation, or elections, which in this sense are understood as "a selection mechanism that is intrinsically discriminatory and has a built-in (i.e., not empirically contingent) oligarchic bias".[5] Landemore rejects the idea that representative democracy and representation are necessarily based solely on choice but instead argues that forms of democratic representation can exist beyond elections. One of these forms is *lottocratic representation*, based on the mechanism of sortition. Concerning *democratic representation*, in which *lottocratic representation* is one of the non-electoral forms, Landemore adopts Andrew Rehfeld's definition and understands it as a form of "standing for" that is "as the act of standing for someone or some others in order to perform a certain function in a way that is de facto accepted by a relevant audience".[6] Hanna F. Pitkin understands descriptive and symbolic representation as "standing for" representation. Descriptive representation is representation built on the mutual similarity of the representative and the represented; the key here is who the representative is and what they are like. She links this representation with random selection[7] as the mechanism that gives rise to the assembly that reflects society. Descriptive representation, according to Pitkin, poses several problems, including those related to the absence of accountability of representatives, since a representative cannot be held accountable for who they are. Landemore, in contrast to Pitkin, offers a conception of democratic representation unencumbered by normative requirements such as goodness, justice, legitimacy, and democracy. In this regard, she defines democratic representation as "a species of representation, specifically a kind of 'standing for', that is an activity open to all on an egalitarian and inclusive basis". Sortition, in this sense, thus becomes an instrument that allows the requirement of openness, equality, and inclusion to be fulfilled. Indeed, for Landemore, a selection mechanism capable of fulfilling the principle of equality and inclusiveness becomes crucial.[8]

"The democratic credentials of lottocratic representation come from its egalitarian and temporally inclusive features. The combination of sortition and rotation indeed ensures that power is equally accessible to all over time."[9] Landemore thus works more with the concept of Athenian democracy, in

4 Landemore, H., *Open Democracy*, pp. 79–80.
5 Ibid, p. 80.
6 Ibid., p. 86.
7 Pitkin, H. F., *The Concept of Representation.* Berkeley, University of California Press 1972, p. 7.
8 Ibid., p. 87.
9 Ibid., p. 82.

which sortition was used to ensure an egalitarian principle in her defence of representation based on sortition (and rotation). For Landemore, "openness" becomes crucial in relation to the concept of democratic representation and to the new democratic paradigm, which she calls "open democracy". Thus, it is not just about the mechanism of selection and the form of representation. Still, democratic institutions should be open to ordinary citizens and provide equal participation opportunities. These values thus correspond to Athenian democracy, which aimed to ensure the political equality of all citizens and prevent the consolidation of power by one group.

Both Fishkin and Landemore, then, work with the idea that *popular control* is insufficiently implemented in representative democracy. While Fishkin considers the implementation mentioned above of *deliberative microcosm* to help fulfil *popular control*, Landemore proposes a complete transformation of representative democracy that would rely not on electoral democracy but openness and non-electoral forms of democratic representation. This "openness" to ordinary citizens allows them to participate in the decision-making process based on the historical experience of Athenian democracy.

Urbinati raises two objections related to the historical use of sortition. The first objection or argument concerns the need to uncover differences in the use and understanding of selection by lot in Athenian democracy and the Florentine Republic. The second objection relates to the attempts to return sortition to modern democracy, or rather to replace elections and introduce sortition into existing political institutions. Urbinati thus alludes to (some) current efforts to implement sortition in the context of parliament.[10] Therefore, she also considers it essential to address the question of where sortition has been used, as the selection process also affects the institution's function. Both in Athenian democracy and later in the Florentine Republic, sortition was used not in institutions with a legislative function but in institutions whose role was advisory, judicial, or controlling.[11]

Urbinati points out the different reasons for using selection by lot in the Athenian democracy and the Florentine republic. While in the case of Athenian democracy it was more about emphasizing equality and freedom or the right to public expression (*isegoria*), in the case of Florentine society, the motivation for introducing sortition was different, namely to avoid violence and to remove conflict from the process of distributing the various offices. Many advocates of sortition, who seek to restore it to democratic selection

10 An example is the above-mentioned M5S, which advocates a combination of a draw and an election, with the draw being used to select senators.

11 Urbinati, N. – Vandelli, L., *La democrazia del sorteggio*, p. 37.

processes or replace elections with this mechanism, link sortition purely to the democratic constitution and thus understand it as a democratic mechanism that ensures (democratic) equality and participation and limits corruption. Equality appears to be crucial here, but it is important to distinguish between aristocratic and democratic equality in arithmetic equality (*uno vale uno*). In other words, the drawing of lots may not be only a democratic instrument; what matters is not only the reason for using the instrument but also who was involved in the process of sortition. Urbinati also points out that sortition in Athenian democracy (and indeed in the other historical case) did not stand alone but in combination with the rotation. It is the rotation that Urbinati sees as crucial in Athenian democracy, as it helped fulfil the egalitarian principle of sortition, prevent corruption, and create a political class that would accumulate power. Confidence and consensus about the neutrality of the sortition mechanism were also important.

However, the society of the Florentine Republic during the Renaissance was very different from that of Athens. The Florentine republic faced a high degree of instability, violent conflicts between factions, and a society characterized by considerable inequality among its citizens. Sortition thus played a different role here than in the Athenian democracy. The main task of sortition was to ensure at least partial stability in an otherwise conflicted society. Thus, in this case, sortition was used because of its neutrality and confidence in its impartiality. Florentine society, therefore, did not seek to ensure equality among its citizens, nor did it fear the influence of the aristocracy, but rather violent conflicts between the various families and factions that sought power in the republic.[12]

Thus, Urbinati points to the importance of sortition in the context of such a conflicted and unstable society, in which the use of sortition was an ideal tool to choose political offices and thus it removed conflict from the selection process.[13] In this context, Urbinati asks why an election later replaced sortition, even though sortition had played an essential role in such an unequal and conflictual society. Urbinati finds the answer in the equality of citizens as electors (*elettori*)[14] – equality that the Florentine Republic did not know. This case then relied on sortition to ensure equality in an otherwise socioeconomically unequal society. Urbinati points to sortition as an instrument blind to the differences between those from whom it selects and not based on the will of citizens:

12 Ibid., pp. 59–61.
13 Ibid., p. 58.
14 Ibid., p. 64.

"The reason why elections in modern democracies perform the same task that was performed by sortition in the Florentine Republic (i.e., the legitimisation of selection and thus pacification) consists in the fact that in modern democracies the equality of citizens is placed at the foundation of the normative and political order. Without this foundation the election would not be better service than it did in the 15th century in Florence."[15]

Sortition and the Question of Accountability and Responsibility

As noted above, Landemore is concerned with criticizing modern representative democracy based on the principle of elections and offers an alternative in the form of *open democracy*. In the context of the new democratic paradigm, she also puts forward a concept of democratic representation that is not based on elections. Landemore thus proposes non-electoral representation forms (*lottocratic* and *self-selected representation*). These forms of non-electoral representation are based on the principles of inclusion and political equality, which she refers to as *democraticity*. These principles are also central to the concept of *open democracy*. Let us now focus on *lottocratic representation* and the question of *accountability* in relation to this form of representation arising from the sortition process.

The key values of (democratic) representation are "inclusiveness and equality among citizens"; Landemore refers to these values as "democraticity". These values of representation are intrinsic, whereas she sees accountability or responsiveness as *extrinsic*. She acknowledges that forms of non-electoral representation, such as *lottocratic and self-selected representation*, lack this external but important democratic element of accountability. Institutions built on sortition principles cannot be "electorally accountable" partly because of the nature of their creation, a process that is independent of the will of the public. Secondly, the reason is that we do not assume here that they will remain in office, as in the case of elected representatives. It is, therefore, necessary to focus on the form of accountability in the context of *lottocratic representation*.

Landemore suggests accepting the minimal definition of political accountability as "a relationship between rulers and ruled that ensures that the rulers are bound to give a proper account of their actions, including the policies and laws that they push, to the represented".[16] However, she rejects that representation is necessarily a *principal-agent relationship*. Landemore,

15 Urbinati, N., *Democrazia in diretta*, p. 152.
16 Ibid., p. 98.

therefore, excludes any mechanisms from the understanding or definition of political accountability and thus emphasizes the giving of accounts in the sense of defending or explaining representatives' individual decisions and actions. At the same time, Landemore notes that the criticisms directed at the lack of *political accountability* in the case of representation based on sortition often refer primarily to other forms of accountability, such as "the capacity to sanction rulers; the capacity to prevent them from acting badly; and the capability to nudge them into doing good"[17] –, i.e., what she terms a broad conception of accountability. Although Landemore concedes that the mechanism of elections can better fulfil forms of accountability even in its broad sense, it is not the only mechanism.

On the other hand, Landemore argues that it is also possible to fulfil all forms of accountability (in the broad sense) in the case of unelected representation through instruments other than elections. She thus shows that, like the understanding of representation and representative democracy, the notion of accountability is in thrall to elections. In addressing the alleged lack of accountability in the case of sortition, Landemore turns his attention back to Athenian democracy and its solutions in the form of rotation, people's courts, or mechanisms to ensure sanctions.[18]

So how should accountability be ensured in *open democracy* institutions built on non-electoral procedures? Landemore argues that at least three principles[19] that underpin *open democracy* (*participation rights*, *deliberation*, and *transparency*) can meet this external requirement.[20] These principles aim to ensure accountability in its broader sense, i.e., the other, abovementioned conditions concerning the ability to sanction or claim good behaviour and *political accountability*: "Deliberation inscribes accountability *stricto sensu* at the heart of the system, namely the opportunity and requirement to give reasons for political decisions and laws. Participatory rights and transparency serve to disincentivize bad behaviour on the part of officials".[21] Thus, in this conception of democracy and its institutions, accountability does not stand purely on the electoral procedure but is embodied and enforced through the various institutions and their mechanisms.

17 Ibid., p. 99.
18 Ibid., pp. 100–101.
19 Landemore lists 5 principles that underpin open democracy: participatory rights, deliberation, the majoritarian principle, democratic representation, and transparency. He discusses these principles in Chapter 6 (Landemore, H., *Open Democracy*, pp. 128–152).
20 Ibid., p. 203.
21 Ibid.

Urbinati, on the other hand, finds sortition highly problematic in terms of accountability and responsibility. Urbinati argues that one of the conditions[22] under which sortition can be considered a democratic method of candidate selection is that it "is not applied to the legislative function (sovereign par excellence)".[23] These conditions are based on the historical experience of the use of sortition. The examples Urbinati deals with in her book reflect on sortition precisely in the context of the legislative function. She discusses the Icelandic experiment in which randomly selected citizens participated in the drafting of the constitution, and the efforts of the Italian populist movement M5S, which seeks to introduce a lottery to choose one of the chambers of parliament. Both examples represent several issues that Urbinati addresses. One of the problems is the question of accountability and the form of representation that sortition creates. The second problem or issue, according to Urbinati, is the motivation for returning to sortition. I will address this problem related to anti-partisanship tendencies in the next section of this paper. For now, I will focus on the issue of accountability and the representativeness of sortition.

Why is sortition so problematic in the context of the involvement of ordinary citizens in legislative processes? Urbinati finds the reason in the very nature of sortition as a tool independent of human action and will.[24] As we have seen, impartiality and independence from the human effort make the mechanism of sortition attractive. We can also see from historical cases that this is one of the crucial reasons why sortition has been used to select public officials. On the other hand, this independence and impartiality make sortition problematic since "the sortition presumes irresponsibility".[25] Thus, sortition is a procedure that deprives the process of providing or selecting responsibility since it is independent of the will of the citizens.

This leads Urbinati to the second problem: the lack of accountability of candidates selected through sortition. Urbinati refers again to the historical experience of sortition in the Athenian democracy, where the Athenians solved this lack of accountability in two ways: by swearing an oath at the beginning of the term of office and by submitting an account at the end of the term. Thus, in a way, the officials chosen by lot were accountable to their *polis*

22 Urbinati lists two other conditions, which are related to the fact that a) there must be a sortition among all citizens, and b) there must be a cyclical selection for public office (Urbinati, N. – Vandelli, L., *La democrazia del sorteggio*, p. 42).

23 Ibid.

24 Oliver Dowlen discusses the arational nature of the draw in the context of this moment. See Dowlen, O., *The Political Potential of Sortition*. Exeter, Imprint Academic 2008.

25 Urbinati, N. – Vandelli, L., *La democrazia del sorteggio*, p. 54.

and to the law, but not to the citizens, as is the case with modern democracy and elected representatives. At the same time, it should be remembered that in the case of Athenian democracy, sortition was used, as Urbinati points out, for advisory and supervisory functions. Therefore, it would be problematic to achieve accountability in the case of the M5S proposal to draw senators from the public.

While Landemore presents a new conception of democracy outside of elections and the institutions built upon them, James S. Fishkin stays on the ground of representative democracy and its elected institutions. However, he supplements these with *deliberative microcosms* that serve as a link between elected elites and ordinary citizens. Fishkin points to several problems related to elections, including the growing distrust in electoral institutions and *fake news*, low citizen awareness, and the role of populists. The issue of information appears to be crucial, as citizens are often influenced and manipulated by elected elites. Fishkin thus proposes a *microcosm*, a deliberative space that offers conditions that would allow ordinary citizens to make the decisions they would make if they had all the relevant information and reasoning. These *microcosms* are based on Dahl's mini-publics.[26] Fishkin, like Landemore, also addresses the question of the occupancy of these mini-publics, arriving at two mechanisms: random sampling (or sortition) and self-selection, preferring random sampling to self-selection. Because of, among other reasons, the lack of representativeness of the self-selected mechanism. I will discuss this point more in the next section.

I would like to show the third position in the case of the problematic nature of sortition and accountability presented here by James S. Fishkin. He (unlike Urbinati and Landemore) does not address the role of accountability in the context of *deliberative mini-publics* or *microcosms*, since the purpose of these institutions is not to adjudicate or make law. These deliberative microcosms aim to present *considered judgment* and "offer a counterfactual representation of what the people *would* think, presumably under good conditions for thinking about the issue discussed".[27] He addresses why those not present at deliberations, and political elites, should be concerned with the results generated by *deliberative microcosms*. The answer Fishkin offers to this question lies in a total of 8 "good conditions" that relate to representativeness and deliberation: "1) demographic representativeness; 2) attitudinal representativeness; 3) sample size; 4) arguments for and against;

26 Dahl, R. A., *Democracy and Its Critics*. New Haven, Yale University Press 1989.

27 Fishkin, J. S., *Democracy When the People Are Thinking: Revitalizing Our Politics Through Public Deliberation*. Oxford, Oxford University Press 2020, p. 71.

5) knowledge gain; 6) opinion change; 7) avoiding distortions; and 8) identifiable reasons."[28] It is the last-mentioned condition that plays an important role in why the views emerging from the *microcosm* should be heard. "The goal is to provide a picture not only of what priorities the sample has but also of the arguments that really have weight with the participants. The result is a route to responsible advocacy."[29]

The Return of Sortition: Motivation, Anti-Partisanship, and Representation

We now turn to the final question Urbinati asks in relation to sortition: the motivation for returning to sortition and the form of representation produced. As previously suggested, Urbinati turns her attention to two cases where sortition figures in an institution possessing a legislative function: the Icelandic experiment and proposal of M5S. Modern technology (e.g., the internet) also plays a crucial role in both cases. The internet "facilitated the practice of sortition, getting to know and select people outside political circles, and finally a direct discussion between and with citizens via social media."[30] The role of modern technology in the Icelandic experiment has led, among other things, to questioning the current form of democracy or partisanship. The same logic can also be found in the Italian example, which involves the ideas and efforts of Beppe Grillo and M5S, who sought to introduce sortition into one of the chambers of parliament. Or rather, a combination of random selection and elections.

In the context of this effort, Urbinati questions the motivation for the return of sortition as an effort to redress representative democracy. She then finds the answer in two elements: anti-partisanship and efficiency.[31] In doing so, she also refers to the efforts of political theorists who think of this remedy through sortition to increase efficiency in decision-making and the functioning of democratic institutions. However, Urbinati warns against this technocratic approach, which she finds in Plato's *Kallipolis*, the perfect aristocracy. According to Urbinati, then, these theoretical approaches "want to remedy democracy of its irrational elements that derive, among other things, not only from representative assemblies but also from those who elect them, from the individual vote."[32]

28 Ibid., pp. 73–79.
29 Ibid., p. 79.
30 Urbinati, N. – Vandelli, L., *La democrazia del sorteggio*, pp. 78–79.
31 Ibid., p. 81.
32 Ibid., p. 83.

Urbinati turns her attention purely to the efforts promoted in Italy by the M5S to introduce a kind of mixed system of parliamentary representation. In addition to the emphasis on efficiency, she notes the criticism of the political parties, which points to a lack of representativeness. She links the advocacy of a combination of random selection and elections as a mechanism for selecting parliament (in the context of the Italian experience) with populist rhetoric critical of partisanship. Urbinati shows that the proposals of the Italian populist movement M5S, and their founder Beppe Grillo, originate in the Italian politician Guglielmo Giannini, who advocated the replacement of elections by sortition. Giannini was also critical of political parties and sought to rid political space of conflict and competition.[33]

The motivation associated with anti-partisanship points to the lack of pluralism of political parties and the issue of inadequate representation. But what kind of representation is shaped by sortition? According to Urbinati, sortition creates a statistical representation that mirrors a given society. The institution or group being drawn is a scale model of society, which Urbinati calls *"un bonsai della società"*.[34] However, Urbinati finds such a form of representation highly problematic and again turns to Plato's ideas and concerns about social engineering. Although statistical or photographic representation reflects the form of society (*bonsai*, as Urbinati refers to it), it appears to be a problematic part of that representation. Urbinati points out that it is indeed a proportionality, but only a social one, not an ideological or interest one. Thus, she warns against social engineering that artificially divides society into different social and demographic groups. Who would decide on this division? Last but not least, this form of statistical representation is also problematic in terms of representation. In other words, it is not the case that a woman of a certain age and education necessarily represents other women of the same age and education. According to Urbinati, this form is "a passive representation, not a political one."[35] Since this form of representation is not based on ideas and interests, it is problematic in the context of legislative institutions. "[The] parliament remains an organism that wants and must be an expression of the sovereign will with the legislative function for all citizens: men and women, workers and clerks, unemployed and doctors."[36]

As I have shown, Landemore turns her attention to non-electoral forms of democratic representation because elected representation does not fulfil democratic principles or *democraticity* (*inclusiveness and equality among*

33 Ibid., pp. 67–71.
34 Ibid., p. 86.
35 Ibid., p. 88.
36 Ibid., p. 89.

citizens). One form of this democratic representation is *lottocratic representation*. *Lottocratic representation* is based on the experience of Athenian democracy, where some institutions were selected by sortition combined with rotation. "Lotteries express a principle of equality as well as a principle of impartiality between citizens. Random selection, unlike election, does not recognize distinction between citizens, because everyone has exactly the same chance of being chosen once they have been entered into the lottery".[37] While for Landemore, this lack of distinction within the selection mechanism is instead to the advantage, for Urbinati this blindness (*cecità*) seems problematic. Landemore, on the other hand, sees a different problem with *lottocratic representation*, namely that it is not completely open to everyone, as those not drawn are excluded from the decision-making process. However, "the combination of sortition and rotation that ensures equal access to all citizens over time"[38] makes *lottocratic representation* a more open form of representation than electoral representation. When Landemore mentions rotation, she means a regular rotation in a (randomly selected) institution or office along the lines of Athenian democracy.

Landemore thematizes the need for the decentralisation of power and the emergence of local mini-publics, in the context of this form of representation based on sortition and rotation, thus deepening equality and open access for ordinary citizens. The problem of local mini-publics relates to the size of the mini-publics themselves – here, she alludes primarily to the issue of citizen juries, consisting of only a few randomly selected participants. There are problems with low diversity within these randomly selected institutions and a lack of representativeness. Therefore, Landemore proposes the creation of larger mini-publics based on the principle of local sortition to ensure both diversity and statistical or demographic representation of the population in question.

While Landemore emphasizes the statistical representation that sortition should provide, Fishkin argues that demographic representation is inadequate. One of the key conditions for *deliberative microcosm* is representativeness. In order to achieve the true representativeness of a given assembly, it is necessary to ensure not only demographic representativeness but also *attitudinal representativeness*, which is the purpose of various questionnaires that help to ensure that a plurality of interests in a given assembly is truly ensured. However, questionnaires can also play another role in the rest of society. Certainly, Fishkin is also interested in the changes that happen to interests and opinions during deliberation. So, it is also important to have

37 Landemore, H., *Open Democracy*, p. 90.
38 Ibid., p. 91.

this data on non-participants so that comparisons can be made between those who were directly involved in the event and those who were not. Another aspect that needs to be considered when creating a *microcosm* is the size of these gatherings – the *sample size*: "The microcosm needs to be large enough that its representativeness and the statistical significance of any opinion changes can be meaningfully evaluated."[39] In the context of *popular control* criteria, Fishkin discusses *inclusion*, and therefore what mechanisms should be used to populate deliberative *microcosms*. In addition to the *self-selected* mechanism, in which Fishkin sees some problems associated with *unrepresentativeness*,[40] he focuses specifically on sortition, or random sampling, which fulfils the inclusion criterion in that "it should be representative of the population in its political attitudes and demographics".[41]

One of the motivations Urbinati mentions for the return to sortition is anti-partisanship. What is Landemore's take on the role of political parties in *open democracy* based on non-electoral forms of democratic representation? Landemore does not question the role of political parties and does not seek their abolition. On the contrary, their role should be an integral part of politics, even in this new democratic paradigm: "parties would likely remain an element of the democratic landscape even in an open democracy".[42] What is important, however, is how we define political parties themselves. Landemore then argues that if we associate political parties purely with elections, then there is no use for such parties in a democracy built on non-electoral mechanisms. However, if we understand political parties as "associations of the like-minded for the purpose of bundling various issues into a coherent political platform, then it becomes a real empirical question as to whether a democratic system can do without them".[43]. In the context of open democracy, political parties can thus be understood more as interest groups of professional politicians and experts. Landemore then also mentions that parties are not even necessarily associated with elections, or rather that elections as such do not require the existence of political parties, pointing to the historical experience of Athenian democracy in particular, where the mechanism of elections filled some offices, without the presence of political parties (certainly in today's sense).

The role of political parties (unless it is possible to think of democracy without political parties, which Landemore does not see as a problem) in *open democracy* is, therefore, more a source of information, opening up spe-

39 Fishkin, J. S., *Democracy When the People Are Thinking*, p. 74.
40 Ibid., pp. 15–16.
41 Ibid., p. 16.
42 Landemore, H., *Open Democracy*, p. 145.
43 Ibid., p. 146.

cific topics or bringing citizens together around similar or shared interests. In other words, in the conception that Landemore puts forward, political parties are a form of interest groups that do not seek to gain political power and victory because they exist outside of electoral mechanisms. Thus, their aim is not to win the most significant number of votes from the citizens, to govern, and to decide based on these votes, but rather to perform an informative function.

Where is the Sortition Turn Going?

Where are the considerations for the return of sortition in the context of twenty-first-century democracy? What possibilities does the lottery offer us? And is it even possible to overcome the problems facing modern democracies through random selection? In this review essay, I put forward three possible approaches for dealing to some extent with these questions. Landemore offers a new democratic paradigm to overcome the so-called crisis of representative democracy in the form of *open democracy*, which is based, among other things, on the principles of sortition. Fishkin introduces deliberative microcosms that use random selection as a mechanism that, despite its possible shortcomings, appears to be the most appropriate tool to ensure broad citizen participation and engagement in public deliberation. Urbinati, on the other hand, sees these tendencies to bring back sortition as dangerous and highly problematic. It should be noted that Urbinati's focus is purely on efforts to introduce sortition in the context of legislative institutions (i.e., parliament). To Urbinati, this appears to be dangerous for representative democracy, as one of the crucial powers of the people, the *will*, is being eroded. However, Urbinati completely overlooks efforts to implement sortition to complement existing (elected) institutions. In the context of democratic innovations[44] that also involve drawing lots, as in the case of Fishkin's *deliberative microcosms*, we can observe efforts to create a public space that allows ordinary citizens to participate in deliberations on matters that affect them. In this case, sortition appears to be a suitable tool for populating these mini-publics, as it offers an equal opportunity for all to participate in these discussions.

However, Urbinati's criticism of sortition reveals several problems with which advocates of sortition must necessarily grapple. One of the critical problems appears to be the form of representation that sortition creates. The second problem that needs to be dealt with in the case of a return to

44 The forms and possibilities of these democratic innovations are explored, for example, by Graham Smith in his book *Democratic Innovations: Designing Institutions for Citizen Participation*.

sortition is the issue of accountability. Landemore finds an answer to these problems in her work by referring to the historical experience of sortition in Athenian democracy. On the other hand, if our thinking about the return of sortition stays within its reflection within various mini-publics (i.e., some kind of advisory and deliberative groups), these potential problems seem less pressing. At the same time, Landemore points out that the criticisms levelled at sortition are somehow captive to elections, and she considers it necessary to move beyond this perspective and look at this democratic mechanism beyond elections.

In my view, the debate devoted to the return of sortition into modern democracy should move not so much in the direction of replacing elections and elected institutions, as Landemore proposes in her new democratic paradigm, but instead in an order that thematizes the implementation of the lottery as a complement to existing institutions. I argue that sortition, combined with democratic innovations such as deliberative mini-publics, can help overcome problems related to the perceived lack of influence of ordinary citizens on policy-making, ensure broader participation and representativeness, and ultimately strengthen the power of opinion.

Facing Political Transformations in a Time of Vacillating Certainties

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I am very grateful to the *Philosophical Journal*, and particularly Jan Bíba, for this special issue dedicated to my work on democracy and populism. The articles and reviews included here address and discuss various aspects of my work, and some of them propose applications to the analysis of the Central European political perspective. In this brief note, I will not be able to cover the many important issues discussed in these articles. I shall limit myself to the remarks raised by some of the articles that relate explicitly to my interpretation of political representation and populism.

The democratic tenor of political representation

The recovery of representation from the limbo to which it had been relegated by the theory of participatory democracy in the 1970s and 1980s marked a turning point in the study of the democratic system. Firstly, because it has led scholars to problematize participation by incorporating forms of political action that are not directly linked to decisions, such as opinions formation, raising of claims, building political associations and parties, and defining proposals to be brought to the attention of the public in order to gain consensus or to challenge a particular state of affairs. In my work, I include this panoply of direct and indirect political action in the broad category of representative politics, which I consider, in the tradition of Immanuel Kant and Marquis de Condorcet, as a form of participation that influences decision-makers and creates legitimacy. How political actors interpret the will of citizens and put their interpretations into the public sphere of discussion is also part of democratic representation. This process, therefore, does not reduce to the timing of elections, nor do elections reduce to the appointment of the political class. Representation is activated by elections, but it does not end with them, and representation is not just a state institution. However, since representative democracy is a form of government, the reference to the

sovereignty and authorization of the people (thus voting and elections) is essential, not incidental. In this context, representation is a political process through which the will of the people is constructed and expressed, with the predictable result that the claims of elected officials to act on behalf of the voters inevitably become the subject of challenge by the voters. This tension is at the heart of representation and explains the complexity of representative democracy. No decision is sheltered from people's judgment and inspection; therefore, attaining a unity of decision in a collective body of representatives is at most a symbolic task. Although the multitudes remain outside and excluded in their "collective capacity" of lawmaking, as American Federalists argued, their exclusion is apparent because the same forces of dissent and disagreement that linger in society also cross into the assembly.[1]

As we said at the start, this osmotic nature of representative politics marks the limit of the representatives' power and enlarges the space and meaning of politics. For this reason, divorcing the outside and the inside of the state from each other or trying to insulate lawmaking from partisan politics and social pressures would be tantamount to impoverishing democracy and representation. Yet some insulation is needed. Above all, if we consider that democracy does not contemplate full equality but only political and legal equality, communication between society and lawmakers might have to circumscribe the influence of tolerated forms of inequality. Democratic constitutions are conceived to neutralize the power of the wealthier few to influence lawmaking; to that end, they either include norms that insulate institutions from special interests or incorporate demands that the state actively counteract social inequality to pre-empt possibilities for unequal political influence. A minimal conception of democracy is more consistent with the former option; a social conception is more consistent with the latter. Whatever road they take, democracies must ensure that equal political power is permanently reproduced, because it is only on this condition that political representation is democratically legitimate. Democrats have to establish and preserve equilibrium between potential candidates so that they can compete on a fair basis while providing voters with a chance to enter the competition if they so choose, and to make their voices heard.[2] Democracy seems to work better in societies where economic inequality is contained; conversely, it is often toothless in societies where economic resources for political participation are left to the market and electoral campaigns depend largely on

1 Waldron, J., *The Dignity of Legislation*. Cambridge, Cambridge University Press 1999.
2 Beitz, C. R., *Political Equality: An Essay in Democratic Theory*. Princeton, Princeton University Press 1989.

private donors.[3] Representative democracy does not prescribe that government abstain from intervening with positive policies in order to protect its foundational principles.[4]

The Populist Transformation of Democracy

At any rate, representation is the locus of the dynamics that keep modern democracy in a kind of permanent "unrest," activating communication between state institutions and society. Giving voice to demands and claims is an invaluable form of democratic action that representation enhances, being the most dynamic expression of political freedom, which is composed of both the power of decision (will) and the power of opinion (judgment). Thus, although political representation begins with elections because it begins with the equitable distribution of voting power, a merely electoral account does not exhaust the meaning of representation and democracy but impoverishes both. Far from being a homogeneous category, representative government can best be described as a complex and plural family whose democratic wing is not the exclusive property of those who advocate participation over representation and whose representative wing is not the exclusive property of those who identify it with the electoral selection of an elite over popular participation. Elections simultaneously separate and connect citizens and government. They create a gap between state and society while allowing them to communicate and even blend, but never to merge: the ambition to merge them is one of the risks to which representative democracy is permanently exposed, with sometimes dramatic consequences for the constitutional system itself. Today, populism and plebiscitary forms of leadership are among these risks. More recently, we are witnessing a phenomenon of contestation of the divide within the people – this is the populist claim, which aims to unify the People-ONE under the image and narrative of a leader or the plebiscitary claim to reduce the plurality of parties into ONE collective through the leader's act of acclamation. In short: in contemporary democracy, political games are played through and at the level of representation.

If representative democracy attracts scholarly attention, this is first and foremost because of its unsatisfactory identification with democracy itself, especially when the latter is defined and understood as a type of politics and

3 Piketty, T., *Capital in the Twenty-First Century*. Cambridge, Harvard University Press 2014.

4 Schlozman, K. L. – Page, B. I. – Verba, S. – Fiorina, P., Inequalities of Political Voice. In: Jacobs, L. R. – Skocpol, T. (eds.), *Inequality and American Democracy: What We Know and What We Need to Learn*. New York, Russell Sage Foundation 2005, pp. 19–87.

government that achieves legitimacy from the direct presence of the sovereign will. The centrality assigned to decision-making procedures at the state level makes representation as a democratic form evanescent. In this context, representative democracy assumes (and has assumed) at most the role of a pragmatic solution for an ideal condition that is not or no longer feasible in modern states. In my work on representative democracy, I have argued that this approach is fallacious, mainly because it assumes as unquestioned an idea of sovereignty that excludes a priori any form of "indirectness" and identifies the sovereign presence with the power of the will or the act of decision-making. The centrality of the will belongs to the classical doctrine of sovereignty (defined prior to the democratic transformation of the sovereign) and is like a trap for representative democracy, insofar as it does not contemplate forms of indirect participation such the process of opinion formation. In this context, I propose we situate the internal transformations of representative democracy, as populism particularly. Populism is a threat to representation as a political mandate through parties and claim-makings in the view of reconfiguring the people as a unified collective that can only be embodied but not pluralized. Thus populism counters representation as a political mandate with representation as embodiment.

Understanding populism within the logic of representation allows us to grasp the radical changes it enacts in everyday politics and the meaning of politics itself. In representative democracy, politics is a permanent process of constructing and changing majorities and political decisions; it is eminently conflictual because it is grounded in the majority principle, which entails the acceptance that the opposition is permanently organized and ready to overthrow the existing majority. This conflict is endogenous to democratic politics, but populism challenges it. For sure populism is very conflicting, but it regards conflict not as an expression of political freedom but as an instrumental means to achieve and preserve power. This reminds us of Carl Schmitt's attack on representative democracy as a failed collaboration between liberalism and democracy.[5] To Schmitt, the proposal of a representation was not to represent society and its pluralism of interests but instead to reconstitute the sovereign authority; in a democratic government, this entailed the representation of the collective masses as a unity that a leader embodied. Schmitt criticized representation as a political mandate of transferring social conflicts within the state, which became itself a mediating agent rather than the site of command. In representation as embodiment, which is

5 Schmitt, C., *The Crisis of Parliamentary Democracy*. Transl. E. Kennedy. Cambridge, MIT Press 1994.

precisely what populism relies on, we see the anxiety of authority toward political conflict and party forces that keep democracy in permanent competition. Representation as embodiment is the sign of a society that is impatient with the cacophony of democracy, and although it makes abundant use of the radical antagonism of "us" versus "them", its ambition is the realization of a structurally pacified society. This is the matrix of populism, which relies on the principle of order not disorder, of authority not freedom. Political freedom is a kind of freedom that occurs within the verticality of power (the legal order) and is permanently exposed to conflict because it reflects the tension between the ideal of autonomy (giving oneself laws) and the fact of obedience to laws we do not directly make by ourselves. Democratic freedom is secure if both supporters and non-supporters enjoy the rights of freely participating in the process of decision, which is open to changes and emendations and in this indeterminacy makes room for freedom. As Hans Kelsen argued, the autonomy foundation of democracy (freedom as non-domination) makes it the site of a permanent tension between "ideal" and "real" but also a theatre of permanent autocratic risk.[6] This struggle never ends, even with a written constitution; it persists through legal means, a fact that represents a remarkable change because, while it prevents final decisions, it also steers politics toward a practice of compromise and the search for solutions to conflicting interpretations. Antagonism among citizens regarding their interests and opinions is as internal to democracy as majority and opposition: political parties are the form that this pluralism takes.

It is fair to say that for a procedural conception of democracy, political disagreement appears as a continuation of the struggle against domination (or autocracy) within the system of rules that democracy establishes. Thus, the form of political struggle marks the character of a regime: persistent pluralism and conflict between parties in the case of representative democracy and overcoming pluralism and fundamentalism in the case of autocracy (or its mild form, which is populism). Against this backdrop, I propose to understand the phenomenon of populism in representative democracy. Pavel Barša, in his article "Beyond 'Democracy vs. Populism': Urbinati's Theory of Populism from a Central European Perspective", argues that this view is ambiguous. I admit that. The ambiguity is inscribed, it seems to me, within representative democracy. Margaret Canovan has brilliantly chronicled this tension:

"The notion that 'the people' are one; that divisions among them are not genuine conflicts of interests but are merely self-serving factions; and that the people will be best looked after by a single unpolitical leadership that will

6 Kelsen, H., *The Essence and Value of Democracy*. Eds. N. Urbinati – C. Invernizzi-Accetti. Transl. B. Graf. Plymouth, Rowman & Littlefield Publishers 2013.

put their interests first – these ideas are *anti*political, but they are nevertheless essential elements in a political strategy that has often been used to gain power."[7]

Populism is a form of representative politics that emphasizes unity rather than oppositional dialectics; it seeks an impolitic vision of the collective capable of uniting the interests and opinions of citizens without ideally having to go through compromises and accommodations. In this sense, populism is a version of anti-partyism.

Populist leaders practice antagonism as a means of achieving power, but they do not have an adversarial conception of politics, and if once in power they tend to exalt the role of executive power and debilitate that of the parliament, their goal is to embody the masses and overcome disagreement as much as possible. Representation as embodiment serves to maintain power rather than to represent the claims of citizens and expose representatives to scrutiny and accountability.

By addressing populism as a form of representation, we can best grasp how populism can thus disfigure representative democracy because of its idea of representation, which excludes accountability and affirms power rather than a system of power control. Moreover, representation as embodiment entails the undemocratic idea of extracting "the real people" from "the empirical people", thus closing the definition of the people both outward (xenophobic exclusion of potential new citizens) and inward (intolerance of those "minorities" who contrast with the image of the people that the leader declares hegemonic). The populist model of representation thus violates the principles of constitutional democracy insofar as it undermines what, in Claude Lefort's terms, we can call the constitutive indeterminacy of democracy and the consequent processual idea of the people that no elected person can embody.[8] Since populists see themselves as the only authentic representatives of the people, once they attain power they begin to treat the institutions of the state as their property, thus undermining the fundamental principle of political equality.

Rhetoric and Political Partisanship

In highlighting populism as a dynamic of representative power, I have studied it in relation to the main categories that designate constitutional democracy: the people, the majority principle, elections, and representation.

7 Canovan, M., *The People*. Cambridge, Polity 2005.

8 Lefort, C., *Complications: Communism and the Dilemmas of Democracy*. Transl. J. Bourg. New York, Columbia University Press 2007.

Giuseppe Ballacci, in his paper "Nadia Urbinati on Populism, Representation, and Rhetoric: Some Critical Remarks", rightly points out that my conception of political representation focuses essentially on procedures and institutions and much less on the performative dimension or rhetoric. In his view, this divide is not entirely justifiable because, when I emphasize the differences between populism and party politics, I do not pay attention to the fact that rhetoric is common to both. While I suggest rhetoric as a discriminating factor, I do not do justice to this conclusion. This is a reason for "ambiguity with regards to how she understands populism and thus democracy itself," Ballacci writes. I actually think that rhetoric plays a distinctive role in politics, not just in populism. Rhetoric is a common feature of all the partisan politics that animate democracy, indeed of political freedom. Distinguishing between types of rhetoric is difficult, though not impossible. In the two books in which I deal with populism, I do not venture into this distinction, not because I consider it irrelevant but because my goal is to understand what populism does to the procedures and institutions of representative democracy; my interest is in identifying different forms of political representation and "electoral democracy". Indeed, not only questions of rhetoric should interest us, but also changes in opinion formation due to technological factors and the decline of organized partisanship. In my paper I have touched on only one aspect – the procedural and institutional aspect – of this complex history, which naturally includes the transformation of rhetorical discourse and ideologies. Populism is, so to speak, the tip of an iceberg; it converts (or reveals) transformations of our democratic systems that are radical and whose implications we are not fully aware of and perhaps not fully equipped to understand, since the categories we have (from ideology to rhetoric) were defined and codified in an era when politics was structured according to social classes and parties, which is no longer decisive in the present time. In the case of populism, we measure the vagueness of our traditional categories.

If we are to give rhetoric its rightful place, it is necessary to critically analyze discursive strategies to understand whether they are directed at making citizens participate in the development of policy proposals or whether they are instead directed at subjecting them to those who premeditate their adhesion by faith. An example of the latter instrumental form of rhetoric is the conspiracy strategy, which plays a central role in populist discourse, built on a predefined assumption of who the people are and who they are not, of what their enemies are. This binary rhetoric of guilt and militant resentment is primed with the intention of weaponizing public discourse with anger and hatred, directing these passions toward those who do not subscribe to the vision of the "just people" that the populist leader claims to represent. Precisely because I am aware that election-based democracy breeds

divisions, enmities, and eventually majority governments, I believe that attention to the forms of rhetoric is critical. Aristotle argued that an orator's ability to persuade an audience is based on their ability to appeal to the audience according to three registers: logos, ethos, and pathos. Balancing these sources of rhetorical discourse is the goal of a representative democracy. Populism can be seen as monopolizing some of the three sources, and particularly the last two, making the leader the dominant agent of instrumental rationality that aims to get the people where they want to go. I believe that deliberative rhetoric, which balances the three registers mentioned above, has been fruitfully practiced by political parties, the collective structures of partisanship and representation that have traditionally been not only functional mediators in the formation of political personnel, but also collective agents capable of regulating rhetoric and making it a vehicle for competitive participation. I consider exemplary in this regard the conception of partisan rhetoric proposed by Jonathan White and Lea Ypi, and Nancy Rosenblum.[9] The victory of conspiratorial logic in populist rhetoric is indicative of the decline of partisan disputes and partisan intermediation.

Aesthetics and Politics of Passivity

This brings me to the question of the role of aesthetic judgment in politics raised by Michael Räber in his article "The Aesthetic Dis- and Configuration of Democracy: On Nadia Urbinati's Conception of Democratic Opinion and the Aesthetic Function of Democratic Politics". It is certainly true that democracy performs an aesthetic function insofar as it must make power "visible and public"; power wants opacity, and rulers are constantly engaged in the work of concealment. Visibility and transparency are insidious and have a dual function however, because they activate a theatrical plot that, while staging palace affairs, sets them up in such a way that it is never easy for the public to know for sure whether the work of unveiling is not instead a work of concealment. The public, acting as spectators, is more a receiver of input from the rulers than a controller of visibility. Control through the political and cognitive functions of will and opinion is central then, and implemented through different actors: pluralism in the formation and dissemination of information and opinion and in the political and associative organizations that citizens freely activate. But in a democracy of the audience – that is, in a post-party democracy – citizens are likely to be more subject to the force

9 White, J. – Ypi, L., *The Meaning of Partisanship*. Oxford, Oxford University Press 2016; Rosenblum, N., *On the Side of the Angels: An Appreciation of Parties and Partisanship*. Princeton, Princeton University Press 2008.

of images than to the force of words; their emancipation from the "iron law" of the party oligarchy does not necessarily make them more adept at exercising their will and opinion without constraint. Rather, it may make them more exposed to what Jeffrey Edward Green calls "ocular democracy" and what I call plebiscitary politics.[10] The empire of ocularity and the "aesthetic factor of public opinion" come at the "expense of understanding." Räber argues that this is not necessarily so, since the aesthetic function of public opinion in democracy is by no means exhausted in creating transparency and publicity, but can take on a participatory and critical function. However, it is not clear how aesthetic judgment can be a form of both critical and collective judgment. Aesthetic judgment is at once impolitic and peculiarly individual, not only because its objects are nonpolitical qualities (assuming that political qualities are utility, prudence, or security – objects that affect the whole community and can be discursively and critically reflected upon). Judgments concerning taste are eminently personal and difficult to question based on criteria that are general or translatable into propositions of utility or expediency that pertain to society as a whole and inform public deliberation. Leaders who aim to be loved and to please the masses benefit greatly from aesthetic ploys that impress and hypnotize the public, while they tend to skip issues of justice, general utility, and equal security. Audience democracy in the age of videocratic technology proves capable of endlessly creating and demolishing leaders and candidates according to the maxim "what people like is right" – liking and disliking are hardly political judgments when associated with matters of taste; and when systematically employed, they tend to make citizens not more active but more militant (thus divisive in a radical sense) and docile, like the Ancient Roman public in the Colosseum. Spectacular politics is an aesthetic politics, but not necessarily a more democratic one, even if the masses are mobilized like the audience in a theatre. Of course, this is also a form of participation; a form that relies on people's freedom to decide whether to persist in their personal judgment (*de gustibus non disputandum est*) or to remain indifferent. However, to call it a form of "democratic participation" seems an impoverishment of both politics and democracy. It seems to me that the republican model fits this gladiatorial aesthetic better than democracy, which is still based on the sovereignty of the individual-citizen (one head, one vote) and presupposes that citizens are able to formulate and exchange opinions and justify them. Of course, democratic politics is not a mere exercise of deliberative rationality with the aim

10 Green, J. E., *The Eyes of the People: Democracy in an Age of Spectatorship*. Oxford, Oxford University Press 2011; Urbinati, N., *Democracy Disfigured: Opinion, Truth, and the People*. Cambridge, Harvard University Press 2014, pp. 171–227.

of arriving at truth; however, citizens have the right to be involved in politics as sovereign agents and as agents of knowledge of public affairs and control. A politics that is articulated through public discourse and justification is not an exercise in abstract rationality, but a complex mix of pathos and logos, just as when we take sides with some citizens against others on certain public issues, or when we occupy a certain space in the political arena (on the right or the left, for example). Politics is a mixed practice in which reason is guided – and sometimes over-guided – by passions, such as passion for equality (which includes passion for social justice, equal consideration of minorities, freedom from domination, etc.). The politics of conflict is actually the most effective way to describe democratic politics as an exercise of understanding and action that is imbued with passions and rhetoric; that is neither a merely rational exercise nor a merely aesthetic performance.

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In what we have come to see as a time of crisis for democracy, it is important to reflect not only on the dangers facing contemporary democracies but also on the nature of democracy itself. The articles collected in this volume aim to engage with the work of the Italian political theorist Nadia Urbinati and her conception of representative democracy as diarchy. The volume provides a discussion of many of the vital concepts in contemporary democratic theory and of the challenges that contemporary democracies must tackle, including populism, oligarchy, and the rise of illiberal democracy. Some of the articles herein also draw on the recent Central European experience of democratic backsliding.

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