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From Post-Democracy to Neo-Democracy

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Contents

Max Beyme painting: "1 Sec.", Acrylic on oil painting paper, 2016, 50 × 64 cm; *Source* Photo by © Max Beyme, reprinted with his permission. A carousel with cars and passers-by. An apparently everyday scene in any town. Only at second glace do several inconsistencies emerge. The black bar that divides the picture indicates that it refers to a distorted recording from a video camera. Perhaps the restless movements of several passers-by are also noticeable. In fact, the pictures show a recording of a surveillance camera which captures the view of a square in Kathmandu, the capital of Nepal. Only a second later a heavy earthquake will destroy the temple complex in the background. The disintegration of the supposedly safe world from one second to the next is always a recurring motif in the paintings of Max Beyme

Chapter 1
The Debate on *Post-Democracy* and the Traditions of Scenarios of Decline

1.1 Scenarios of Decline in Democratic Theory

According to many critics the notion of democracy is frequently falsified by confounding two versions: democracy as *constitution of the political system* and *the practice of administration* in democratic regimes. According to Agamben (2012: 9) the second version is prevailing. Frequently it was taken for granted that the centre of "the machine" is empty and there is hardly any conciliation between the two notions of democracy. That various sciences discuss democracy with different theoretical approaches is normal in a pluralistic scientific world. This plurality of democratic theories is acceptable as long as there is a general normative theory of democracy and not just strange scenarios about the decline of various policy areas in "post-democracy" (cf. Chap. 5). The plurality of approaches in postmodern criticism of society is frequently criticised for its vagueness. Equality of facts is postulated and creates constructions of reality, "but no coherent world is visible" (Badiou 2012: 13). This kind of critique of democracy is frequently based on Plato's criticism of democracy in *Politeia* (§§ 558cff), in which democracy is classified as a "charming colourful constitution without government which distributes to equal and unequal citizens a certain equality". Plato differentiated between *geometric equality*—proportional to merits—and *absolute arithmetic equality*. For Plato—who did not know about representative democracy—democracy was founded on arithmetical equality. Degenerated liberty for Plato (§ 562a) was the foundation of a "tyrannical regime". Sometimes theoretical backward glances led to absurd conclusions concerning discretionary conceptions of postmodernity, such as the hypothesis that "we can only be true democrats when we turn back to communism" (Badiou 2012: 22).

The history of democratic notions is a history of combinations of democracy with additional notions such as:

- *New forms of states*, such as republican, liberal, socialist or "people's democracy",

- or *specification of traditional forms of government* with notions such as representative, plebiscitarian, defect or leaded,
- or *normative notions* such as "true democracy" or "deliberative democracy".

The most widespread combination in the Western World is "representative democracy". By radicals it is criticised as "oligarchic". For the French thinker Rancière (2011: 58f, 97ff) representation is even the opposite of democracy. Democracy was frequently considered to be the rule of socially uniform people. The unity was sometimes artificially constructed by the degradation in power of the aristocracy or later of the wealthy bourgeoisie—with dangers of authoritarian developments. Representation should be recognised as a necessary concession to the heterogeneous elements of society and the great number of political ideologies, social movements and parties. In the perception of some critics this degrades democracy to the character of "an insipid dish whose flavour depends on some added spice" (Rosanvallon 2011: 225). For some observers democracy is not founded on one institutional form and historical inevitability. This insight may engender hatred in those who want to exercise power over the thoughts of citizens. But it can also augment courage among those who are ready to share the power of political intellectuals with every citizen.

Political theory for modern times included the notion of democracy in its theories only step by step. Histories of political notions show that the term "democracy" permanently underwent semantic transformations by including positivistic approaches and normative ideas about the future:

- The notion of democracy since antiquity was combined with negative attributes. Only since Spinoza and Rousseau have positive elements been added.
- Including ideas about the future of democracy was also a rather late event.
- The third adaptation was combined with rationalisation of democratic notions.

Rationalisation created, however, a certain gap between democratic participation and a rational output of democratic decisions, so that participation was frequently no longer as much praised as in normative democratic theories (Buchstein 2011: 55f). *Output of decisions* became more important than the *input of participation*. But also the rationalisation of "output democracy" was not free from doubts. Some theories were not sure that democracies are capable of harmonising all the social demands of democratic citizens. The internationalisation of democratic systems leads to a kind of "democratic overload" and for some authors even to "ungovernability" (Blühdorn 2009: 18ff).

Most democratic theories rely on the fiction of a consistent identity of individuals and social groups which can be rationally classified (Inglehart and Welzel 2005: 299). This assumption of a clearly discernable identity of citizens and groups has been challenged by postmodern thinkers. The modern ideal of democracy is withering away. Post-subjective strategies of legitimation were developed. The *inputdimension* for postmodern political scientists (Blühdorn 2009: 41, 43) cannot be analysed with scientific objectivity. The *output dimension* among modern theorists seemed to be legitimised on "formal efficiency of political processes".

Compared to this image "post-modern change" is demanded. For quite some time only a minority of social scientists believed in Luhmann's theory that in "late modernity"—he did not yet overload the debate on "postmodernity"—a central perspective on society is no longer possible since the central institutions and behaviours are drifting apart (Nassehi 2012: 50).

In light of these debates, it is almost a miracle that democracy remained a basic notion even among semi- and fully authoritarian movements. Among the "defective democracies" which have been discerned there are a number of authoritarian and semi-authoritarian systems which stick to the notion of democracy. In some cases it is not clear whether the democratic structures are merely empty abstractions. Some transitional systems—from Turkey to Brasilia, and recently also Putin's Russia—were called "democracies at risk". It was not always clear whether they stagnated in democratic development or already suffered from "bad government" (Diamond 2008: 292, 296). This is one of the reasons why the "legal state" (*Rechtsstaat*) was considered as an equal value to the aspects of participation in so-called democracies. Pejorative connotations are frequently added to the notion of democracy in postmodern discourses. Compared to the time between the two World Wars, however, the new democratic systems, despite a number of faults, have continued to play a part in the democratic debate by using the term of "post-democracy".

As frequently occurs in the history of pejorative notions, the decline is opposed by optimists like this author, who speak in many cases of "neo-democracy". This notion was constructed by analogy with terminological developments in the history of art. Art history offers many examples of the term for a "post-movement" frequently being converted into a "phase of a neo-movement", as in the cases of Neo-Impressionism or Neo-Dadaism (Tomkins 1988: 7, 39). Changes in artistic taste– as in the case of "abstract expressionism", which dominated in the 1950s in the USA—to a new dominant movement such as Pop Art were sometimes attributed to a "conspiracy of art intepretations", since they tried to save established standards of the modern vanguards. In the history of political ideas there were rarely such conspiracies, but there are theoretical factions which are promoted by the semi-scientific world of media. This author (v. Beyme 2007) noted that similar developments have taken place even after the alleged "end of the grand debates". "Neo-democracy" has so far been rarely used and is, in some respects, no less vague than "post-democracy". But it has the merit of overcoming the ideological pessimism of many post-democrats and opens the constructive search for new notions and models (cf. Chap. 5).

Starting with Tocqueville (1805–59), scenarios of decline have prevailed since theories of democracy began. Tocqueville (1961: 12ff) saw two dangers for democracy: the submission of parliaments to the electors, and the concentration of all the other political powers in the legislature which might lead to a *gouvernement d'assemblée.* But Tocqueville was arguing in a more differentiated way than many later critics of democracy. He advocated scientific analysis without normative bias. He did not want to praise any single form of government. He was not even ready to decide whether the actual political development went in a positive or negative

direction. A theory of decline was, however, implicit in his book on America when he saw liberty threatened by the increasing equality of citizens. In a famous review in the *Edinburgh Review* 1840 (1859: 620) Mill criticised a failure in the methodology of many theoreticians of historical decline of regimes: "Tocqueville apparently confounded the effects of democracy with the development of civilization". For Mill, the overall name of "democracy" in the work of Tocqueville was not acceptable. Similar differences are common in the case of promoters of the notion "post-democracy".

After the Second World War the widespread sentiment of progress created many scenarios in which democracies were associated with positive development. The "rising democracy" (*Aufstiegsdemokratie*) after 1945 was frequently considered to be "the model of democracy per se", though under Adenauer in Germany the development of democracy was characterised by moderate authoritarian elements. Some theoreticians fixed the peak of democracy at a later stage of post-war development—when "Postfordism" was praised for creating compromises between the interests of capitalist economy and the working class. For researchers like Crouch (2008: 15), who came from studies of trade unions and the theory of corporatism, the climax of democracy was identified with the victory of *Keynesianism.* When the Keynesian steering of demands increasingly came under pressure from neoliberal strategies, democracy was identified with "decline". Public goods were converted into private goods and economic enterprises sometimes became public responsibility. Sometimes even soldiers were recruited on a free market.

Some criticism of democracy was created by the assumption that the processes of democratic decision consisted of "boring routine"—an attitude which fails to acknowledge that economic and political crises might be integral aspects of the functioning of the regime. The critique of the protesting generation of 1968 also contributed to theories of decline. In the work of Beck (1993: 292) postmodernism is no longer identified with a kind of "rule of cynicism", frequently seen in late democratic regimes. In the 1980s the paradigm of "non-governability" was launched by conservative thinkers. Barber (1994: 11, 13, 33) had some problems with this view and asked how can democrats expect to be able to self-govern if the general trend leads to non-governability? Non-governability was thus considered by counter-theories to be an excuse used by leading statesmen who were unable or unwilling to govern. The survival of democracy for critics of the non-governability-hypothesis depended on fighting liberal theories—whether they proclaimed an anarchist, a realist or a minimalist variation of a post-modernised liberal theory.

The development of Post-democracy was mostly stated in an additive way by individual criteria such as:

- *Oligarchisation* of liberal democracy (Buchstein),
- *Presidentialisation* undermining the division of powers (Körösenyi),
- the development of *populism* instead of democratic participation in an electoral democracy,

- the dominance of *corporatism* in the process of democratic decision. Crouch (2008: 93f) developed a new trinity by expanding the circles of political advisors and lobbyists in the surrounding of the political elite. Berlusconi's network of "ad hoc created political structures" and the interference of economic actors has been considered a classical example for this post-democratic development.

The decay of classes and the rise of experts are weakening democratic parties in a classic example of this post-democratic trend development. A new "culture of amateurs" in neo-populist movements and "liquid democracy" have become functional equivalents. Central competences have been criticised for moving out of the democratic centre of decision-making. The use of consultation bodies with specific competences and economic knowledge by political parties is changing in "post-democracy", but this has largely been overlooked. In many countries the substitution of conventional interest groups is barely perceptible, even if some of them—especially the trade unions—lose members. But so do political parties. The new citizens' groups, NGOs and lobbies of privileged and underprivileged citizens are mostly weak in membership development. But they possess the virtue of participation in specialised themes which do not require wholesale adherence to party policies. Parties are experimenting with special contact courses and inviting non-members to the debate in special fields—but the success is moderate. However, "network democracy" is still more successful than traditional big organisations at mobilising of specialised interests (Crouch 2008: 148). Feminism and ecological movements have been criticised for abusing network democracy. But both movements are good examples of giving up "demagogic staging" after the initial phase and the establishment of big organisations which are accepted in their programme by other established organisations.

The new examples of network democracy do not yet provide evidence that a completely new type of post-democracy is developing. Some of the constructions of a scheme of development for democracies are even criticised as "Eurocentric defamation" of evolutionary processes which claim that the Western world is entering a new stage of development, whereas the Third World is approaching the example of Western developments (Richter 2006: 26f). The classification of regimes as "post-democratic" sometimes remains vague and normative, as in the claim to turn back to "true democracy" in the work of Guéhenno (1993), and sometimes remains scientifically insufficient because it restricts the analysis to only a few general indicators, such as participation in elections. The first version became evident in 2012 when populism seemed to substitute normal citizens' participation. The group which called itself "pirates" installed new ubiquitous and liquid forms of participation and criticised the traditional notion of democracy when trying to create a new type of "better democracy" with the help of new media.

To Leftists, such as Wagenknecht (2012: 10f, 42), the political situation is reminiscent of the final phase of the German Democratic Republic. The post-democratic and post-socialist society which we are allegedly trying to create is, to a leading member of the "post-communist" Party (*Die Linke*), "pure capitalism". The greater the chorus of prophets of decline, the more the prophecies develop over

the years into "self-destroying prophecies". Negative developments and positive counter-reactions should be analysed in an empirical way. Even Wagenknecht (2012: 236f), in the "international crisis of debts", tried to develop some counter-strategies, such as the elimination of older debts in the EU and nationalisation of great financial enterprises, higher taxes on big fortunes and radical redistribution of fortunes among rich and poor citizens. The first two proposals are accepted even by many groups outside the "leftist" Party. But the third and fourth propositions evoke opposition even among promoters of *creative socialism*" because these aims cannot realistically be implemented in an era of "Europeanisation" and globalisation.

Max Beyme, painting: "20th Century Mess", Acrylic on oil painting paper, 2014, 50 × 64 cm. *Source* Photo by © Max Beyme, reprinted with his permission. The original image, a press photo from a daily newspaper, shows a roadblock of Serbian nationalists in Kosovo who are demonstrating against the recognition of Kosovo as an independent state. The painting focuses on an extract of those press photos and works like a zoom in a film, which condenses the scenery and simultaneously offers an abstraction. Due to the disappearance of important information from the image, the original content of the photo is nearly concealed. This effect is enhanced by enlarging the pixels of the scan. The manipulation of medial image contents by changing the level of detail is another central theme in the paintings of Max Beyme. This is, however, less about disinformation in times of fake news. Instead, the roadblock is turned into a general barricade metaphor, and thus open to new meanings and interpretations. At the same time, the boundary between figuration and abstraction is being explored through visual compaction

1.2   Democracy Without a Dictatorial Alternative?

In Plato's work (§ 562a) democracy was the basis of tyranny. After the experiences of the Weimar Republic this hypothesis was frequently quoted and believed. But in the post-democratic age some elements have changed. Hardly anybody favours the alternative to democracy—dictatorship. A tempting option for others is "right-wing-populism", favoured by followers nostalgic for "a bit of dictatorship". (cf. Chap. 3). Some critics already see this kind of decent authoritarian policy in Angela Merkel's politics Höhler (2012).

So far nobody has asked for an old-fashioned "constitutional dictatorship". This style of dictatorship allowed certain problems to be solved during an emergency, but after the period of exceptional governmental rights the dictator was answerable to the official bodies of the political system. This style of government included at least a trace of the modern concept of "legal states", but encapsulated something which in ancient Rome did not exist: the combination of democracy and the legal state. Since the transition to democracy of former communist dictatorships we know that democracy with free elections is much easier to realise than a safe legal state—even in countries which had accepted the constitutional courts of the Austrian-German models, such as Yugoslavia, Poland, Hungary and later the Soviet Union under Gorbachev and the Russian Federation under Yeltsin (v. Beyme 1994: 271ff). Recent studies on the duration of regimes have shown that dictatorship is no true alternative to democracy. The shortest lifespan was found among military dictatorships (9 years), followed by personalised systems (15 years) and one-party-systems (25 years). Dictatorships usually last only two or three decades. In times of crisis, dictators end up making concessions to democratic policies (Gandhi and Przeworski 2006: 1; Geddes 1999: 133).

In Germany hardly any political scientist would dare—as did the Hungarian Körösenyi (2005: 359)—to promote a theory of "leadership democracy" in the name of Max Weber and Robert Michels. Many of the leaders who initially presided over populist movements, such as Jörg Heider in Austria or Schönhuber in Germany, became an embarrassment even for the movements themselves. The downgraded former leaders rarely dared to announce a come-back as did Berlusconi in Italy in 2012. The priority of the "rule of law" over the "rule of men" in Germany was firmly established after the experiences of the Weimar Republic. Germany was therefore most active in counter-propaganda as soon as neo-fascist and populist groups tried to promote the *Führerdemokratie*—the German term encapsulates the dangers of it more clearly than the English translation, "leadership democracy".

In recent years a growing number of prognoses about the possible "end of democracy" were published even in Germany. The economic growth of around 2% was degraded by some experts as merely "simulated growth" because it was

allegedly financed by public debts. Even institutions highly estimated by most citizens, such as the Basic Law and the Federal Constitutional Court, were downgraded in some pamphlets. The Constitutional Court was called "degenerated" and "authoritarian" and the Basic Law according to this perspective had lost its functions (Grünenberg 2008: 26, 193, 215). According to the opinions of some leftist pamphlets, the green-alternative movements would not be able to save the system, because they would hardly get beyond decorating the old political liberalism with some ecological elements which would strengthen the "cultural pessimism" (Fisahn 2008: 393). Most cultural pessimists remained rather general in the prognoses. "Moderate Authoritarianism" was prevailing in a type of literature which spoke about "the third republic" of the future which would be much tougher than the first two republics (Grünenberg 2008: 194). This type of polemical renumeration of Republics overlooked the fact that most concrete attempts failed, such as the "Second Republic" in Italy under Berlusconi, the "Third Republic" in Haider's propaganda in Austria, and the "Fourth Republic" under Kaczyński in Poland. Polemics against the "Fourth Reich" of Angela Merkel were hardly accepted as serious in the international media.

In the meantime, expectations concerning authoritarian tendencies in Europe became more modest among the theoreticians of post-democracy from Crouch (2004) to Losurdo (2008). Moderate leftist critics mostly started from the assumption that the parties were dissolved into charismatic individual leaders and the population might develop into "atomised mass". The political consequence of this development was not open dictatorship, but what Losurdo called "soft Bonapartism". In this concept, parties were not declared irrelevant but considered to be one actor among an increasing number of other institutions (Seils 2010: 113). Some critics found milder expressions such as "liberal oligarchies" (Zolo 1998). Many of them were no longer ready to guarantee a certain level of the "legal state" and minimal social standards in the sector of output. The advantage of this terminological strategy is that it renounces efforts to upgrade post-modern systems through the notion of "democracy" and consequently does not seek to legitimise a democratic system (Buchstein and Jörke 2004: 489). Instead proposals hint at a "function of normative promises in democracies" which make the notion of democracy more dynamic.

Three areas of this type of "post-democracy" seem to be developing:

- New media and the possibilities they offer to "enraged citizens" (Chap. 2).
- New forms of participation which include the dangers of growing populism (Chap. 3).
- Debates on the reform of institutions of parliamentary party democracies (Chap. 4).

Max Beyme, painting: "Phoney", Acrylic on canvas, 2008, 150 × 200 cm. *Source* Photo by © Max Beyme, reprinted with his permission. The English term "phoney" straightaway indicates that this is a kind of "picture forgery". The original image in the press photo shows the arrest of suspected black drug dealers by white policemen in Soweto in South Africa. But in the painting the arrest is reinterpreted as an escape story. Whether it will ultimately be successful depends on the perspective of the viewer. The telephone kiosk on the left side of the picture is unusually strongly exposed. On the one hand, it serves as an incomplete pun on the picture's title. On the other hand, it plays ironically with the topos of the escape vehicle in the movie "Matrix". But this kiosk, although equally obsolete, provides no chance of escape to another plane

References

Agamben, Giorgio et al.: *Demokratie? Eine Debatte*. Berlin, Suhrkamp, 2012.

Badiou, Alain: Das demokratische Wahrzeichen. In: Agamben, Giorgio et al.: *Demokratie? Eine Debatte*. Berlin, Suhrkamp, 2012: 13–22.

Barber, Benjamin: Starke Demokratie. Hamburg, Rotbuch Verlag, 1994.

Beck, Ulrich: Die Erfindung des Politischen. Zu einer Theorie reflexiver Modernisierung. Frankfurt, Suhrkamp, 1993.

v. Beyme, Klaus: *Systemwechsel in Osteuropa*. Frankfurt, Suhrkamp, 1994.

v. Beyme, Klaus: "From Post to Neo". Die Entwicklung der politischen Theorien nach dem angeblichen Ende der großen Debatten. In: Idem.: *Theorie der Politik im 20. Jahrhundert*. Frankfurt, Suhrkamp, 2007, 4th ed.: 363–408.

Blühdorn, Ingolfur: Democracy beyond the Modernist Subject. In: Idem (ed.): *In Search of Legitimacy*. Opladen, Farminton Hills, 2009: 17–50.

Blühdorn, Ingolfur: billig will Ich. Postdemokratische Wende und simulative Demokratie. *Forschungsjournal NSB*, 19, 4, 2006: 72–83.

Blühdorn, Ingolfur: Simulative Demokratie. Politik nach der postdemokratischen Wende. Berlin, Suhrkamp, 2012.

Buchstein, Hubertus: Bittere Bytes: Cyberbürger und Demokratietheorie [German]. Zeitschrift für Philosophie, 44, 4, 1996: 583–607.

Buchstein, Hubertus, Jörke, Dirk: Das Unbehagen an der Demokratietheorie. Leviathan, 31, 4, 2004: 470–495.

Buchstein, Hubertus, Nullmeier, Frank: Einleitung: Die Postdemokratie-Debatte. Forschungsjournal NSB, 19, 4, 2006: 16–22.

Buchstein, Hubertus: Demokratie. In: Göhler, Gerhard et al.: *Politische Theorie. 25 umkämpfte Begriffe zur Einführung*. Wiesbaden, VS Verlag, 2011, 2nd ed.: 46–62.

Crouch, Colin: *Post-democracy*. Cambridge, Polity, 2004. German: *Postdemokratie*. Frankfurt, Suhrkamp, 2008.

Diamond, Larry: The Spirit of Democracy. New York, Times Books, 2008.

Fisahn, Andreass: Herrschaft im Wandel. Überlegungen zur einer kritischen Theorie des Staates. Cologne, Papyrossa, 2008.

Gandhi, Jennifer G., Przeworski, Adam: Cooperation, Cooptation, and Rebellion under Dictatorships. Economics and Politics, 18, 1, 2006: 1–26.

Grünenberg, Reginald: Das Ende der Bundesrepublik. Demokratische Revolution oder Diktatur in Deutschland. Berlin, Perlen Verlag, 2008.

Guéhenno, Jean-Marie: La fin de la démocratie. Paris, Flammarion, 1993.

Höhler, Gertrud: Die Patin. Wie Angela Merkel Deutschland umbaut. Zürich, Orell Füssli, 2012.

Inglehart, Ronald, Welzel, Christian: Modernization, Cultural Change, and Democracy. Cambridge, Cambridge University Press, 2005.

Körösényi, András: Political Representation in Leader Democracy. *Government and Opposition*, 2005: 358–378.

Losurdo, Domenico: Demokratie oder Bonapartismus. Triumph und Niedergang des allgemeinen Wahlrechts. Cologne, Papyrossa, 2008.

Mill, John Stuart: *Dissertations and discussions*, vol. 2. London, 1859.

Nassehi, Armin: Das "goldene Zeitalter" ist vorbei. Spätmoderne Postdemokratie?, *Die Zeit*, Nr. 32, 2012: 50.

Platon: Politeia. *Der Staat*. Darmstadt, Wissenschaftliche Buchgesellschaft, 1971 (Works in 8 volumes), vol. 4.

Richter, Emanuel: Das Analysemuster der „Postdemokratie". Forschungsjournal NSB, 4, 2006: 23–36.

Rancière, Jacques: Der Hass der Demokratie. Berlin, August Verlag, 2011.

Rosanvallon, Pierre: Demokratische Legitimität. Hamburg, Verlag Hamburger Edition, 2010.

Rosanvallon, Pierre: Democratic Legitimacy: Impartiality, Reflexivity, Proximity. New Jersey, Princeton University Press, 2011.

Seils, Christoph: Parteiendämmerung oder was kommt nach den Volksparteien? Berlin, Wolf Jobst Siedler Jr., 2010.

Tocqueville, Alexis de: *De la démocratie en Amérique. Oeuvres complètes*. I, 1, Paris, Gallimard, 1961.

Tomkins, Calvin: Post- to Neo—The Art world of the 1980s. New York, Viking Penguin, 1988.

Wagenknecht, Sahra: *Freiheit statt Kapitalismus*. Frankfurt, Campus, 2012, 2nd ed.

Chapter 2
Criticism of Politics in the Old Media and the 'Citizenship in Rage' (*Wutbürgertum*) in the New Media

Post-democracy is a fashionable term which acquired international popularity after the publication of Crouch's bestseller (2008: 13). This variation of notions about democracy is characterised by formal institutions which seem to be working. But beneath this veneer, the "real political process" is said to be characterised by erosion of the party state, by "medialisation of politics" via old and new internet media which undermine the competence of the "political class". This trend of "medialisation" seems to be reinforced by the growth of a new "generation living in the windows". In Germany the success of the Party of Pirates, and recently the successful populist party AFD (Alternative for Germany), is a proof for this political change. According to the study "EU kids Online", children start to use the internet in Germany at the age of nine and in Sweden when they are seven. The average use of internet among the age group from 12 to 19 years is 138 min a day and has already overtaken use of the TV, which accounts for only 123 min of their daily time budgets. Dangerous consequences of this development are that a third of youngsters do not follow special interests and are at risk of being exposed to extremist views, something which parents and schools struggle to prevent (Hasebrink and Lampert 2011: 4, 9).

This process of medialisation of political events will be analysed in three steps:

- The new culture of protest by the "citizenship in rage".
- Bad guys and darlings in the media campaigns.
- New media in the internet against the established media.

2.1 Citizenship in Rage—A New Culture of Protest?

Media were always considered to be a "barometer of democracy". According to some radical critics, the consequence of globalisation was close cooperation between the media, big economic enterprises and politics. "Profitability" was said

to be a substitute for the old target of "civil society" which underlies the remits of a "fourth power" (Ramonet 2005). Even the public media are increasingly valued according to economic efficiency. The "aim of high quota"—more than high quality—seems to characterise the competition between most TV channels. The debate on a "fourth power" of the media has been complemented by postmodern debate on a "fourth revolution" (Floridi 2015). It seems to be caused by a "bot" (derived from the "robot") and stands for computer programs which work more or less automatically on tasks without needing interaction by human actors. The idea that bots are objective instruments proved to be an illusion: "Even good bots fight". Studies by Floridi and other authors proved that even the allegedly neutral and objective bots in encyclopedic publications such as "Wikipedia" imply decent propaganda for political purposes.

Increasing self-stylisation of the political class created the hypothesis that democracy as a principle is moving towards an inability to declare itself. My counter hypothesis is that democracy seems never to be unable to announce itself. On the contrary it lives in many verbal self-declarations, especially during electoral campaigns. Sometimes political adversaries acquire strange popular names in the media, as in the German electoral campaign of 1976, when Kohl was named "Django" and his SPD-counter candidate Rau was dubbed "Jesus" because of his religious convictions (Merten 1991). *Self-staging* of politicians hides the differences between "retrospective voting" (Fiorina) and the rare concrete analysis of the future. "Medialisation of politics" is frequently discussed (cf. Pfetsch and Marcinkowski 2009: 15). The influence of the media has, however, been rather unspecific in many cases. Early on, Schulz (2004) classified four components:

- *Extension*. Technologies of media enlarge the natural limits of human communication in dimensions of time, space and expressiveness.
- *Substitution*. New media change or even extinguish the social activities of citizens.
- *Amalgamation*. Activities in the media combine with other activities, from car driving to listening to radio transmissions.

Accommodation. Actors adapt themselves to the rules of the media system, not just in the professionalisation of electoral campaigns. Accommodation is featured the most. It is comprised of various factors:

- Attempts to further publicity via s*ymbolic politics*.
- Testing the competence of political actors and institutions to mediate the policies they pursue.
- Media efforts to promote the political aims among specified social groups.
- Direct mailing to individual citizens.
- Permanent electoral campaigns via research on public opinions.
- National coordination, decentral implementation.

This multitude of issues leads to the assumption that there is no clearly definable "fourth power" which has been mentioned in the older literature. There is also hardly a one-way street between the media and the political centre. There is rather a

business *exchange of information for publicity*. In this debate we sometimes meet the exaggeration that the established print and TV-media are superfluous because some politicians communicate directly with the electors via *Facebook* or *Twitter* and no longer seem to need the established media. Experience shows that this minority of politicians is also proud when their individual manner of communication ends up in the official media and Facebook passages are mentioned in the TV news (Hickmann 2012: 33). Nevertheless this competition between modern and postmodern media seems to endorse the hypothesis that qualified journalism is in decline. The size of editions of good quality newspapers has declined by nearly a quarter, while the number of newspaper editors declined in the first decade of the new millennium at a rate of 15% (Staun 2012b: 25).

The relationship between the media and the political scene since 1949 has changed considerably. Several ideal types have been constructed such as:

- Autonomy.
- Interdependence.
- Symbiosis (semi-authoritarian local interdependence, especially in smaller cities which have only one newspaper). The wave of populism in the new century seems to favour this kind of symbiosis.
- Parties losing their own media, even in such a historical case as the "Vorwärts" of the German Social Democratic Party, which was even a model for the international movement in other countries. This was a reason why a new edition was sponsored for a certain time.
- Governments and parties installed their own systems of information and thereby increased the interdependence of politics and media.
- The so-called "politainment" has increased in a species of privatisation aimed at a popular "boulevard democracy".

Many contributors to the feuilleton section proposed "slowing down the rhythm of life". But the contrary happened: an *acceleration of life* dominated even in the political sphere. A kind of reduced "journalism of mere statements" also influenced the media and the time of research in political processes was getting shorter, also in order to reduce the costs for the newspapers. In his German bestseller *Please no news* (*Am besten nichts Neues* 2010: 61), Schimmeck regretted that the decline in the originality of media contributions was caused by a decline in the time spent on research. Weischenberg (1997) stated that even print journalists adapted themselves to the demand for reports on prominent people in many debates on TV broadcasts. Increasingly the national system has been treated in a deteriorating way. In his book "Show of the day" (*Die Tagesschau*) van Rossum (2007) found that TV no longer serves as a provider of information and explanations of the world, but rather as a setter of agendas with language regulations for political topics. The Spanish media specialist Ramonet (2005) has already shocked the public with the hypothesis that the media have abandoned their civil duty and cooperated with big enterprises and politicians. This development seems to depend on the cycles of economic development: in times of boom the control functions have been better used by the media

than in times of economic slow-down (Schiffer 2011: 29). This debate has led to the construction of types within a "Gaga-Galaxy" (Schimmeck 2010: 86f):

- The *ego-department* of sentimental individualists.
- The *we-department*, hobnobbing with political elites.
- The majority of journalists focused on citizens, called "they journalism".

Politicians and journalists increasingly cooperate in such processes. They create a public machine of revolt and further the omission of parties. Even scientists are affected by this kind of populism, when one political scientist is declared the most intelligent scholar in the field (Schimmeck 2010: 110)—a judgement which hardly coincides with the opinions of his colleagues in the field, as demonstrated by citation indices. In Germany a certain direct connection between the elitemedia and politicians is given by the official "broadcasting councils" (*Rundfunkräte*). According to a decision by the Federal Constitutional Court, public radio stations should be independent and at a distance from the state. In reality, politicians determine the chief positions of the radio stations and the Government installs its own media controls (Seils 2010: 179). Media perform, however, as an early warning system for politicians. In spite of the close cooperation between politicians and the media, this relationship is hardly free from conflicts because of differences of media presentations in both spheres:

- Media increasingly prefer irony and hooliganism.
- Politicians take this medial style of representation as a kind of negative attitude towards the politicians concerned.

Strong politicians, such as the former federal chancellor Helmut Schmidt, therefore criticised in a self-created neologism the *Indiskretins* and the arrogance of the media. When he left the political sphere he himself became a weekly media commentator and sometimes argued worse than the formerly criticised journalists. Sometimes "myths of persecution" were created by politicians, and the media have been compared to the power of repression wielded by security services in Communist states (Wieselmann 2011: 12). The collectivism of a "journalism of gangs" was frequently criticised. When important politicians lost their elections, such as Kohl in 1976 and Schröder in 2006, the media were frequently held responsible for the result. In some cases this led to partial de-democratisation by streamlining the media, not only in Russia and Turkey but also in EU-member states, such as Hungary and recently even Italy.

The initiatives of interaction between media and politics are distributed in an unequal way. *Initiatives by governments* centre on:

- Financing electoral campaigns.
- Travelling to the governments of other countries. Only very strong media try to finance their trips when they accompany politicians.
- Pressconferences by governments and opposition parties.
- Daily informal contact with media representatives.

Initiatives of the media prevail in:

- Movements for critical journalism.
- Investigative journalism in cases of scandals.

Media and politics develop different preferences in such conflicts:

- Media prefer clear alternatives in terms of government and opposition.
- Politicians, on the other hand, mostly face a multi-party-system and try to negotiate.

This difference occasioned the complaint that the media are scarcely able to accept the complexity of debates and proposals in parliamentary debates. Journalists have little sympathy for the fact that politicians often vehemently criticise each other during parliamentary debates yet nevertheless try to meet afterwards in a parliamentary restaurant in obvious friendship. Some critics doubt that media can analyse the complexity of important decisions correctly:

- In complex and federal systems politics is interrelated with several levels of decision-making. What has been dubbed the "dictatorship of 1.3 min" for an interview in the TV or in a radio broadcast can hardly cover the complexity of decision-making.
- The consequences of important laws cannot be foreseen by most journalists. A notable case was the "law of emissions" of 1974, when even well trained lobbyists did not anticipate the consequences which showed up in the process of implementation afterwards.
- Routine policies can be important but are boring for journalists and turn into the field of activities by lobbyists.
- Innovative policies promoted by new social movements are likely to advance as "darlings of the media" though their content can hardly exceed "symbolic politics".

An additional problem lies in the importance of a third actor, the scientists. But they mostly offer highly *abstract deductions in the tradition of systems' theories* whereas the media prefer a *history of events*, though historians can only offer proper insights after some time and distance have elapsed since the decision.

2.2 "Darlings" and "Bad Boys" in the Media Campaigns

The subjective side of media policies had an increasing influence on the public position of political elites. "Darlings" among the politicians seem to be actors who can talk in an unconventional and free way, such as Heiner Geissler or Norbert Blüm, two former federal ministers in the Cabinet of the German Chancellor Helmut Kohl.

Politicians, however, cannot rely on a permanent position as "media darlings". After a while some German darlings lost favour with the media, such as Lothar Späth, a former Prime Minister in the state of Baden-Württemberg, after a minor scandal, and Möllemann and Westerwelle, two former federal ministers of the liberal party (FDP). Its party chairman, Guido Westerwelle, had tried to get into the centre of public attention with his "Guido-mobile", but was soon classified by the media as an "incompetent" leader.

The Federal Defence Minister, Karl-Theodor zu Guttenberg, who was always considered competent at leadership had to step down when a scandal about copying large parts of his dissertation from other works was made public. Today he avoids his country and lives in the USA. Some of his radical political measures, such as the abolition of a general duty to serve in the armed forces (Allgemeine Wehrpflicht) remained untouched by his successors. Some writers, however, classified his self-staging as the "the top of work by empty politics" (Lepsius and Meyer-Kalkus 2011). The case of zu Guttenberg did not leave a clear line in the political elite. Federal Chancellor Merkel excused herself in the first phase of the discussion. "I did not want to install a mere assistant". A good policy would have been to nominate a Minister of Defence with a more serious disposition, such as de Maizière. But the needed reform of the cabinet did not take place.

Media play an important role not only in conflicts between government and opposition but also in the competition between candidates within leading parties. The chairman of the Social Democratic Party (SPD), Sigmar Gabriel, for instance, declared himself during the party congress in December 2011 to be the "master of procedure" and classified the media movements of his competitor Steinbrück as a kind of "Steinbrück festival" which he declared to be over (Sattar 2011: 3).

The influence of the media has recently become most visible in current affairs talk shows on the most important television channels. In no other European country are there five talkshows devoted to current affairs. They are mostly respected even by intellectuals and not ridiculed like entertainment shows such as the *Germany looks for the Super Star*. The image of Frank Plasberg's show *When Politics Meets Reality* is typical of TV programmes which do not present themselves as typical shows (Clemens 2011: 148f). Even intellectuals sometimes overlook the fact that on TV it is not "reality" that is represented but the "visual construction of reality". Reality would be represented by facts—but they have the image of being boring. Influental TV presenters, like Anne Will and Maybrit Illner, frequently stop reports on reality by saying: "We don't want to go into the details". Their colleague, TV presenter Günter Jauch was initially an exception to this rule, but in the long run he was unable to maintain his liberal principle. Political talkshows are often personalised and full of staging. The selection of the debating panel shows that the initiators look for people that provoke and mix up the scene, such as Heiner Geissler and Norbert Blüm in politics, or the historian Arnulf Baring and the constitutional lawyer Hans Herbert von Arnim among the scholars who are frequently invited. Objective analysts of political processes are less in demand.

In one of the big crises of the Federal Republic the power of the media became obvious. When Federal President Christian Wulff was attacked, a "great coalition"

of the media was formed betweenthe popular daily *Bild*, and the high-brow weekly, *Der Spiegel*.—two publications which were normally polls apart. Media critics immediately spoke of "self-equalisation of the media". The "yoke of the online media" was criticised for creating a kind of military "cadence march" which succeeded in toppling a Federal President. The presidential office supported his honorary remuneration of 200,000 Euros per annum—even though it was opposed by most citizens in the country—asserting that Wulff resigned because of political reasons. Wulff's search for a personal advantage did have political aspects, but citizens had different very ideas about the nature of those "political reasons".

As Wulff's potential follower, the protestant clergyman Joachim Gauck became a darling of the media at the same time that Wulff gained his reputation as the "bad boy" of the year. Wulff was not very honest or skilful at handling his crisis, and this was sufficient reason for his fall from grace, since Germany has never accepted the kind of "mafia behaviour" shown by Berlusconi in Italy. Joachim Gauck, as a former dissident in the German Democratic Republic (GDR), was venerated as a "Federal priest" who created "critical solidarity" even among non-religious citizens. His role in the GDR and his "non-marriage" with his lady, who joined him in public, was criticised. But not once was the career of church-orientated former GDR citizens, such as Angela Merkel and Joachim Gauck, seriously criticised by the Christian Social Union (CSU) or the Catholic wing of the CDU. Frequently the media claim to support "public opinion" as a counter publicity of the political system (Staun 2012a: 29). But they tend to overlook the fact that the "people's opinion" is an intellectual construct since the population hardly ever has a unified opinion, and especially no constructive opinion. Only occasionally does the large majority of the population join in a negative attitude against dictators they want to get rid of, as in the cases of Mubarak, or against democratic statesmen who failed in some of their democratic activities. The new slogan claims "transparency". This new fashion has sometimes become an ideology which did not create a freer society because it universalised a climate of suspicion that referred to dying dictatorships (Han 2012a: 41). The concept of transparency is colourless and does not support a political concept, but rather the equalisation of opinions. This happens in two directions:

- The rather conventional direction of *populist campaigns* by new or old parties.
- The direction of *new forms of anarchism,* such as the "occupy movement", which pretended to operate without leaders and verbally admitted only to "creators of new impulses" (Ebbinghaus 2012: 22).

These new movements develop in organisations as a mixture of new movements and old parties, and undermine traditional representative democracy. They further a kind of new "democracy of moods", which threatens to lose itself in mere subjectivity and in global slogans such as "down with". Thus the personalisation of politics is increasing and sometimes leads to unexpected coalitions in the media such as *Bild* and *Der Spiegel*. This development, on the other hand, quickly leads to exhaustion in the media. In the debate on the question whether Federal President Wulff should renounce his office, the necessary investigation was substituted by a

campaign against him (Brobst 2012: 1). In certain campaigns the views of the "people" were far more varied than those of the media, which entered into a kind of invented legal judgement and tried to implement it even though this was hardly their job (Niggemeier 2012: 140, 142).

Public opinion was increasingly exhausted and the citizens often showed astonishing tolerance during these permanent campaigns. In a survey by the first German TV channel (ARD) in January 2012 57% of the interviewed citizens had the impression that the media wanted to "kill" the Federal President as an office holder. A new task of the media is to reconcile citizens with democracy even if no clear ethical leader emerged. There were a several irregularities in various legislatures, such as:

- Clientelist policies for certain groups such as the reduced value added tax for hotels,
- Westerwelle's attack against the "late Roman decadence in Germany",
- Unclear recruitment of travel groups in the Foreign Office,
- And conflicts between two parties such as the liberal Free Democratic Party (FDP) and the conservative Bavarian Christian Social Union (CSU), leading to allegations such as "wild boar" and "a group of cucumbers".

Democracy moved closer to the media because the parties increasingly discovered *oneline-campaigning*. TV and radio broadcasts were still used, but the internet became increasingly important for electoral campaigns. Studies found interesting details about political citizens:

- 8% of the citizens in Germany receive their information from TV and radio broadcasts.
- 77% from newspapers and magazines.
- 37% via the internet (Knuth 2010: 361).
- 58% of young men look for news in the internet, which offers the parties a good instrument for steering public opinion.

But the online electoral campaigns are still only complementary to the traditional instruments of electoral campaigns (Zielmann and Röttger 2009: 84). The success in opinion-building is still not quantified, but internet campaigns offer the advantage that the candidates look modern and are orientated towards the future (Reinke 2010: 86f).

The internet has considerably changed decision-making within parties. But it is not yet quite clear whether this development has supported membership and created a stronger position for it (Marshall 2001: 46). The new media have not yet developed the same level of importance in all political systems. New technologies are mostly needed in weak party states, such as the American presidential system or the semi-presidential system in Russia. The traditional method of self-evaluation is not necessarily less successful, as was shown in Russia. President Putin directed the media and showed himself hunting half-naked with a tattoo of a cross, so that both old-fashioned and modern citizens would be impressed. President Medvedev, on the other hand, tried to impress the citizens by tweeting. The new media change

cultural policy and politics tries to respond to it. Even the traditional law of authorship has increasingly been attacked. The "download kids" who, according to the existing law, use the media illegally, are persecuted by lawyers, who try to dissuade them. One consequence is that the new monopolists, like Apple or Amazon, earn a lot of money and dominate the market (Probst and Trotier 2012: 54). Politics therefore will have to find new rules for copyright law.

Recently more reflective representatives of the media, such as the editors of the weekly newspaper *Die Zeit*, have started to become self-critical, (Bürger et al. 2011: 16–22). Journalists often show empathy and understanding during discussions, but in written articles they may demonstrate a more cynical approach.

Given these developments, dangers for journalists emerge in a kind of overestimation of their own importance when circulation increases. Once opinions are published they cannot easily be ignored: corrections are limited to corrections of names and facts, but not to changes in possible wrong judgements by the authors. Published opinions can enter into a hard version in the media, as the affairs of Thilo Sarrazin or the poem on Israel by Günter Grass have shown (Mangold 2012: 50).

The development of a new "dual landscape of the media" has had some impact on political institutions:

- The professionalisation of electoral campaigns and the growing importance of media experts have contributed to downgrade the importance of simple party members. They are only important as "ambassadors of their party" in a special social milieu. Their financial contributions can guarantee only about half of the costs of the organisation. Spin doctors, experts of electoral campaigns and of angling topics in the USA, mostly rely on the cooperation and skill of the candidates. However, in Europe they remain attached to the parties, in spite of a certain degree of independence (Falter 2002: 424).
- The medialisation of political competition has increased the financial needs of the parties. The need to combine the best of both worlds has also resulted in Germany in the worst of all solutions: high government subsidies were combined with tax privileges which Anglo-Saxon countries, in their less etatistic tradition, have always enjoyed. Despite this combination there was a growing financial crisis among the parties in Germany. To reduce costs during electoral campaigns, the parties used indirect marketing via "product placement", targeted topic and event management, such as conferences, participation in talkshows and state visits (Falter 2002: 425).
- Commercialised relations with the media have reduced the efforts of parties to produce their own media. "Outsourcing" appeared to be cheaper but in the long run it has become more expensive because the labour could no longer be supplied by party members and was increasingly less volunteered. The party membership was less inclined than previously to play an active role in campaigns.

2.3 New Media in Networks Versus Established Media

Politicians frequently complain about tough judgements in the media. In the meantime journalists are severely challenged by bloggers of the new media in the same way that they have occasionally treated political actors. Nicolas Carr called Twitter "the telegraph of narcissists". The language tends to be aphoristic and direct, orientated towards "action". The advantage lies in direct promotion and personal contact. Tweeting creates a human image, and involves—so to speak—more "glasnost" in semi-authoritarian regimes. But there are several drawbacks to this use of the media:

- Overly direct statements can lead to *diplomatic difficulties*. Medvedev is presumed to have said that "Angela Merkel prefers Hamburgers to Barak Obama", a statement which did not improve Russian-German relations.
- There is a risk that political actors will *lose authority* through insufficient distance from official statements. The users are in danger of over-exposure, which does not improve the treatment of important news and can lead to a kind of "democratic censorship" (Ramonet 2005). A new "economy of attention" seems to be important, but it remains unclear who should steer it.
- Users are seduced by the hope that the application of these new media will be without *financial costs*. They overlook, however, that the costs are frequently financed by data on the users of these new media (Schiffer 2011: 30f).

The internet has frequently proved too influential, as in the scandal on zu Guttenberg:

- The internet collected material about a fraud committed by zu Guttenberg. His thesis adviser,Peter Häberle at the University of Bayreuth, was shocked: "We are not trained for the discovery of falsifications via the internet".

But the internet proved to be multifunctional. It was also used for the defence of zu Guttenberg and collected half a million votes in favour of returning the politician to office. New in this case was the fact that zu Guttenberg created an alliance with the "boulevard press" to an extent which was never reached even by such a famous demagogue as Franz Josef Strauss, the former chairman of the Christian Social Union and a former prime minister of the Free State of Bavaria.

   The established media frequently felt entitled to serve as critics of politics and its actors. Often the *new political class* with its oligarchic tendencies was denounced. But soon, however, it was discovered that the same tendencies were also developing within the media. Editorial bodies often appeared to be rather homogeneous and hermetic in their composition. Women, journalists with a migration background and East German writers were underrepresented. Nevertheless quota regulations were hardly accepted. Newspapers were said not to exist for the 'incarnation of justice', but they had to be "good" and successful (di Lorenzo 2012: 1). The German writer Kurt Tucholsky once said in the 1930s (?): "Problems are not solved by mankind but they rather are avoided". One recent form of "avoiding problems"

seems to be that many citizens escape into the new media. When the power of the media was exaggerated dramatically, the new "raging bourgeoisie" supported new forms of populist politics and media. The "generation social media" developed into a kind of collective notion for media offerings such as *Facebook*, *Twitter* and *YouTube*. Politically most relevant were not the blogs about personal life and private exchanges on *Facebook*, but rather:

- new forms of *cybermobbing* which might challenge politics.
- *online surveys* initiated by politicians.
- *shitstorm*—proposed as the anglicism of the year in Germany—which included masses of offending and threatening E-mails.
- *Trolle* became a new strategy of anonymous and pseudo-anonymous users who try to provoke citizens as well as politicians.

  - Hardly any politician dared to defend Sarrazin and when German President Joachim Gauck cautiously mentioned that the hypotheses of this writer should be discussed, he was strenuously attacked. A large majority of the citizens favoured Sarrazin's hypotheses and they expressed their support via "shitstorms". When the female sociologist Naika Foroutan attacked Sarrazin during a TV discussion with Maybritt Illner, her enemies uploaded names and telephone numbers on "Google". Foroutan was attacked every day. Even threats against her life occurred and her daily life became barely tolerable (Soares 2012: 3). Even political actors have used the "politics of threat", but without verbal offencses.

Ansgar Hevling of the Christian Democratic Union (CDU), a rather unknown backbencher, succeeded in getting more public attention through an appeal of 90 lines to the internet community than from seventeen parliamentary speeches (Rosenfeld 2012: 3). Most *shitstorm* statements are offensive and discriminatory. However, sometimes they do have a positive effect on key executives in big corporations. The political establishment has increasingly been unable to cope with these new forms of criticism (Brauck 2012: 90).

Whistleblowers can develop into a positive form of modern net-pirates when they denounce political mismanagement, corruption or violation of human rights, as, for instance, the revelation platform *WikiLeaks* (Netzdeutsch für Anfänger 2012: 4) did.

Reinhardt (2012: 10), a member of the Berlin State Parliament and a speaker on the domestic politics of the parliamentary group of the populist "Pirates", praised the softway as a chance to reduce lobbyism to its original function: informing the public and completing the normal process of building opinion within the parties.

In some cases the first experiences with the new media were not positive. The Bavarian Prime Minister Seehofer organised in 2012 a Facebook party. However, it was a flop. The organisers had hoped that 2500 guests would participate. But only 160 representatives of the media, 200 party members and a few "internet friends" tried to participate.

The new media should not be overrated in their importance for the parties. According to a study of St. Gallen (more details needed) only 34% of the German Federal deputies never used social media, and only 56% did so very rarely (Hein and Weddeling 2012: 109). Only a few politicians, such as Dirk Niebel, a former minister of development cooperation of the German liberal party (FDP), were eager to communicate with their electorate via the internet.

The power of the new media is growing, but it threatens to establish new veto groups that are mote difficult to control than the old interest groups. Another former liberal German federal minister, Sabine Leutheusser-Schnarrenberger, recently proposed to the German Federal Parliament, The Bundestag, an "Acta law".[1] But after only two days of public demonstrations to stop this *Anti-Counterfeiting Trade Agreement* (ACTA) project, the minister changed her mind and recognised the need for additional discussions. In the meantime this project was stopped at European level by the European Parliament.

The Pirates' Party emerged in parallel to the spread of smartphones and the merger between computers and mobile phones. Sigmund Freund once called mankind the "god of artificial limbs" (*Prothesen-Gott*) who, with tools and machines, developed a species which was omnipresent across the world. The smart phone was considered to be the incarnation of this kind of "god of artificial limbs" (Tuma 2012: 65). This "Quasi-Party"—as we might call the Pirates in comparison with traditional parties—became a kind of a temporary success model for the new movements which boasted of promoting the "the principle of transparency". According to this kind of movement, the state was reduced to the role of offering services.

Marina Weisband, a former spokeswomen of the Pirates who left the party in 2015, declared: "If the FDP is the original, we are the updated model" (Hank 2012: 38). However, the new party group, which very quickly entered several parliaments of the German states (Länder), became a victim of its "halfway liberalism". It suffered from the problem that its obligation to provide transparency was difficult to harmonise with the right to privacy for individual citizens.

Some critics, such as the philosopher Han (2012b: 11), were afraid of a general culture of suspicion and spectacle close to a pornographic society which transforms society into a "society of nakedness and immorality". Some serious artists were anticipating that the "gratuity world of the internet" and a half-hearted copyright law might push large parts of culture into difficulties which can no longer be financed (Greve 2012: 54).

The web designer Neumann (2012: 24) argued against the anxieties of some authors that illegal stock exchanges which create their business by spreading copied contents would not be proved by the pirates. They also wanted to approve the circulation of contents solely for private purposes and education projects. When the

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[1]ACTA refers to an Anti-Counterfeiting Trade Agreement; see: https://en.wikipedia.org/wiki/Anti-Coun-terfeiting_Trade_Agreement.

experts in the German Federal parliament exposed competing positions concerning copyright law, astonishing similarities between the papers of the Social Democrats and the Pirates could be seen (Küchemann 2012: 25).

It is likely that most theses of the Pirates will be accepted by the established parties, similar to the acceptance of ecological demands in the debate with the Green Party after 1980. There are already prognoses that a "leftist liberal mixture" will develop with the Pirates, even though they prefer to describe themselves as "social liberal" (Wagner 2012: 10). According to an initial chairman of the Pirate Party, Bernd Schlömer (2012: 33), their liberalism is ordo-liberal. Not maximation of winning positions but harmonisation, fairness and justice are the aims of this new party, which tries to place itself outside the traditional scheme of left and right stances. The Pirates proposed a basic income and thus tended to reinforce the drawbacks of the social situation created by the so-called "Hartz IV" law[2] of the former Social Democratic Chancellor Schröder (Herack 2012: 27). The dangers of this new undogmatic party wielding too strong an influence however, were rather low. The then chairman of the Pirates', Schlömer (2012: 7), admitted that a Party with 31,000 members—which adopts a decision based on 440 votes in favour and 390 in opposition is not yet close to an authentic "basic democracy".

In 2016 the Oxford Dictionaries chose the concept of "post-truth" as the international notion of the year. This word makes it clear that public opinion is no longer characterised by objective facts, but rather by an appeal to sentiment and personal opinions. The drawbacks of the *digital revolt of communication* cannot be ignored even in moral fields: time and again new advocates of truth show up and sometimes they lead to a kind of "mob". New victims are always found. The political relevance of issues is replaced by fashionable interesting topics. New forms of uncertainty lead to ever new forms of suspicion (Pörksen and Detel 2012a: 141). Thus the alleged transparency actually results in new forms of uncertainty which lack transparency. The cycles of acceptance and critique are increasingly hectic. The Pirates proposed their programme and straight away the first offences against *plagiarism* were launched by some media.

In the new media there are not always successes to be stated, with the exception of certain dictatorships, when the Chinese Communists for a while lost control over the internet in their country (Köckritz 2012: 6). The good news: censorship in these regimes does not function any more. In the name of freedom of opinion, the new media defend themselves against any state regulation. In some defective democracies in Eastern Europe and in the successor states of the Soviet Union the media constitute some new hopes, as long as the old media feel under government control (Transformation Index 2012: 60f).

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[2]On the so-called Hartz law; see: https://en.wikipedia.org/wiki/Hartz_concept. The *Hartz concept* refers to recommendations submitted by a commission on reforms of the German labour market (2002) that was headed by, Peter Hartz, then Volkswagen's personnel director. The reforms were incorporated in the *Agenda 2010* of the German federal government composed by the Social Democratic Party and the Greens.

They pretend to fight for transparency, but contribute to the opposite. In the cases of parties and interest groups the dialogue partners are known. But there are increasingly new ad hoc-groups—in America called "politics without parties"—which are volatile and hard to identify (Wefing 2012: 3). The old media, on the other hand, are highly ritualised. Their relationship to politics is frequently articulated in press conferences, talk shows and semisecret meetings. The new media has strengthened the "unclearness" which Habermas found in some postdemocracies. Other critics, such as Münkler (2012: 100f), has already seen in the new media a contribution to the end of parliamentary democracy. Deliberation seems to be a permanent event and decisions become more difficult in the stage of "liquid Democracy" with weakening parliamentary and executive institutions.

2.4   Conclusions

The new media became a fashionable topic in 2010. But the literature sometimes exaggerated the power of the new social networks on the internet, such as *Facebook* and *Twitter*. The latter are of decisive importance only in countries where the old media are controlled by the state, such as most Islamic countries—recently including Turkey—and Russia. There are, however, some authors, such as Buchstein (1996: 603ff), who contradict the "optimists" of the new media and see disadvantages in this development, such as an increasing loss of participants in the libertarian groups which were said to make the media landscape much more open and decentralised than the traditional setting. It is suspected that *Mediapolis* will pass beyond the "democratic rubicon". This danger is even seen in the possibility which *Cyberiologues* praised as a chance of democratisation, as for instance the "push-bottom votes". It is correctly argued that the new networks do not create a new form of publicity. Only in local democracies and their planning in provincial areas are positive sides of this kind of voting behaviour recognised. Otherwise, it would be necessary to opt for a kind of "democratic censorship" if uncontrollable and aggressive votes of the *Wutbürger*, the "enraged citizens", are channelled. Thus republican ideals—such as "common goods" and "common interest"—might not survive. But as soon as the dangers of the new media become too strong, counter-movements tend to appear, such as the initiative for a *European Charter of Basic Laws*. Article 27 in this document not only aims to protect data, but also makes proposals for the use of "big data", artificial intelligence, "Robotik" and the steering of social behaviour (*Die Zeit*, No 50. 1 Dec. 2016: 5).

The power of the media is generally overrated due to some spectacular highly personalised events. The routine work of the media which predominates is mostly reactive and rarely innovative. Even *agenda-setting* is rarely achieved by the new media, but rather by new social movements behind them. Rare successes in innovation are mostly not working continuously. Intellectual fashions are quickly

becoming generalised, such as the ecological demands of new social movements. Sometimes established organisations have been successfully criticised, as was shown by the debates about new liquid fuel, such as "E 10", which affected the Christian Democrats more than the Green Party in Germany. "Editors of photography are the victors of history". The price, however, is costly: they often repeat the same photographs. They want to create something worth remembering, but in fact get lost in banalities (Kurbjuweit 2011: 41). Digital instruments encourage new forms of discussion and participation. The new speed of communication has so far facilitated an unprecedented speed in the spread of information. But the media are unable to determine the contents and the concrete events in a way which can be calculated in advance (Pörksen and Detel 2012b: 15). But the tendency towards the "*boulevardisation*" of comparatively minor events in competition with supraregional media threatens to damage the image of the old media. These are also under pressure from the provincialisation of the local media, which has to contend with the competition from local advertisements (Biallas 2012: 32).

The increasing orientation towards entertainment—especially in private TV stations—furthers what Populists and Pirates pretended to fight: politics is downgraded to "politics as merchandise" (Jun 2004: 46, 412). The new media are an insufficient substitute for discussions between party members and the old media. In this fragmentation of the media landscape, the media is losing the power of integration to the same extent that traditional political parties are ridiculed for being "old-fashioned".

A postmodern relation of disturbance between the media and politics seems to be a duplication of disturbances between the citizens and the elites. Journalists liked to support the fire and invented a "*counter republic*". In the light of empirical findings such notions however prove to be an exaggeration. They can be recognized as the outcome of an unsafe commitment of the old media, created by the new media. The old media call this process a "shit storm"—working as a school of new barbarism which tries to ruin what democracy needs most: a moderate culture of debate which facilitates compromises (Kurbjuweit 2012: 25). Survey studies of Dieter Rucht— WZB Berlin and the "Institute for research on democracy" in Göttingen—corrected many of the exaggerations of the horror scenarios in the media. Only the bias of the age was correct. Old citizens were hardly involved Rarely Christian Democrats— contrary to the members of the Green Party—were among the citizens opposing everything. As an explication it was offered that older citizens in their youth collected some experience in protesting and looked more critical on the controversies of conflict in the old age. Demonstrations of older citizens were not quite unusual and their educational level was high enough to prevent light-minded generalizations. The new protesting citizens—in contrast to the generation of 68—does not oppose the existing democratic system. The media—in contrast to former times, such as the debates on Hartz IV—report more favorably and sometimes support the issue. Scientific surveys show that the citizens expect less from the political system than in former times and the individualization of participation reduces the pressure on the "political class".

The success of the new media has been identified with globalization and was seen in a rather negative way as losing the notion of a whole system and a loss of representation (Leggewie and Maar 1998: 19f; v. Alemann and Marschall 2002: 37). A "Structural change of public life" was created in a more technological form than Habermas had predicted, though the patterns of conflicts between distributive and redistributive politics were less clearly decided than Habermas anticipated (Busch 2012: 14). Since David Easton's analysis of systems we know that the critique on details of politics is getting tougher, but nevertheless this does not mean a critique of the democratic systems as a whole. The tensions between democratic ideals and realities became fertile, so that democracy remained not in formalism: on the one hand the demands of the citizens grew considerably, on the other hand of offerings of the systems media as well as politicians are ready to accept the change with some delays. Both trends tend to develop a transformation of democracy which makes the loose talk on "post-democracy" superfluous and rather tends to new forms of Neo-democracy.

References

v. Alemann, Ulrich, Marschall, Stefan (Hrsg.): *Parteien in der Mediendemokratie*. Wiesbaden, Westdeutscher Verlag, 2002.

Biallas, Jörg: Ungenutzte Potenzialer? Zur Relevanz von Regional- und Lokaljournalismus. *APuZ*, 29–31, 2012: 28–32.

rauck, Markus u. a.: In Stuhlgewittern. Wer sich öffentlich äußert, ist von Internet-Hasstiraden bedroht. *Der Spiegel*, 17, 2012: 88–91.

Brobst, Marc: Eine Machtprobe. Der Präsident klammert sich an sein Amt, die Medien klammern sich an das Thema. Die Affaire Wulff wird zur Posse. *Die Zeit*. No. 3, 12. 1. 2012: 1.

Bulban, Franziska: Bitte nicht füttern! Sie spielen Streiche und schreiben Hasstiraden. Trolle sind die Störenfriede des Internets. *Die Zeit*, No. 10, 2012: 5.

Buchstein, Hubertus: Bittere Bytes: Cyberbürger und Demokratietheorie. *Deutsche Zeitschrift für Philosophie*, 44, 4, 1996: 583–607.

Bürger, J. et al.: In eigener Sache. *Zeitmagazin*, No. 16, 2011: 17–22.

Burmeister, K.: *Die Professionalisierung der Politik am Beispiel des Berufspolitikers im parlamentarischen System der Bundesrepublik Deutschland*. Berlin, Duncker & Humblot, 1993.

Busch, Andreas: Politische Regulierung von Information – eine Einführung. *PVS-Sonderheft* 46, 2012: 1–24.

Clemenz, Manfred: Shows, die keine sein wollen. *Der Spiegel*, 47, 2011: 148–149.

Crouch, Colin: *Postdemokratie*. Frankfurt, Suhrkamp, 2008.

di Lorenzo, Giovanni: Die richtige Quote. *Die Zeit*, No. 10, 2012: 1.

Ebbinghaus, Uwe: Wer hat Angst vor Anarchismus?, *FAZ*, 28 January 2012: 21–22.

Falter, Jürgen W.: Politik als Inszenierung. Ein Essay über die Problematik der Mediendemokratie in 24 Punkten. In: v. Alemann, Ulrich, Marschall, Stefan (eds.): *Parteien in der Massendemokratie*. Wiesbaden, Westdeutscher Verlag, 2002: 420–430.

Finger, Evelyn: Stellvertreter auf Erden. Der Freiheitsprediger und ehemalige Pastor Joachim Gauck überzeugt auch Atheisten. *Die Zeit*, 23. Febr. 2012: 58.

Floridi, Luciano: *The Fourth Revolution. How the Infosphere is Reshaping Human Reality*. Oxford, Oxford University Press, 2015.

Greve, Jochen: Wir werden enteignet! *Die Zeit*, No. 15, 2012: 54.

Han, Byung-Chul: Transparent ist nur das Tote. *Die Zeit*, No. 3, 2012a: 41.

Han, Byung-Chul: Alles wird schamloser. *FAS*, No. 11, 2012b: 13.

Hank, Rainer: Nichts geht über Transparenz. *FAS*, No. 13 2012: 38.

Hasebrink, Uwe/Lampert, Claudia: Kinder und Jugendliche im Web 2.0 – Befunde, Chancen, Risiken. *APuZ*, 3, 2011: 3–10.

Hein, J. P./Weddeling, B.: Trotz Twitter nicht fitter. *Focus*, 20, 2012: 108–109.

Herack, Marco: Ihr seid wahrlich systemrelevant. *FAZ*, 10 July 2012: 27.

Hickmann, Christoph: Plaudern ohne Filter. Parteichef Sigmar Gabriel teilt sich neuerdings gern bei Facebook mit. *Der Spiegel*, 5, 2012: 33.

Jun, Uwe: *Der Wandel der Parteien in der Mediendemokratie. SPD und Labour im Vergleich*. Frankfurt, Campus, 2004.

Knuth, Nathalie: *Oneline-Campaigning, dargestellt an den Wahlen zum Deutschen Bundestag 1998–2009 im Vergleich zum US-amerikanischen Online-Campaigning im Rahmen der Präsidentschaftswahlen 2000–2008*. Heidelberg, Diss. 2010.

Köckritz, Angela: Die KP bloggt zurück. *Die Zeit*, No. 31, 26 July 2012: 6.

Küchemann, Fridtjof: Raus aus den Schützengräben. *FAZ*, 22 May 2012: 25.

Kümmel, P.: Burnout-Werbung. *Die Zeit*, Nr. 10, 2012: 43.

Kurbjuweit, Dirk.: Triumph der Albernheit. Warum Politikerfotos oft so seltsam wirken. *Der Spiegel*, 45, 2011: 38–41.

Kurbjuweit, Dirk: Die Freiheit der Wölfe. Wird das Internet zu einer Schule der neuen Barbarei? *Der Spiegel*, 16, 2012: 24–25.

Langguth, Gerd: Kohl, Schröder, Merkel. *Machtmenschen.* Munich, dtv, 2009.

Leggewie, Claus/Maar, Christa (Hrsg.): *Internet Politik. Von der Zuschauer- zur Beteiligungsdemokratie.* Köln, Bollmann, 1998.

Leif, Thomas et al. (eds.): *Die politische Klasse in Deutschland*. Bonn, Bouvier, 1992.

Leif, Thomas: *Beraten und verkauft. McKinsey & Co. Der große Bluff der* Unternehmensberater. Munich, Bertelsmann 2006, 6th ed.

Lepsius, Oliver/R. Meyer-Kalkus (eds.): *Inszenierung als Beruf. Der Fall Guttenberg.* Frankfurt, Suhrkamp, 2011.

Leggewie, Claus/Maar, Christa (Hrsg.): *Internet und Politik. Von der Zuschauer- zur Beteiligungsdemokratie.* Köln, Bollmann, 1998.

Marschall, Stefan: Parteien und Internet – Auf dem Weg zu internet-basierten Mitgliederparteien? *APuZ*, B 10, 2001: 38–46.

Merkel, Wolfgang: Krise der Demokratie: Mythos oder Realität? In: Harald Bluhm et al. (eds.): *Ideenpolitik. Geschichtliche Konstellationen und gegenwärtige Konflikte*. Berlin, Akademie-Verlag, 2011: 438–448.

Merten, K.: Django und Jesus. Verbal-nonverbales Verhalten der Kanzlerkandidaten Kohl und Rau im Bundestagwahlkampf 1987. In: M. Opp de Hipt; E. Latniak (eds.): *Sprache statt Politik*. Opladen, Leske, 1991: 188–210.

Meyer, Thomas: *Mediokratie: Die Kolonisierung der Politik durch die Medien*. Frankfurt, Suhrkamp, 2001.

Müller, A.: *Machtwahn: wie eine mittelmäßige Führungselite uns zugrunde richtet*. Munich, Droemer Knaur, 2006.

Münkler, Herfried: Die rasenden Politiker. Vom absehbaren Ende der parlamentarischen Demokratie. *Der Spiegel*, 29, 2012: 100–101.

Netzdeutsch für Anfänger. *Die Zeit*, No. 10, 2012: 4.

Neumann, Daniel: Der Kopierschutz soll weg! *Die Zeit*, No. 21, 2012: 24.

Niggemeier, Stefan: Im Namen des Volkes. Den Ansprüchen, die viele Journalisten an den Bundespräsidenten haben, werden sie selbst oft nicht gerecht. *Der Spiegel*, No. 3, 2012: 140–142.

Norris, Pippa: *Democratic Deficit. Critical Citizens Revisited*. Cambridge, Cambridge University Press, 2011.

Pfetsch, Barbara/Marcinkowski, F.: *Politik der Mediendemokratie*, PVS special issue, Wiesbaden, VS Verlag, 2009.

Pörksen, Bernhard/Detel, Hanne: Kollaps der Kontexte. In der Digital-Ära wird der Kontrollverlust zur Alltagserfahrung. *Der Spiegel*, 14, 2012a: 140–141.

Pörksen, Bernhard/Detel, Hanne: Über die Zukunft der Enthüllung – Journalismus in einer veränderten Medienwelt. *APuZ*, 29–31, 2012b: 9–15.

Priester, Karin: Populismus: Theoretische Fragen und Erscheinungsformen in Mittelosteuropa. In: Otten, Henrique Ricardo; Sicking, Manfred (eds.): *Kritik und Leidenschaft. Vom Umgang mit politischen Ideen*. Bielefeld, Tanscript, 2011: 49–65.

Probst, Maximilian/Trotier, Kilian: Lernt zu teilen! Bevor es zu spät ist. *Die Zeit*, No. 12, 2012: 54.

Puhle, Ulrich/Würzberg, H. G.: *Lust und Frust. Das Informationsverhalten des deutschen Abgeordneten.* Cologne, Informedia 1989.

Ramge, Th.: *Die großen Polit-Skandale. Eine andere Geschichte der Bundesrepublik*. Frankfurt, Campus 2003.

Ramonet, I.: Die Krise der Medien und die fünfte Macht. In: *Wochenzeitung*, 2 June 2005.

Reinhardt, Fabio: Lobbyismus in LiquidFeedback. *FAZ*, 18 April 2012: 10.

Reinke, M.: *Yes we can? Erfolgsgeschichte des Barack Obama – Ein Vorbild für den deutschen Wahlkampf?* Stuttgart, ibidem-Verlag, 2010.

Rosenfeld, D.: Landung im Sturm. Wie ein Shitstorm im Internet aus dem CDU-Hinterbänkler Ansgar Heveling ein Medienereignis machte – für einige Tage. *Die Zeit*, Nr. 10, 2012: 3.

Sarcinelli, Ulrich: *Politische Kommunikation in Deutschland*. Wiesbaden, VS 2009, 2nd ed.

Sattar, M.: Ein weiter Bogen nach links. Sigmar Gabriel beendet die Steinbrück-Festspiele in der SPD. *FAZ*. 6 December 2011: 3.

Schiffer, Sabine.: Informationsmedien in der Postdemokratie. *APuZ* 1–2, 2011: 27–32.

Schimmeck, Tom: *Am besten nichts Neues*. Reinbek, Rowohlt, 2010.

Schlipphak, B.: *Framing Ideology. Die Kommunikation ideologischer Positionierungen zwischen Parteien*, *Wählern und Medien*. Baden-Baden, Nomos, 2011.

Schlömer, Bernd: „Die CDU ist offen für uns". *Focus*. 22, 2012: 32–34.

Schlömer, Bernd: „Das ist doch keine Demokratie". *Die Zeit*, 31 May 2012, No. 23: 7.

de Souza Soares, Philipp Alvares.: Ein bleibender Schock. Die Berliner Soziologin Naika Forouta kritisierte Thilo Sarrazin. Seine Anhänger bombardierten sie dafür mit Hassmails. *Die Zeit*, No. 10, 2012: 3.

Staun, Harald.: Zwischen Mainstream und Volkes Seele. *FAS*, 15. 1. 2012a: 29.

Staun, Harald: Was genau war denn früher besser? Das Beschwören des Untergangs des Qualitätsjournalismus ist ein eigenes Berufsfeld geworden. *FAS,* 29 July 2012b: 25.

Transformation Index BTI 2012. *Political Management in International Comparison*. Gütersloh, Verlag Bertelsmann Stiftung, 2012.

Tuma, Thomas: iPhone, also bin ich. *Der Spiegel*, 27, 2012: 62–72.

van Rossum, Walter: *Die Tagesshow*. Cologne, Kiepenheuer & Witsch, 2007.

Wagner, Marie Katharina.: Der Mythos vom Wutbürgertum. *FAZ*. 11 March 2011: 12.

Wagner, Marie Katharina: Matt, müde, mittellos. Die Piraten sind erschöpft – und müssen trotzdem dringend an ihrem Programm arbeiten. *FAZ*. 25 May 2012: 10.

Wagschal, Uwe: Der Parteienstaat in der Bundesrepublik Deutschland: Parteipolitische Zusammensetzung seiner Schlüsselpositionen. *ZParl*, 32, 4 2001: 861–868.

Walter, F.: Führung in der Politik. Am Beispiel sozialdemokratischer Parteivorsitzender. *ZfP*, 7, 4, 1997: 1287–1336.

Wefing, Heinrich: Wir! Sind! Wütend! Eine neue Macht schallt aus dem Internet. Die Stimme der vielen. *Die Zeit*, Nr 10, 2012: 3.

Weischenberg, Siegfried: *Schreinemakerisierung unser Lebenswelt*. Hamburg, Rasch & Röhring, 1997.

Wieselmann, B.: Erst grübeln, dann dübeln. Südwest-CDU sucht ihre neue Rolle als Oppositionspartei. Mappus bestreitet Stasi-Vorwurf gegen die Medien ab. *RNZ*, 19 April 2011: 12.

Zielmann, S.; Röttger, U.: Characteristics and Developments of Political Party Web Campaigns in Germany, France, the United Kingdom, and the United States between 1997 and 2007. In: S. Baringhorst et al. (eds.): *Political Campaigning on the Web*. Mediumumbrüche, Bd. 37, Bielefeld, Transcipt Verlag, 2009: 69–92.
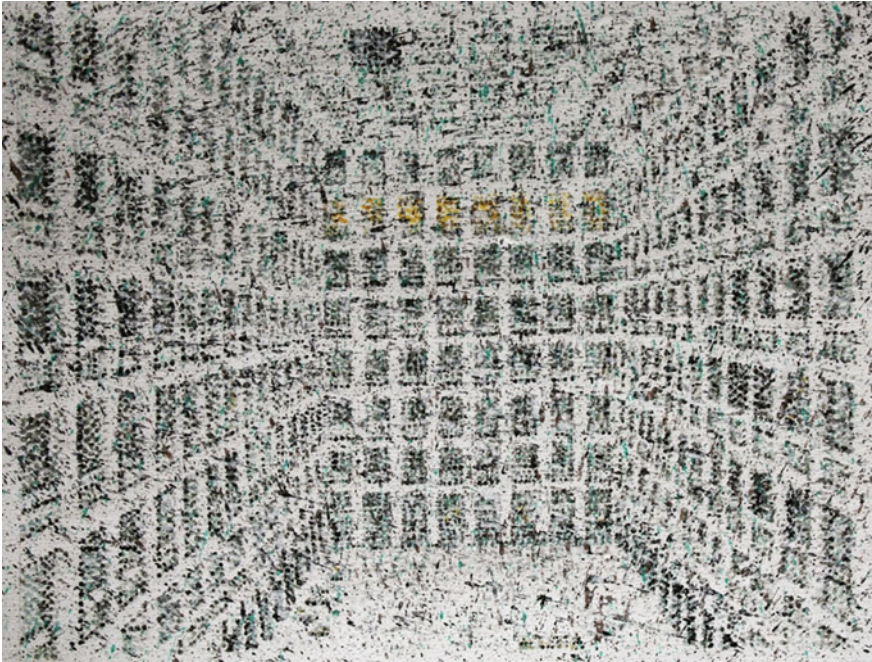
Max Beyme, painting: "Supervision", Acrylic on oil painting paper, 2016, 39 × 32 cm. *Source* Photo by Max Beyme, reprinted with his permission. "Supervision" shows the interior of the newly built headquarters of the German Federal Intelligence Service (BND) in Chaussee Street in Berlin. The work is based on the only available photo released to the media of this complex. With this image, for the first time the secret service provided the public with a vague insight into its inner life. "Supervision" imagines the utopian reversal of the monitoring principle. Through the view into the interior of the monitoring matrix the guarded citizen obtains an illusion of transparency. But it is a very superficial insight that the viewer receives. The symmetrical grid structure of the inner courtyard is reminiscent of a prison and, in its two-dimensional representation, borrows from minimalism. This, however, is counteracted by the content-laden reference and the somewhat "unclean" way of painting

Chapter 3
New Forms of Participation and the Dangers of Populism and Right-Wing Extremism

3.1 Definitions, Typologies and Developmental Stages of Populism

The new intellectual campaign on *post-democracy* since Crouch (2005, 2008: 13) starts from the assumption that the institutions of democracy still formally exist, but that political procedures are being changed by the increasing influence of a privileged elite which undermines the egalitarian project of the old left. In the era of *post-democracy* new forms of participation are permanently demanded in order to diminish the distance between politics and the electorate. But in light of the media's increasing activity (Chap. 2), desired forms of participation are not the only ones created. Populism seems to be a consequence of the trend towards *post-democracy*. It has been identified with several political developments, such as:

- the erosion of political parties,
- medialisation of politics,
- and the rise of experts, diminishing the influence of party elites.

Fukuyama (2012: 86) once rather carelessly proclaimed the "end of history" and thus recognised new participants in populism, such as the *Tea Party* in the US and the *Occupy Movement* that spread from the US to many other countries. This development was identified with the *decline of the middle class*, caused by technological change and globalisation. It led Fukuyama to believe that politicians could no longer make rational decisions, and was associated by him with the end of the "American dream" that people could rise from washing dishes to the upper class. The chances of having such a meteoric career, Fukuyama thought, had become much greater in Europe than in America. The combination of hostility against corrupt elites on the one hand and alien migrants and religious minorities on the other is leads to the assumption that there is a morally pure body of people, represented by the populists (Müller 2012: 13).

But there have always been new movements like the "Pirates" who identify themselves with an incarnation of the "true will of the electorate". The traditional parties move to the centre and fight with each other for the votes of the "median electors". In the German Länder only the most conservative systems, such as those in Bavaria, could afford to identify with clearly right-wing positions (Plickert 2012: 32; Potrafke 2012). Thus the CSU succeeded in losing fewer votes to the populists than other centre parties. Populism has been defined by one critic (Möllers 2009: 33) "to express democratic aims without using democratic forms of political behaviour". There is certainly a belief that democracy and populism should not be conflated (Laclau 2007: 157ff), though populists tend to consider the two notions to be interchangeable. Democracy, however, needs an orderly procedure. It is not sufficient to proclaim in the streets that "the movement is the people". However, it has been accepted that well organised minorities have democratic importance even if the democratic forms are incomplete. The other parties have to adjust to the existence of populist parties—though there is no fixed rule how to deal with populism.

According to well-known researchers on populism (Canovan 2006: 522, 544; Priester 2011: 51), all attempts to construct a general theory of populism have failed. Most scholars limit their efforts to descriptive typologies. The drawback of this theoretical limitation is that political conflicts led to an increase in the use of the term *populism*. This is reminiscent of the fate of older notions such as *corporatism*—which was an arch-enemy of populism and is repeated with notions such as *globalisation* and *governance*. The vague use of the notion of populism can be shown when the Bavarian CSU leader and prime minister Horst Seehofer is said to confuse "popularity" with "populism". In political conflicts populism is mostly used as a criticism of unrealistic policies which cannot be afforded. Populism seems to be a reactive product of modernity, used by social groups which consider themselves to be "losers of the process of modernisation" (Puhle 2011: 3). The underlying notion of "people" varies from exclusive small groups such as the Hackers among the "Pirates" to a rather vague notion of "the ordinary people" beyond the elites (Becker et al. 2012: 33; Canovan 2004: 248) which claim the incarnation of a "true democracy". The cooperation of a democracy via referenda and the continuing importance of representative institutions is a complicated system which most citizens hardly understand.

Populism is the consequence of a change in the party systems, particularly since the Leftists in South European countries have become weaker and the Social Democrats in most countries are in decline. Thus enraged citizens" (*Wutbürger*) could be nominated for the "expression of the year" by the Society of German Language. Despite the rise of ecological parties, many citizens who were close to them increasingly felt alienated from the system. A newly submissiveattitude supported the rise of a new political authoritarianism (Rathkolb and Ogris 2010: 37). When postmodern democracies started to reduce their financial support for social policies, many Leftists began to defend the *status quo* and were called "Populists"—a term which had previously seemed to be reserved for Right extremist groups.

Especially in Eastern Europe and new democracies, problems of identity were raised by national *irredentas* (territories historically or ethnically related to one political unit but under the control of another) and the problems of ethnic minorities (Merkel 2010: 327). This explains why a country such as Hungary, which belonged to the vanguard of rebellion under Communism, turned to populism under the leadership of Prime Minister Viktor Mihály Orbán after an initial honeymoon period during the return of democracy. One explanation of this unusual development is that Hungary—after two World Wars and the loss of large parts of its former territories—felt like "a victim of 20th century history" (v. Klimo in: Rathkolb 2010: 889). The development of Austrian populism can also be explained by this type of historical alienation. Awareness of the former Empire of Austria and Hungary led to Austrians voting in surveys for the access of Hungary—formerly equal to Austria—to the European Community, but against the inclusion of Poland and the Czech Republic.

The rise of populism has also been explained by the hypothesis that it is a reaction to the way that major parties are becoming increasingly similar. There is, however, no consensus among analysts about where the balance lies between the formation of extreme political camps, as in the Weimar Republic, and the uniformity of *post-democracy* (Probst 2011: 61). Contrary to the time after the Second World War, populism has not resulted in a passive attitude which has led to declining participation in elections. Rather, a "participatory protest democracy" (Niehuis 2011: 32ff) based on contempt for political parties has developed.

"Enraged citizens" do not exhibit political quietism. Instead, they may evolve quietly, as in the model of the Pirate Party (Piratenpartei) in Germany, which considered itself to be an updated liberal party and rarely voted with the Left. Leadership is frowned upon in this type of movement. Leading figures consider themselves to be the creators of buzz words for the social media generation. These buzz words are relatively uniform. "Transparency" is the motto which is increasingly used to control many infractions, such as tax avoidance, money laundering and corruption in office (Hank 2012: 38). The counter-movement has criticised transparency as "semi-liberalism" and asked for fewer services to be controlled by the state. Even the Green Party is now considered part of the establishment. The Pirates were temporarily attractive for young people because they refused to formulate a programme and to fight for radical equality (Pham 2012: 1). They are not so much an organisation as a network, which fits perfectly with the internet culture experienced and used by the social media generation every day. Even traditional populism seems to be outdated compared with this radical idea of a participatory model of democracy.

With the Pirates, digital models of political behaviour entered parliament. Legislation is treated like a computer game—as in the recent case of the communication adviser Jan Hemme, who succeeded in sending a proposal from his computer and was accepted by a large majority. The neologism of "gamification" entered public debate (Becker and Rosenberg 2012: 26). Representative and direct democracy increasingly seem to complement each other in a "liquid feedback". This liquid democracy concept is, however, connected with the danger that an active minority

leads on the internet because only a small activist minority takes part in staging the voting. Nevertheless the possibility that basic democracy can be developed in an optimal way in the era of digital democracy fascinates many people. New concepts of law, proposals for a change in existing rules, votes—in a liquid democracy everything can be staged for citizens in a couple of hours (Kurz 2012: 113).

It is, however, not yet proven that the result leads to high quality discourses rather than chaos. Abstruse private opinions threaten to coexist with well formulated hypotheses. Little-known people can be transformed into an object of collective criticism, and scandal seems to be the main aim of communication (Pörksen and Detel 2012: 141). "Five-minute pirates" who are members of the party for a few days threaten to usurp discussions and tend to monopolise the attention of previous candidates for parliamentary offices and "grill" them, as this procedure is called in unofficial debate. This kind of procedure does not enhance the quality of debates about policies, but is more a way of encouraging people to participate in conversations while playing on the computer. The new pirates are often well educated and therefore able to put forward convincing arguments; however, their intelligence tends not to be used for developing new strategies but rather to express their dissatisfaction with traditional parties (Becker et al. 2012: 36ff).

This development towards internet democracy has been reinforced by the rise of experts. Bodies of experts—outside the parliament institutions—have changed democracy in a considerable way. Under Mario Monti "politics without politicians" has been developed in Italy, where most cabinet members since the end of the Berlusconi era have been experts. More than half of the ministers were university professors, according to research by the media.

Less radical experiments have always been used in multiparty systems. In the Weimar Republic the so-called expert cabinets and *Sachwalterkabinette* were rarely successful in the long run. The development of a "big shot democracy" has already been criticised by the former German federal chancellor, Helmut Kohl. Empirical studies, however, have shown that previous German parliamentarians had a rather limited and sombre concept of their tasks. In a German study on Parliamentarians (DEUPAS) and members of the four major parties it was shown that the citizens believed that the competence for social innovation lay rather in the hands of the citizens than in those of the economic and political elites (v. Alemann et al. 2011: 32). The reason for this attitude is the segmentation of politics, which transforms parliamentarians into experts in limited areas of political activity. The movement for the development of a democracy of referenda is not very strong and the event of "Stuttgart 21"[1] has rather contributed to a decline in direct popular referenda (Merkel 2011: 49ff).

The model of settling by arbitration has proved to be very popular among the citizens who have been interviewed. "Round Tables" are not completely new. New are, however, certain discussions with the participation of citizens. This model has

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[1]See: https://en.wikipedia.org/wiki/Stuttgart_21 and http://www.spiegel.de/international/germany/stuttgart-21-a-four-billion-euro-makeover-a-710388.html.

only been successful when partisans and critics of some projects are equally consulted and a neutral moderator leads the discussions (Brettschneider 2011: 42, 46). Many analysts have been less optimistic concerning "democracy via referendum". Sometimes this instrument has contributed to an intensification of discourses, as in, for instance, the access of a country to the European Union. This has particularly been the case when no debates about people were combined with the issue.

But in everyday life the success of referenda has been limited even in Switzerland. Referenda have frequently unified not the people as a whole, but rather well organised middle classes and their lobbies (Merkel 2011: 52, 55). The lower middle classes have frequently responded to these successes in selective representation with populist counter organisation. Switzerland has shown that referenda are not an instrument against populism. In this respect even the populist leader Blocher has introduced disorder into the Swiss party system. This has not, however, prevented well-known representatives such as Köppel (2011), editor-in-chief of *Weltwoche*, recommending the Swiss model to the Germans. When national governments excuse failures of politics by the restrictions imposed on the State by the European Union, the enemies of unpopular decisions are frequently blamed for their "populist irresponsibility". This throws some light on an important element of populism: populists are blamed for rebelling against the "force of facts". Contrary to revolutionaries, they do this, however, within the rules of the game of democracy.

Complex typologies have differentiated several types of populism (Lang 2007: 133):

- centrists,
- social populists,
- national conservatives,
- agrarian populists,
- nationalists,
- radical leftist populists who were frequently dubbed "not anarchist", because anarchism was still identified with "force".

Recently appeared the *Occupy Movement*, which was considered the most important example of anarchist Leftist utopia (Ebbinghaus 2012: 21). Its leaders are called "promotors of impulses" because these movements refuse to speak of "leaders". There are only latent leaders in the background, such as Micah White and Kalle Lasn, editors of the diary *Adbusters*, who identify themselves as "mystical anarchists". All these new Leftist populists generally target groups dedicated to a particular cause rather than party ideologies and rigid organisation.

From a historical perspective, populists have shared some basic common creeds:

- Populist propaganda tends to be less programmatic and rather moralistic. Many populists have had a common bias against science and have considered rationalism to be "unhuman". They appeal to certain biases among citizens and refuse to take part in rational debates. They prefer common myths of conspiration with appeals such as "We have been deceived" or "the political class has neglected the ordinary people. According to populist ideas, political virtue can

be found only among ordinary people with their collective traditions. Frequently, "liberalism" was declared to be a "philosophy of marginal groups". The great ideologies, such as liberalism and socialism, are, according to populist ideas, "worn out". Populist leaders frequently claim to defend liberty against fundamentalist "ideas of salvation" (Haider 1994: 24, 28).

- Populists pretend to fight against corruption among the established elites. This is one of the reasons why they prefer the term "political class", which seems to involve negative connotations, whereas the term "elite" seems to involve positive connotations.
- Populists rarely have a consistent doctrine, because many movements have started as "single-issue-movements". They struggle to achieve an ideology of interrelated creeds and have traditionally been inclined to overestimate one problem. In the Third World populists have been inclined to overestimate one fashionable problem and create a symbiosis of primitivism and progressivism reminiscent of agrarian socialist ideas—as for instance the mystification of the heritage of Aztecs and Mayans.
- In populist movements social class is considered to be of minor importance. A new trend in the empirical social sciences which emphasised "milieus" and "life styles", is one of the reasons why unemployment has not played a dominant role among populists (Betz 1994: 114).

Three out of eight developed milieus became the recruitment areas most favoured by populist movements.

- The petty bourgeois milieu.
- The hedonistic milieu.
- And the alternative Leftist milieu (Faltin 1990: 81ff).

Materialist hedonists were difficult to mobilise. New social movements were frequently considered to be "fuzzy systems", and theories of post-materialism frequently overrated the possibility of mobilising and building up political organisations. In Germany the debate about outlawing the neo-fascist National Democratic Party of Germany (NPD) in 2012 has been overrated. The NPD was frequently considered to be "old-fascist populism" by right-wing citizens and neo-fascists since it increasingly lost members. Right-wing extremism is often centred in *flash mobs* on the media (Müller 2012: 7). Since the structures of these movements on the internet are rather diffuse, a legalistic approach to prohibiting such a party promises rather little success.

3.2 The New Normative Debate on Democracy and the Virtues and Failures of Populism

Established parties have used the term "populism" mainly as an invective. However, they have not always been consistent in their judgements: Gandhi and de Gaulle were considered "good populists", whereas Sinn Fein and the leaders of the

Basque movement were criticised as "bad populists". Even Germany in the era of the Nazi movement has sometimes been characterised as a "populist system" (Möllers 2009: 35). The main criterion for such a classification has been the tendency of a movement towards "terrorist force". In Germany, a country which invented the legal possibility of outlawing parties—a custom which has been imitated by some other countries, such as Russia—the outlawing of populist movements has been discussed. But a truly legitimate state has found it difficult to outlaw a party, as the case of the neo-fascist party NPD in Germany has shown. In 2017 the Constitutional Court unexpectedly did not outlaw the NPD because this party was too weak to do damage to the German system. The Constitutional Court became rather cautious because of some failures in processes against populist extremist parties. Populism was rarely identified with right-wing extremism. With the growth of populist moods in Europe populism sometimes has been defined as a partially positive movement in the realm of agenda-setting and discussion of new topics. Negative attitudes towards populism with its negative impact on the system of representative democracy have sometimes proved to be exaggerated. Initial verdicts against populism have sometimes been smoothed down by new experiences:

- Populism has been organised by charismatic leaders such as Poujade or Le Pen in France. But Max Weber has noted the phenomenon of reduced charisma ("Veralltäglichung des Charismas"), a kind of banalisation of the virtues of leadership. Routinisation and integration of populist groups in the process of parliamentary work has led to the occasional disintegration of some populist movements. In some countries the leadership was "intellectualised" with consequent erosion of charismatic leadership. After some years voters have frequently become tired of the rather vague slogans of populist leaders (Stöss 2000: 178). Voters have also recognised after a while the rather unprofessional work of populist leadership. Moreover, smaller populist groups have lost their originality because established parties have adapted certain elements of populist styles of leadership. This experience has not, however, prevented engaged scholars such as Mouffe (2011: 5) proposing stronger emotionalism in political debates. The politics of consensus which led to a rapprochement of Leftists and right-wing parties—which Colin Crouch believed responsible for the decline of the system into a *post-democracy*—has been criticised by many researchers on parties who wanted to stop the decline of democratic institutions. In this debate it has sometimes been overlooked that the great established parties combine forces in the defence against populist extremism which tends towards terrorism.
- *The routinisation of populist movements*, on the other hand, has increased in cases that had a chance to participate in exercising power. Not all populist movements enter this road towards power but rather fight against "compromising compromises". Cooperation in government can lead to a loss of political innocence, as Haider showed in Austria, or Gysi in Berlin. Both were made responsible for mistakes in their countries' politics.

- Sometimes a system has led to an upheaval of the whole party system, as the case of Berlusconi showed in Italy. His so-called Second Republic proved to be more corrupt than the first republic, which was identified with a "classe politica" of tremendous corruption. Berlusconi was toppled, but it was astonishing that he experienced a political come-back which he crowned by a fusion with a former neo-fascist coalition partner. Coalitions in multiparty systems are always unstable, and populist coalitions have been even more precarious. Berlusconi learned lessons from such experiences and was for a time successful in retaining power. His final political end was also the beginning of the fall of Umberto Bossi, who had belonged to all cabinets of "the cavaliere". In April 2012 he had to hand over his leadership to the "Lega Nord". The Lega had consistently campaigned against Italian corruption, but was several times discovered to be involved in corruption scandals itself. For the survival of democracy even in populist movements it is comforting to know that even so-called "clean politicians" do not remain permanently clean.
- In the meantime, populist modes of behaviour have also intruded into hidden old parties, as was demonstrated in the cases of Prime Minister Blair in Britain and Chancellor Schröder in Germany. Charismatic media democracy has strengthened the populist style even in rather conventional politics (Korte 2003). Populists adapt the offerings of the media for a kind of so-called "infotainment"—a skilled mixture of information and entertainment. But again the impact of these media contributions should not be overrated. Manipulated public opinion is particularly unstable. One day the masses cry "Hosanna!" and next day not just "Crucify him," but "Away with him!" Public opinion generally tires quickly and allows little continuity. Even German politicians who were not involved in scandals, such as Stoiber in Bavaria and Teuffel in Baden-Württemberg, were toppled by mediocre members of their own party. This was even more apparent when a small mistake occurred, as in the case of Lothar Späth. More populists than conventional politicians have experienced the fickleness of public opinion. This can be shown by former populist leaders such as Haider in the FPÖ in Austria and by the disintegration of the party under Schönhuber in Germany. Therefore it is not surprising that the extremely solid Scandinavian systems in the 1990s were embarrassed by populist movements. But only in the second decade of the third millennium have the signs of disintegration cumulated in multi-party systems. The small People's Party in Denmark became decisive in a right-wing liberal minority government and in 2011 was pushed into the opposition. In all four Scandinavian countries approval stagnated and the populist parties were torn to pieces by conflicts over leadership. The Swedish Democrats (since 1988) and the True Finns (since 1995) were criticised because of their leaders' personal association with right-wing extremists (Balzter 2012: 10). Even the German Republicans have shown that a vague formation of identity in populist groups is closer to disintegration than the traditional big parties.

- Populism in West-European countries has been in no danger of threatening the existence of the system. In the 1980s new populists verbally pretended to change the system, but in the 1990s this radical change was only a rhetoric game, such as Berlusconi's "Second Republic" in Italy, Haider's (1994: 201, 239) "Third Republic" in Austria, and Jarosław Kaczyński's declaration of the end of the Fourth Republic in Poland. After some years the revolutionary phrases were reduced to a "jargon of transformation". This transformation took place not in the whole system but rather in populist movements which became successful in agenda setting and the public debate. In most countries they did not exceed 10% of the votes with the exception of the *Front National* in France, the Fremskrittspartiet in Norway, and the *Law and Justice Party* (PiS) in Poland. Generally the fluctuations were more noticeable among populist groups than normal parties (Data: 1994: 3). In some cases populist movements declined after institutional changes, as in the introduction of the Fifth Republic in France. In other cases the populists, such as the NPD and the Republicans, showed a lack of professionalism which caused a decline in the German state parliaments of the federal *Länder* (Holtmann 2002). Populism was not even a threat to European integration, as in the cases of coalition governments in Denmark, Italy, the Netherlands and Austria.
- Post-democratic hypotheses have underestimated the "participatory revolution" which favoured unconventional forms of participation. A great number of mediations in cases of conflict—from the debate on deepening the Elbe in the harbour of Hamburg to the action of "Stuttgart 21"—in a city which rarely experienced unconventional political behaviour—for a new railway station have mitigated these conflicts and the behaviour of the populists. One drawback of these changes in participation was a trend of non-commitment by the lower classes, whereas the former bourgeoisie opened itself to unconventional political behaviour. In the conflict on schools in Hamburg—in which a Black-Green coalition wanted a six-year primary school to take the place of a four-year elementary school—the majority voted in July 2010 to keep the status quo of the existing school system. This result was caused by much greater participation by the richer parts of the city and under-participation by the areas which were mainly working class (Jörke 2011: 14, 16). The change of the public mood into political disinterest (*Politikverdrossenheit*) and highly emotional proposals do not seem to meet the normative content of concepts of democracy which integrated new forms of protest without denouncing them as "populist". The new media has, however, had a problem in recognising the difference between neo-fascism and right-wing-populism. The NPD has been losing members but the numeric strength of new rightist groups and *flashmobs* has been difficult to estimate (Müller 2012: 7). Even in clothing the new radical groups are increasingly neutral. It is more difficult to differentiate Neo-fascists and normal populists than before. Their internet activities have strengthened this process.

Two forms of "inbuilt populism" have been differentiated in the literature:

(1) *Moderate Populists*—frequently also found in the democratic left—accept representative democracy and want to strengthen it by the inclusion of more new groups and interests in a "deliberative democracy". In many cases they want to promote direct democracy. The most moderate among them in the new Left, such as Fisahn (2008) and Wagner (2011: 131f), have some reservations against plebiscites on individuals, and concentrate on referenda about political questions. They don't assume that such referenda will always be progressive. In debates about specific issues the diversity of political motives often becomes apparent. Such debates can be abused by adversaries of the Left as a calculated strategy in their power games. The moderate Left frequently look to Wagenknecht (2011), co-leader of the Left in the Bundestag, when direct democracy is not overloaded by unrealistically high expectations. (2) *Radical Populists* demand direct democracy based on the will of the people, whose unity is taken for granted and substituted for "deliberation". Radical populists are frequently suspected to favour a "little bit of dictatorship" (Münkler 2010: 11), or even "soft Bonapartism" (Losurdo 2008: 73). Occasionally, liberal conservatives, such as Hans Herbert von Arnim, have been included by critics among "radical democratic demagogy of right-wing populism", who rhetorically opt for the struggle of the suppressed people against a "bankrupt establishment" (Wagner 2011: 58). But the work of Arnim (2008: 137) relates to populism only insofar that he accuses functionaries in the established parties of exploiting not only public opinion but also their own parties via parasitic networks. His bias in favour of research into party finances has sometimes led von Arnim to formulations sounding more parasitic than his general political theory.

Only the second variation of populism might have the potential to develop into democracy, whereas the first moderate type may occasionally develop into an advantage for political life. Because of its Nazi experiences and the strong welfare orientation of its two largest parties, Germany's democracy has been was very little threatened by populist movements. Slogans have, however, been adapted even by the dominant parties, especially when building "grand coalitions". No radical populism seems to be an actual danger but rather the competition for a "populism of the centre". In election campaigns parties like to promise unrealistic lowering of taxes and increasing old age pensions. "Social parasites, dangerous refugees, greedy bankers and corrupt politicians" are attacked as scapegoats. The CDU candidate Roland Koch has been suspected of winning state elections in Hessen against the coalition of Red and Green parties in 1999 because of a populist campaign with signatures against double citizenship in Germany (Seils 2010: 132, 177). So far the reappearance of populist constellations as in the Weimar Republic is not yet expected, but the "Berlusconisation" of politics—as in Italy—has been noted as a danger.

Nevertheless, objective analysts need to avoid pessimistic exaggerations even in light of a retro-movement in Eastern Europe:

- Populists have frequently turned out to be less dangerous than anticipated because many of them have remained apolitical through their reluctance to accept "compromises". Populists want to mobilise for specific objectives. The result has frequently been a "manipulated pseudo-participation". As soon as populist groups develop the capacity to compromise they lose their political "uniqueness". This has happened with the Green ecologist groups, who did not even offer a coherent strategy, but rather a method for acquiring news which appealed to other groups. The populists' predilection for attacking the intellectual property of the "intelligentsia" has often led most intellectuals to confrontthem.
- My optimism could be moderated by the development of "defective democracies" in Eastern Europe. In the new democracies the development is more dangerous because the tradition of a sufficiently established party system has not yet evolved. The fluctuation of electors to which populist groups contribute threatens to contribute to unstable party systems and tougher ethnic differences, such as in Slovkia, Romania and Serbia. The so-called "institutional engineering" has not been finished in this area. In the meantime, research into the consolidation of democracy has become more difficult. Ethno-pluralism has become more militant—from the Basque country to Belgium and Scotland.

In the long run I am rather optimistic in favour of the new EU member states:

- *European values* also dominate in the political cultures of Eastern Europe. But in some countries Euro-scepticism is still stronger among the elites than among the majority of the population, as some surveys have shown (Rupnik 2007: 168). Among citizens confidence in Europe seems greater than trust in national governments. In the long run, East European parties in the European Parliament also have some influence on the East Europeans at home.
- *Judicial review of the constitutional courts* which most East European countries introduced after the collapse of Communism contributes to the domestication and integration of East European groups and institutions. The principle of "judicial review" has spread even to those countries which did not introduce a fully developed constitutional court—as in the case of France with its "Conseil Constitutionnel". In Eastern Europe the systems have developed rather in the direction of the Austrian-German model than along the path of the Supreme Court of the United States (v. Beyme 2006). Prime Minister Viktor Orbán, in the new constitution of Hungary which was introduced in April 2011, adopted many democratic institutions in his country. In the Hungarian parliament 80% of the votes are needed for the Constitutional Court to examine a parliamentary law. When the Constitutional Court was weakened by this constitutional regulation,

at the last possible moment, in December 2011, it declared as unconstitutional the "media law" with its "muzzle paragraphs". The Constitutional Court has also outlawed the "Church Law" which tried to drastically reduce the number of recognised denominations. The court also annulled a law which allowed prisoners to be held in "detention for investigation" for five days instead of two without access to a lawyer. Such constitutional defeats of authoritarian governments in the courts has strengthened the democratic opposition in Eastern Europe (Flückiger and Hufschmid 2011: 5). In Hungary, the leader of the Green-Liberal opposition party (LNP), Andreas Schiffer, hoped for a change of opinion among the people since new protest movements seemed to be on the rise in Hungary. In spite of these hopes the transformation index of the Bertelsmann foundation (2012: 25, 108f) was obliged to report a decline in the rule of law and the division of powers not only in Hungary but also in Macedonia, Slovakia and the former Soviet Republics.

- *Economic recessions* in some cases have broken the impetus of nationalist populists, as in Hungary. In 2010 Orbán interrupted negotiations with the IWF. He had declared "When the IWF gets influence, I shall leave". Rating institutions such as Standard & Poor's and Moody all of a sudden rated the Hungarian economy as very low (BB+). Orbán then had to seek help from the hand which he had previously bitten. He did not anticipate that Hungary might need the IWF to obtain credit (Bota 2011: 9; Tenbrock 2012: 21).

Even in Eastern Europe populist movements have shown instability in the long run, as in the *bon mot*: "Populism never lasts very long—but it is somehow always around" (Deegan-Krause 2007: 144). Older behavioural literature, such as the work of Hans-Dieter Klingemann, sometimes classified populism as the "normal pathology". In the meantime, this *bon mot* has been changed into the "normal populist time spirit" (Mudde 2004: 562). Populist intellectual fashion permanently creates new movements. "Angry citizens" organised a movement under the name "Occupy". In Spain, in the USA and in Frankfurt active populists camped beside bank buildings. Through the "Pirates" party, the new populist movement—despite quantitative restrictions concerning access for parties—was able to enter the parliament of the German capital Berlin. Populist movements occasionally compete with each other. Through populist activities Orbán changed the institutional setting of the system in Hungary. But by the end of the year 2011 he was unexpectedly threatened by a new populist protest movement. In December 2011 the Hungarian prime minister met with many thousands of protesting citizens. The new movement called itself "Solidarity", imitating the famous Solidarność movement in Poland (Bota 2011: 9).

The first declaration about the necessity for revolt—such as the one launched by Hessel (2011)—was published in eleven editions in a very short time, though it

remained rather vague concerning the question of how the protest could be transformed into constructive politics. In 2012, in a declaration for the New Year via its spokesman Miles Davis, "Generation occupy" published "10 commandments of the revolt". He pleaded for an efficient organisation by "provisional leaders" who worked for a short time. The followers of the movement were integrated in the planning process for reforms in order to avoid the usual personalisation by the media. Among the principles of the movement "tolerance towards small parties" and the use of the "language of the people" were launched (Davis 2011: 60). Even professional politicians began to plead for more modesty of the "catch-all parties" (Niehuis 2011: 180ff), because in a highly specialised world political all-round knowledge of the elites was no longer trustworthy. Parties were conceived as an instrument of transmission between the people and their representatives. The problem was, however, that only problems which could be answered with "yes" or "no" prevailed in the new "basic democracy". It was recognised that "total transparency" could not be expected as the party of the Pirates demanded. It was by no means guaranteed that new, truly democratic versions of populism would prevail. Significantly, Berlusconi—who had called himself the "Jesus Christ of politics" was re-elected in spite of his megalomania in the middle of the year 2012.

Populists—as far as they are interested at all in theories—try to benefit from the normative change of political theory in postmodern times:

- the notion of "post-democracy" has negative connotations, according to Colin Crouch.
- the terms "deliberative democracy" (Habermas) and "dialogic democracy" (Giddens) have positive connotations.

In post-democracy the elite increasingly meets with less "deference". The secrets of the "political class" are no longer respected by the media, though all the formal elements of representative democracy have survived (Crouch 2008: 21). New social movements, such as the Pirates Party, have been characterised as "generation social media". This kind of movement does not respect private intellectual property of the right to personal privacy (Hank 2012: 13).

Deliberative democracy was a normative hope, but post-democracy did not really realise this hope. Fundamental criticism of globalisation theories became rare. Using the notion of "Empire", former Leftists, such as Hardt and Negri (2002), express little hope of a change in the system. Foucault's attitude is gaining ground with the theory that every power structure finds its counter-power. Populism is sometimes offered as just such a counter-force. Anthony Giddens's label of "dialogic democracy" (1994: 112), was intended to indicate positive developments in representative democracy. No new rights or representative possibilities, as in the old system, were needed, but rather "cultural cosmopolitism", which was considered to be a decisive factor in the "reconstruction of social solidarity". In reality, the

opposite of this normative concept was implemented: identity politics was transformed in the direction of "separation" (v. Beyme 2007: 91ff).

Crouch (2005, 2008: 119ff) already had little hope that populism would develop in the direction of universalistic theoretical concepts. The catchword of post-democracy was "identity politics"—pessimistically, Crouch added: "Nor will populism be contested by trying to move beyond identity politics to a *Third Way political appeal* which tries to evade every idea of identity". Political parties which pretend to represent the masses normally do so by means of definitions about the "identity of the people" (Pizzorno 1993). The more these identities are constructed artificially, the more frequently alternative identities are neglected. Even before the notion "post-democracy" was created, alternatives existed between "cultural fundamentalists", who culturally insisted on *la nation une et indivisible*, and "multi-culturalists". Both commit the same mistake—defining a rigid collective identity (Möllers 2009: 51)—but they always place this identity on different levels.

Established parties grow similar to big industrial enterprises. They avoid taking big risks or investing in the identity of new groups (Crouch 2005: 120). Parties tend to cooperate with selective groups, but avoid highly specialised populist groups. This is one of the reasons why the innovative power of new social groups was been overrated in the 1980s. New social movements have been most successful when limiting populist agitation and developing a cooperative attitude, ready for compromises, similar to ecologists who have attempted to represent "civil society" against the "political class". But the concept of civil society would suffer if it could be identified with one party. Some critics of this development (Latour 1995: 68, 188) have been afraid that modern constitutional systems could become a sacrifice of their success and threaten to decline. But in spite of the wide-spread scenarios about a "crisis in democracy" no "golden age of democracy" can be found in history. The highly formalised society of the era of German Chancellor Konrad Adenauer, Switzerland in the time of no electoral rights for women, the illiberal and corrupt democracy under de Gasperi in Italy, and the era of race conflicts in the United States were certainly not the golden age of democracy without crises (Merkel 2011: 445).

Such comparisons do not suggest that the symptoms of crises in recent changes of democracy should not be taken seriously. The mobilisation revolution, from which the populists have largely benefited, has created so many hybrid forms of representation that constitutional order can hardly harmonise them. But a post-modern constitutional order is not very visible and especially not the utopia of a reunification of nature and society, as some ecological populists had hoped. Even a normative thinker such as Habermas (1992: 446), who permanently fought for a deliberative democracy, regarded populism as the greatest threat to civilised

society, as soon as traditional identities have been proclaimed in a populist way. This danger is actually more threatening than the dangers of classical modernity with its eschatological revolutionary ideologies of transformation. It is not so much the kind of identity which is problematic in a democracyas the way in which it is fought for. "Civil disobedience" is sometimes taken for a populist virtue (Möllers 2009: 80). But this disobedience does not constitute a democratic vice, and is hardly visible as long as the system does not develop in an authoritarian way. But resistance can serve democratic formation of aims as Rawls (1971: 319ff) has already stated.

Max Beyme, painting: "Excursion to Malkuth", Acrylic on canvas, 2011, 150 × 200 cm. *Source* Photo by Max Beyme, reprinted with his permission. In this work, different levels of time and images merge, which do not really belong together. The idyll of an idealised 1950s family on the way to an excursion is counteracted by the central motif in the middle of the image. Depending on the way of looking at it, it is either a flowering tree (as the title ironically suggests, perhaps the lowest level in the cabbalistic tree of life?) or a bomb explosion. In fact, the original image is taken from an explosion in the film "Hurt Locker" by Kathryn Bigelow. This is about the work of a mine clearance squad in Iraq. As in a collage, the picture motifs are integrated into a setting which unites different places in Berlin to form a fictitious picture background. Thus the disparate layers of time and image are combined into a new meta-story and once again the illusion of a supposed idyll emerges

References

v. Alemann, Ulrich u. a.: Die Bürger sollen es richten. *APuZ*, 44–45, 2011: 25–32.

v. Arnim, Hans Herbert: *Fetter Bauch regiert nicht gern: Die politische Klasse – selbstbezogen und abgehoben*. Munich, Kindler, 1997.

v. Arnim, Hans Herbert: *Politik macht Geld: Das Schwarzgeld der Politiker – weißgewaschen*. Munich, Droemer Knaur, 2001.

v. Arnim, Hans Herbert: *Das System: Die Machenschaften der Macht*. Munich, Droemer Knaur, 2001.

v. Arnim, Hans Herbert: *Deutschlandakte*. München, Bertelsmann, 2008.

Backes, Uwe: *Politische Extreme. Eine Wort- und Begriffsgeschichte von der Antike bis in die Gegenwart*. Göttingen, Vandenhoeck & Ruprecht, 2006.

Balzter, Sebastian: Im Norden auf dem Rückzug. Die Populisten Skandinaviens verschleißen sich in parteiinternen Kämpfen. *FAZ*, 21 April 2012: 10.

Becker, Sven/Rosenbach, Marcel: Das Computerspiel Politik. *Der Spiegel*, No. 14, 2012: 26–28.

Becker, Sven et al.: Partei der Sehnsucht. *Der Spiegel*, No. 17, 2012: 26–38.

Beste, R. et al.: Das Gespenst der Politik. *Der Spiegel*, No. 10, 2011: 20–26.

Betz, Hans-Georg: *Radical Right-Wing Populism in Western Europe*. Houndsmill, Macmillan, 1994.

v. Beyme, Klaus: Right-Wing Extremism in Post-War Europe. *Westeuropean Politics*, 1988: 1–18.

v. Beyme, Klaus: *Parteien im Wandel. Von den Volksparteien zu den professionalisierten Wählerparteien*. Opladen, Westdeutscher Verlag, 2000, 2002.

v. Beyme, Klaus: Modell für neue Demokratien? Die Vorbildrolle des Bundesverfassungsgerichts. In: van Oeyen, Robert Chr./Möllers, Martin H. W. (eds.): *Das Bundesverfassungsgericht im politischen System*. Wiesbaden, VS Verlag für Sozialwissenschaften, 2006: 516–531.

v. Beyme, Klaus: *Föderalismus und regionales Bewusstsein. Ein internationaler Vergleich*. Munich, Beck, 2007.

Böhnke, Petra: Ungleiche Verteilung politischer und zivilgesellschaftlicher Partizipation. *APuZ*, 1–2, 2011: 18–25.

Bota, Alice: Herr Orbán bekommt ein Problem. Ungarn schlittert in die Finanzkrise – und plötzlich wächst der demokratische Protest gegen den Premierminister. *Die Zeit*, 29 December 2011: 9.

Brettschneider, Frank: Kommunikation und Meinungsbildung bei Großprojekten. *APuZ*, 44–45, 2011: 40–47.

Brobst, Marc: Eine Machtprobe. Der Präsident klammert sich an sein Amt, die Medien klammern sich an das Thema. Die Affaire Wulff wird zur Posse. *Die Zeit*, No. 3, 12 January 2012: 1.

Bútora, Martin et al. (eds.): *Democracy and Populism in Central Europe*. Bratislava, Institute for Public Affairs, 2007.

Canovan, Margaret: Populism for Political Theorists? *Journal of Political Ideologies*, 9, 3, 2004: 241–252.

Canovan, Margaret: Two Strategies for the Study of Populism. *Political Studies*, No. 4, 2006: 544–552.

Crouch, Colin: *Post-Democracy*. Cambridge, Polity Press, 2005.

Crouch, Colin: *Postdemokratie*. Frankfurt, Suhrkamp, 2008.

Dausend, Peter: Echte Patrioten. Es wäre leicht für die SPD, die Krise populistisch auszuschlachten. Aber sie tut es nicht. Lob auf eine Partei der Vernunft. *Die Zeit*, No. 49, 2011: 10.

Davis, Mike: 10 Gebote für die Revolte. *Die Zeit*, 29 December. 2011: 60.

Decker, Frank: *Der neue Rechtspopulismus*. Opladen, Leske & Budrich, 2004, 2nd ed.

Decker, Frank (ed.): *Populismus. Gefahr für die Demokratie oder nützliches Korrektiv*? Wiesbaden, Verlag für Sozialwissenschaften, 2006.

Deegan-Krause, Kevin: Populism and the Logic of Party Rotation in Postcommunist Europe. In: Bútora et al., *Democracy and Populism in Central Europe*, 2007: 141–159.

DiLorenzo, Giovanni: Die richtige Quote. *Die Zeit*, No. 10, 2012: 1.

Dubiel, Helmut (Hrsg.): *Populismus und Aufklärung*. Frankfurt, Suhrkamp, 1986.

Ebbinghaus, Uwe: Wer hat Angst vor Anarchismus?, *FAZ*, 28 January 2012: 21–22.

Embacher, Serge: *Demokratie! Nein Danke?* Bonn, Dietz, 2009.

Faltin, I.: Norm, *Milieu, politische Kultur*. Wiesbaden, DUV, 1990.

Fisahn, Andreas: *Herrschaft im Wandel. Überlegungen zu einer kritischen Theorie des Staates*. Köln, Papyrossa, 2008.

Flückiger, Paul/Hufschmid, Maris: Urteil gegen Urban. *Der Tagesspiegel*, 21 December 2011: 5.

Fukuyama, Francis: Wo bleibt der Aufstand von links?, *Der Spiegel*, 5, 2012: 86–88.

Geden, Oliver: *Diskursstrategien im Rechtspopulismus. Freiheitliche Partei Österreichs und Schweizerische Volkspartei zwischen Opposition und Regierungsbeteiligung*. Wiesbaden, VS Verlag für Sozialwissenschaften, 2006.

Giddens, Anthony: *Beyond Left and Right. The Future of Radical Politics*. Cambridge, Polity, 1994.

Habermas, Jürgen: *Legitimitätsprobleme im Spätkapitalismus*. Frankfurt, Suhrkamp, 1973.

Habermas, Jürgen: *Theorie des kommunikativen Handelns*. Frankfurt, Suhrkamp, 1981, 2 vol.

Habermas, Jürgen: *Faktizität und Geltung*. Frankfurt, Suhrkamp, 1992.

Habermas, Jürgen: *Zur Verfassung Europas*. Berlin, Suhrkamp, 2011.

Haider, Jörg: *Die Freiheit, die ich meine*. Frankfurt, Ullstein, 1994.

Han, Byung-Chul: Transparent ist nur das Tote. *Die Zeit*, 12 January 2012: 41.

Hank, Rainer: Nichts geht über Transparenz. Piraten sind die Helden der Informationsfreiheit. *FAS*, No. 13, 2012: 38–39.

Hardt, M./Negri, A.: *Empire – die neue Weltordnung*. Frankfurt, Campus, 2002.

Hartleb, Florian: *Rechts- und Linkspopulismus*. Wiesbaden, Verlag für Sozialwissenschaften, 2004.

Hessel, Stéphane: *Empört Euch*. Berlin, Ullstein Streitschrift, 2011, 11th ed.

Holtmann, Eberhard: *Die angepassten Provokateure. Aufstieg und Niedergang der rechtsextremen DVU als Protestpartei im polarisierten Parteiensystem Sachsen-Anhalts*. Opladen, Westdeutscher Verlag, 2002.

Inglehart, Ronald: *Culture Shift in Advanced Industrial Society*. Princeton, Princeton University Press, 1990.

Jaschke, Hans-Gerd: *Politischer Extremismus*. Wiesbaden, VS, 2006.

Ionescu, Ghita/Gellner, Ernest (eds.): *Populism. Its Meanings and National Characteristics*. London, Weidenfeld & Nicolson, 1969.

Jörke, Dirk: Bürgerbeteiligung in der Postdemokratie. *APuZ*, 1–2, 2011: 13–18.

Kaase, Max: The Challenge of the „Participatory Revolution" in *Pluralist Democracies. International Political Science Review*, 5, 3, 1984: 299–318.

Kaube, Jürgen: Mitfliegen als Methode. Parteilichkeit ist noch das geringste Problem der Parteienforscher: das Fällchen Karl-Rudolf Korte. *FAZ*, 12 May 2010: 6.

Köppel, Peter: Nehmt die Schweiz als Vorbild! *Focus*, 48, 2011: 48–50.

Korte, Karl-Rudolf: Populismus als Regierungsstil in: Werz, 2003: 209–222.

Knuth, Natalie: Oneline-Campaigning, dargestellt an den Wahlen zum Deutschen Bundestag 1998–2009 im Vergleich zum US-amerikanischen Online-Campaigning im Rahmen der Präsidentschaftswahlen 2000–2008. Heidelberg, Diss. 2010.

Kurbjuweit, D.: Triumph der Albernheit. Warum Politikerfotos oft so seltsam wirken. *Der Spiegel*, 45/2011: 38–41.

Kurz, Constanze: Keine Angst! Warum die anderen Parteien von den Piraten lernen müssen. *Der Spiegel*, 15, 2012: 212–213.

Laclau, Ernesto: *On Populist Reason*. London, Verso Books, 2005, 2007.

Lang, Kai-Olaf: Populism in «Old» and «New Europe» : Trends and Implications. In: Bútora, 2007: 125–140.

Latour, Bruno: *Nous n'avons jamais été modernes*. Paris, La Découverte, 1991, German: *Wir sind nie modern gewesen. Versuch einer symmetrischen Anthropologie*. Berlin, Akademie Verlag, 1995.

Lepsius, Oliver; Meyer-Kalkus, R. (Hrsg.): *Inszenierung als Beruf. Der Fall Guttenberg*. Frankfurt, Suhrkamp, 2011.

Lipset, Seymour Martin: *Political Man*. London, Mercury Books, 1960.

Losurdo, Domenico: *Demokratie oder Bonapartismus. Triumph und Niedergang des allgemeinen Wahlrechts*. Cologne, Papyrossa, 2008.

Mair, Peter. Populist Democracy vs Party Democracy. In: Mény/Surel, *Democracies and the Populist Challenge*, 2002: 139–154.

Mény, Yves; Surel, Yves (eds.): *Democracies and the Populist Challenge*. Houndsmill, Macmillan, 2002.

Merkel, Wolfgang: *Systemtransformation*. Wiesbaden, VS Verlag, 2010, 2. ed.

Merkel, Wolfgang: Volksabstimmungen: Illusion und Realität. *APuZ*, 44–45, 2011: 47–55.

Merkel, Wolfgang: Krise der Demokratie: Mythos oder Realität? In: Bluhm, Harald et al. (eds.): *Ideenpolitik. Geschichtliche Konstellationen und gegenwärtige Konflikte*. Berlin, Akademie Verlag, 2011: 438–448.

Meyer, Hendrik/Schubert, Klaus (ed.): *Politik und Islam*. Wiesbaden, VS, 2011.

Möllers, Christoph: *Demokratie – Zumutungen und Versprechen*. Berlin, Wagenbach, 2008, 2009, 2nd ed.

Mouffe, Chantal: *Über das Politische. Wider die kosmopolitische Illusion*. Frankfurt, Suhrkamp, 2007.

Mouffe, Chantal: „Postdemokratie" und die zunehmende Entpolitisierung. *APuZ*, 1–2, 2011: 3–5.

Mudde, Cas: In the Name of Peasantry, the Proletariat, and the People: Populisms in Eastern Europe. *East European Politics and Societies*, 14, 2000: 33–53.

Mudde, Cas: The Populist Zeitgeist. *Government and Opposition*, 29, 2004: 541–563.

Mulgan, G.: *Politics in an Antipolitical Age*. Cambridge, Polity, 1994.

Müller, Daniel: Update für Nazis. Webdesign ohne Hakenkreuz. *Die Zeit*, No. 13, 2012: 7.

Müller, Jan-Werner: Wir! Sind! Das! Volk! Die Populisten in Europa glauben, sie allein begriffen den wahren Wählerwillen. Damit gefährden sie die Demokratie. *Die Zeit*, No. 17, 2012: 13.

Münkler, Herfried: Lahme Dame Demokratie. *Internationale Politik*, May/June 2010: 10–17.

Niehuis, Edith: *Die Demokratiekiller. Fehlentwicklungen in der deutschen Politik*. Berlin, Lehmanns Media, 2011.

Niehuis, Edith: Die Zerstörung der Parteiendemokratie von oben nach unten. *APuZ*, 44–45, 2011: 7–11.

Niggemeier, Stefan: Im Namen des Volkes? Den Ansprüchen, die viele Journalisten an den Bundespräsidenten haben, werden sie selbst oft nicht gerecht. Kein Wunder, dass das Publikum nun zwischen Politik- und Medienverdrossenheit schwankt. *Der Spiegel*, No. 3, 2012: 140–142.

Nolte, Paul: Von der repräsentativen zur multiplen Demokratie. *APuZ* 1–2, 2011: 5–12.

van Ooyen, Robert Ch.; Martin H. W. Möllers, Martin H. W. (eds.): *Das Bundesverfassungsgericht im politischen System*. Wiesbaden, VS, 2006: 516–531.

Norris, Pippa: *Democratic Deficit. Critical Citizens Revisited*. Cambridge, Cambridge University Press, 2011.

Pfetsch, Barbara/Marcinkowski, F.: *Politik der Mediendemokratie*, *PVS Special issue*, Wiesbaden, VS Verlag, 2009.

Pham, Khue: Alles Piraten. Ist die neue Partei so erfolgreich, obwohl sie alles falsch macht oder weil sie alles falsch macht. *Die Zeit*, No. 14, 2012: 1.

Pizzorno, Alessandro: *Le radici della politica assoluta e altri saggi*. Milan, Feltrinelli, 1993.

Plickert, Niklas: Wer regiert, ist egal. FAS, No. 16, 2012: 32.

Pörksen, Bernhard/Detel, Hanne: Kollaps der Kontexte. In der Digital-Ära wird der Kontrollverlust zur Alltagserfahrung. *Der Spiegel*, 14, 2012: 140–141.

Potrafke, Niklas: Economic Freedom and Government. Ideology across the German States. *Regional Studies*, 2012.

Priester, Karin: Populismus: Theoretische Fragen und Erscheinungsformen in Mitteleuropa. In: Otten, Henrique/Sicking, Manfred (eds.): *Kritik und Leidenschaft. Vom Umgang mit politischen Ideen*. Bielefeld, Transcript, 2011: 49–65.

Priester, Karin: Populismus. *Historische und aktuelle Erscheinungsformen*. Frankfurt, Campus, 2007.

Propst, Maximilian: Der falsche Frieden. Weil sich die großen Parteien in der Mitte immer ähnlicher werden, wächst der Extremismus – auch am rechten Rand. *Die Zeit*, No. 48, 2011: 61.

Puhle, Hans-Jürgen: Populismus: Form oder Inhalt? In: Otten, Henrique Ricardo/Sicking, Manfred (eds.): *Kritik und Leidenschaft. Vom Umgang mit politischen Ideen*. Bielefeld, Transcript, 2011: 29–47.

Rathkolb, Oliver: Neuer Politischer Autoritarismus. *APuZ*, 44–45, 2011: 56–62.

Rathkolb, Oliver/Ogris, Günter (eds.): *Authoritarianism, History and Democratic Dispositions in Austria, Poland, Hungary and the Czech Republic*. Innsbruck, Studienverlag, 2010.

Rawls, John: *A Theory of Justice*. Cambridge/Mass., Harvard University Press, 1971. German: *Eine Theorie der Gerechtigkeit*. Frankfurt, Suhrkamp, 1979.

Rupnik, Jacques: The Populist Backlash in East-Central Europe. In: Bútora et al., *Democracy and Populism in Central Europe*, 2007: 161–169.Sarcinelli, Ulrich: *Politische Kommunikation in Deutschland*. Wiesbaden, VS Springer, 2009, 2nd ed.

Scheuch, Erwin K. und Ute: *Cliquen, Klüngel und Karrieren*. Reinbek, Rowohlt, 1992.

Scheuch, Erwin K. und Ute: *Die Spendenkrise. Parteien außer Kontrolle*. Reinbek, Rowohlt, 2000.

Schimmeck, Tom: *Am besten nichts Neues*. Reinbek, Rowohlt, 2010.

Seils, Christoph: *Parteiendämmerung*. Berlin, WJS Wolf Jobst Siedler, 2010.

Spier, Tim: Populismus und Modernisierung. In: Frank Decker (ed.): *Populismus in Europa*. Wiesbaden, VS Springer, 33–57.

Spier, Tim (ed.): *Die Linkspartei*. Wiesbaden, VS, 2007.

Spier, Tim: Die Wählerschaft rechtspopulistischer Parteien in Westeuropa. Diss. Göttingen, 2008.

Staun, Harald: Zwischen Mainstream und Volkes Seele. *FAS* 15 January 2012: 29.

Stöss, Richard: *Rechtsextremismus im vereinten Deutschland*. Berlin, Friedrich Ebert Stiftung, 2000, 3rd edition.

Taggart, P: New Populist Parties in Western Europe. *West European Politics*, 1995.

Tenbrock, Christian: Budapester Ramschware. *Die Zeit*, No. 3, 12 January 2012: 21.

Transformation Index BTI 2012. *Political Management in International Comparison*. Gütersloh, Verlag Bertelsmann Stiftung, 2012.

Wagenknecht, Sahra: *Freiheit statt Kapitalismus*, Berlin, Eichborn, 2011.

Wagner, M. K.: Der Mythos vom Wutbürgertum. *FAZ*. 11 March 2011: 12.

Wagner, Thomas: *Demokratie als Mogelpackung*. Cologne, Papyrossa, 2011.

Weischenberg, S.: *Schreinemakerisierung unserer Lebenswelt*. Hamburg, Rasch & Röhring, 1997.

Wefing, H.: Wir! Sind! Wütend! Eine neue Macht schallt aus dem Internet. *Die Zeit*, 2012, No. 10: 3.

Werz, Nikolaus (ed.): *Populismus*. Opladen, Leske & Budrich, 2003.

Wiles, Peter: A Syndrome, not a Doctrine. Some elementary theses on populism. In: Ionescu/Gellner, 1969: 166–179.

Winkler, Heinrich August: Die grosse Illusion. Warum direkte Demokratie nicht unbedingt den Fortschritt fördert. *Der Spiegel* 47/ 2011: 47–48.

Max Beyme, painting: "Falcon Heights", Acrylic on oil painting paper, 2016, 50 × 64 cm. *Source* Photo by Max Beyme, reprinted with his permission. The basis of this work is a Youtube video. It shows, in real-time, the shooting of a black man by a police officer in the American state of Minnesota. The ultimate artistic decision here is the selection of the close-up section. This replicates the zooming in of a camera on the wound of the victim and at the same time abstracts the picture motif. In its present form the picture is dominated by the cross structure of the window frame and the seat belt. The accentuation of the cross symbolises, iconographically, crucifixion scenes in art history.
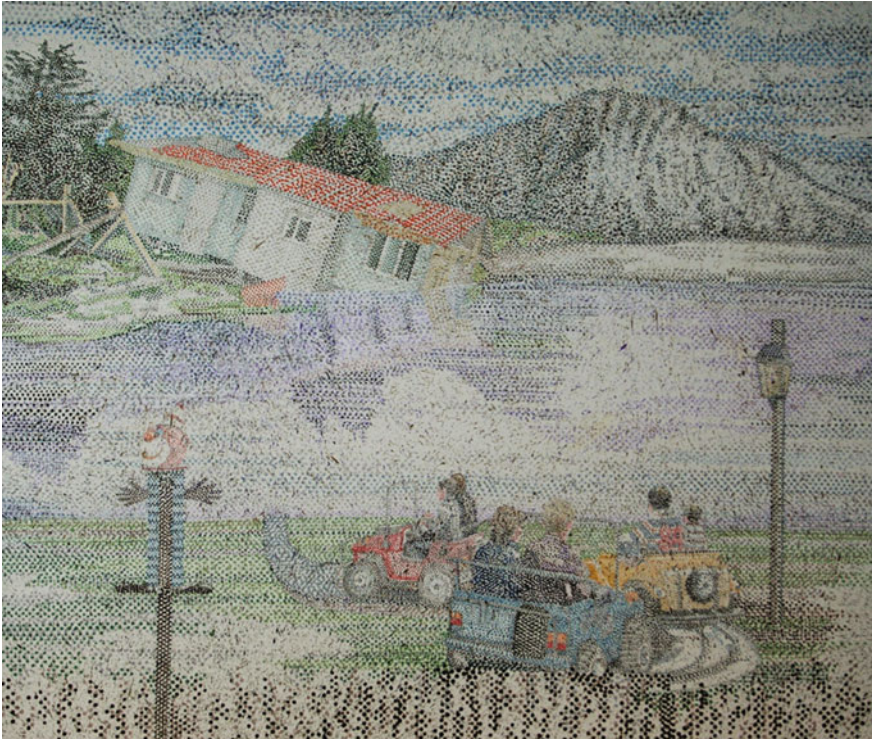
Max Beyme, painting: "Partly cloudy", Acrylic on canvas, 2011, 180 × 200 cm. *Source* Photo by © Max Beyme, reprinted with his permission. The picture is a variant of the recurring motif of an alleged idyll descending into catastrophe. In this work, too, different picture elements are combined to form a new story. The rails of the car train in an amusement park are flooded and lead directly into the water. Far and wide there is nothing in sight to halt the children's ride in its passage along the tracks. The clown figure on the left side of the picture is signalling 'stop' with widespread arms, like an Indian totem pole. But the fun-fair vehicle follows its track into the water. The house in the background, a symbol for human shelter, has already been overtaken by this fate.

Chapter 4
Proposals for an Institutional Reform of Democracy

4.1 Theory of Blocked Society

While theorists frequently argue about the decline or renewal of democracy (Chaps. 1 and 5), empiricists have continued to pursue the concrete possibility of revitalising democracy. In many cases the debate has been sceptical about the possibility of institutional reforms in mature democracies, as can be seen in the theory of the allegedly "blocked society".

In the 1970s *la société bloqué* was a common phrase, spread by the French sociologist Michel Crozier in 1970. The slogans remain, but the facts are changing. Crozier called society blocked because the student protest movement was challenging the system. In 1968 or 1969 (?), when de Gaulle's power was in decline, he fled to Baden-Baden to seek shelter in the protection of the chief commander of the French armed forces in Germany, a fact which is nearly forgotten today.

The blockage was situated within an insurmountable dilemma:

- On the one hand, via collectives, the people demanded more participation rights and stronger social services.
- On the other hand, citizens demanded stronger fundamental rights against the State for all individuals.

As a result, the State seemed to be overstretched and incapable of acting. The contradiction between the two processes which Crozier had observed did not last in the long run:

- Civil rights, which were actually conceptualised as individual rights, were increasingly perceived as collectivised. Meanwhile this no longer happens through the "self-appointed popular masses" of student representatives of an "imaginary people", but through new social movements: ethnicities, religious fundamentalists, female power and countless other minorities.
- The demands on the welfare state, which Kohl denounced at the time as "unrestrained", are rarely directed towards an extension of services any more, but

instead seek justice concerning the reduction of social benefits. The aim today is social justice, as outlined by Rawls (1975) . Fairness must above all concern the socially deprived, who are disadvantaged by the downsizing of the hypertrophied welfare state. The distribution of profits once had the advantage that the socially deprived were also allowed to benefit from the "dynamic pension" (1957), the "maintenance of benefits in case of sickness" (1969) and the "Law of solidarity" (1991). People who receive some sort of benefits themselves are less inclined to be critical of neighbours who receive State benefits.

- The blocked society is a result of German history: nevermore should a concentration of power be tolerated at institutional level. Therefore the position of the federal president is weaker in Germany than anywhere else in the world. The risk of "political deadlock" is more strongly integrated into German federalism than in any other federal state. With good intentions "joint tasks" were created within the financial reform of 1969. They undermined the federal states' own competences and strengthened the federal states' capacity to intervene in central politics. Recent reforms of the federal system have annihilated these advantages. Yet, the principal features have remained intact.

- An extreme distribution of power is combined with strong distrust of plebiscitary majority decisions. For fear of a defective democracy, as the Weimar Republic became, the founding fathers and mothers of German Basic Law have done everything in their power to prevent premature decisions. In the run-up to every single decision there is a risk posed by rulings issued by the Federal Constitutional Court. According to a study, 40% of key decisions occurred after consultation with the Karlsruhe Court. 50% of the pending statutes complied with constitutional law, while 17.5% had to be adjusted to conform to the constitution. These adjustments entailed restrictions. 14.8% of the statutes turned out to be invalid and 19.4% were incompatible with the constitution. Nevertheless, the Constitutional Court is not a "graveyard of legislative acts", as it does not usually prevent more than one to two decisions. Yet, the key decisions are important as they are necessary to transform and reconstruct the presently "blocked" welfare state.

The constitutional jurisdiction shows that tension between a constitutional state and democracy may exist. Even laws which have been legally passed by a majority of the democratically elected people's representatives can violate the constitution and therefore become illegitimate. The *juridification or legal orientation of politics* should not endow the Constitutional Court with excessive influence, as this could jeopardise the principle of democracy (Landfried 2012: 8). The most recent public surveys show some interesting results (Köcher 2012: 10). When individual state institutions obtain an increase in power, citizens have repeatedly reacted suspiciously. This is not so in the case of the Constitutional Court. The uncertainties of a majority of citizens caused by projects such as the fiscal union and a joint economic government in Europe have been sceptically perceived by most respondents. The Constitutional Court enjoys the trust of 75% of citizens, whereas the German parliament receives a mere 39% and the parties solely 17% of trust. In the meantime

the Constitutional Court has obviously evolved into a kind of "protective" institution that prevents German taxpayers abiding by the mistakes made by other European countries.

- Democracy and a constitutional state coexist, yet they are not identical. In a transnational comparison both principles co-vary with certain differences. However, compared to the participatory-democratic subsystem, the constitutional state is underdeveloped only in defective democracies. The balance between democracy and constitutional state shows, however, that in Germany one can speak of "post-democracy", but no one would proclaim it a "post constitutional state". A certain preponderance of the rule of law is detectable in terms of the path dependency of institutions in German history. The country had already established a functioning constitutional state during the time of the German Empire. Although universal voting rights were known at that time, a democracy wasn't developed, since the government was dependent on the trust of the emperor and not on the majority decisions of the Reichstag. According to the legal expert Laband, votes of no-confidence against the imperial government were legally as significant as "cheering the emperor". Today the Constitutional Court needs to fulfil its "role as arbiter" with caution. This may not be easy, as parliamentarians and parties often exploit the threat "to go to Karlsruhe" for their own benefit. Even through rigorous preliminary reviews and fees imposed for fretful applications, the Constitutional Court cannot always clearly determine where and if it should be harnessed by one-sided interests. Nevertheless, threats to call upon the Constitutional Court could be found in 12% of key decisions, and also in cases that were dropped before reaching court. The influence of constitutional jurisdiction also appeared in the key decisions of the first twelve German parliaments. 12.6% of impulses were initiated by the decisions of the Constitutional Court (v. Beyme 1997: 186, 304). According to definitions of transformation research, defective democracies are those which indeed grant some democratic participation rights, yet exhibit a deficient constitutional state. In Germany the constitutional state has been strongly protected since the time of the "Paulskirche" and later by the Austrian model, defined by Hans Kelsen, which became a role model for Germany. Today the German Federal Constitutional Court is a model for many parts of the world and obtains increasing influence in Europe—which may also lead to blockages in other countries (v. Beyme 2001a, b, 2002).
- The tradition of major associations has always provided a counterbalance against territorial fragmentation. This once led to corporatism. Yet, this only worked as long as associations could be offered benefits for their cooperation. Nevertheless, Chancellor Willy Brandt stumbled on the request for a 10% growth in wages for public employees, which was forced through by the trade union association for public employees (ÖTV) under the leadership of Heinz Kluncker. Brandt stumbled even harder here than during Guilleaume's espionage affair in spring 1974, as a consequence of which he stepped down as Federal Chancellor.
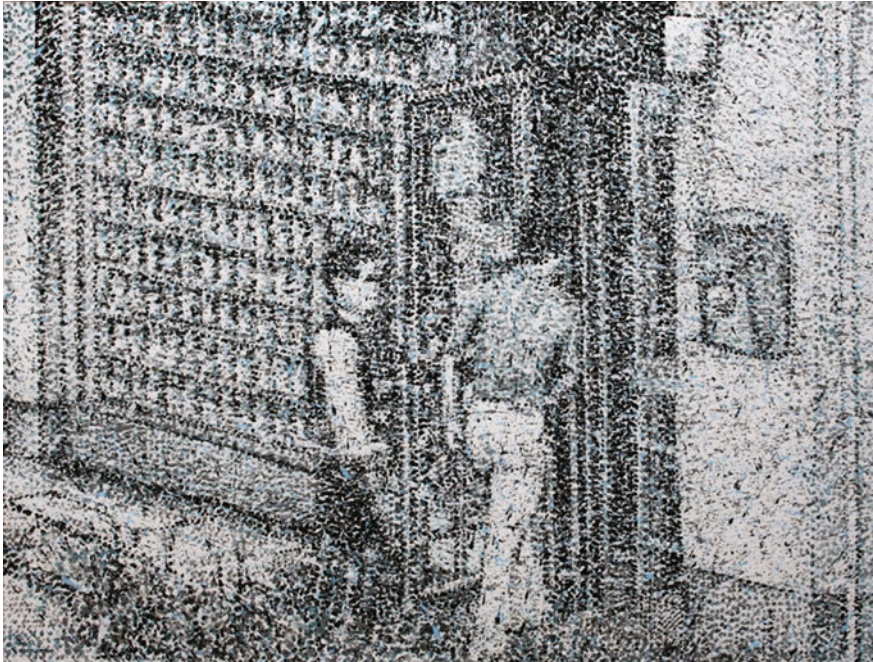
Max Beyme, painting: "Back door", Acrylic on canvas, 2016, 43 × 56 cm. *Source* Photo by © Max Beyme, reprinted with his permission. The picture "Back Door" shows another seemingly everyday motif: two people entering a house. But already the formal nature of the presentation in black and white, blurred and seen from above, at a distance, implies that it's the view from a surveillance camera. The blurred effect is intensified even more by the splashes that overlay the image like a grid. The motif shows one of the perpetrators of the 1986 attack on the West Berlin discotheque "La Belle" entering the back door of the Libyan embassy in East Berlin. It was taken by a surveillance camera of East Germany's state security service (Stasi). The viewer of the image is thereby forced into the position of the Stasi observer

4.2 Critique and Reform of Democracy

In many European countries the victory of democracy in Eastern Europe had unexpectedly negative consequences. The image of the enemy of totalitarianism disappeared. This led to the need to reflect on the deficiencies of "transitionology". Shortly after 1990 transition researchers calculated that the former communist dictatorships would quickly be transformed into complete democracies. When these hopes were falsified in the second half of the 1990s the neologism of "defect democracy" entered the debate. The new mixture of democracy and authoritarian rule was discovered as a possible long-lasting type of rule. In the first decade of the 21st century Western Europe lost its self-confidence when the traits of defect democracy and animosity against democracy were spreading among the people. Anomic forms of political participation increased—not only via terrorism.

Reform of democracy was discussed on two levels: theoretical conditions of democratic reforms; and concrete proposals for reforming in particular the parliamentary system and the parties.

The theory of democratic reform mostly favoured four approaches:

- The *process-orientated approach*, which, since Max Weber, has been orientated towards the relationship between ruler and citizens. This theory has proved to be rather weak in the analysis of "consolidated democracies".
- The old *institutional approach*, which began with the search for best constitution in the work of Aristotle. "Grandpa's political science" which started as a kind of *Palaeo-Institutionalism*, once omitted by modern social scientists became relevant again in the age of "transformation". In a *war of the paradigms*, the two approaches, *Neo-Marxism and Behaviouralism*, fought bitterly against each other in the 1960s and 1970s. They were united in only one basic assumption: that institutions are empty shells which can serve quite different interests if classes or interest groups use the shells for their power politics. Only later was a certain inner logic in the development of institutions discovered in the political system. Even consolidated democracies need "constitutional engineering" to break up old-fashioned and inflexible structures of parliamentarianism and the state of parties. "Constitutional engineering" was the approach which linked research into both consolidated and transitional regimes. This approach was regarded as "enlightened neo-institutionalism", especially when interacting with *rational-choice* debates.
- The *policy approach* overcame the predominant orientation towards political processes and asked for the outputs necessary for a democracy which claimed to be "consolidated".
- The change of paradigm to a *normative theory of democratic reform* also revitalised questions concerning justice and the common good, which were no longer denigrated as mere "soul stuff" in the approaches of older behaviouralism (cf. Chap. 5). The concept of a "deliberative democracy" was re-introduced even in neo-institutionalist approaches. Elster (1988: 319ff) and others—sometimes characterised as the "Rational-choice Marxists"—increasingly did not believe in the possibility of predicting the consequences of the planned change of institutions and constitutions. Instead of prognoses—which in the older behaviouralism were considered even more important than static analysis of the existing situation—they pleaded for a normative search for a fair solution. Many modern comparative scholars consider this question to be legitimate but remain sceptical as to whether debate and minimal consensus in a transnational context would lead to an outcome which meets the demands of "justice". Older institutionalists have frequently repeated the liberal belief that the search for a good democrat with the virtue of citizenship could be in vain or even bad. Good institutions with this approach have been restricted to the task of protecting citizens from the excesses of wrong behaviour.
- The normal political term in democracies is restricted to the duration of parliamentary mandates between the elections, mostly 4–5 years. In the 11th German

Bundestag the duration of the mandates was 8.2 years. In the 12th Federal parliament the duration sank to 6.1 years. This is still much longer than in many other countries with frequent dissolutions of parliaments or initiatives for new elections. As a consequence of the greater fragmentation of the party system since the German reunification, German legislators have to anticipate shorter periods of mandates. Deputies who survive longer than average in their mandate normally spend only two sessions at the centre of important positions in the decision-making process, for instance as head of a parliamentary committee or report-giver. Many innovations such as the reforms on "distribution of pensions" or the "reform of penal law" need much longer than the 8 years of the two legislatures (v. Beyme 1997). Because of the importance of short-time considerations, legislators are also unable to work on all initiatives championed by public opinion and interest groups. This is one of the reasons why the result of law-making is frequently half-hearted as well as incomplete and leads to frequent amendments as soon as the majorities in parliament have changed. A prime example of the mistakes made by the system are the reforms of the tax system since the year 2000.

- Post-modern hedonistic politicians and leftist milieus in everyday social life initiated the new social movements. Parties, on the other hand, were considered to be "old organisations, unable to organise innovative politics" (Siri 2012: 11). An important reason for this development was the growing disappointment of many citizens about politics which helped promote the highly problematic term "*post-democracy*". According to important surveys, the main reasons for this rejection of recent political initiatives are:

  - Effects of the media (32%).
  - Moral weaknesses of politicians (26%).
  - Consequences of a change in public values (25%).
  - Problematic self-representation of many political actors (21%).
  - Incompetence of many politicians.
  - Dissolution of the traditional social milieus.

The German Social Democtatic Party (SPD) was the party which received most of the criticism in these surveys because, as a traditional highly organised party, it had changed more than some recently formed parties. A conservative writer concluded: "Nobody needs a party which, after having governed, has caused the rise of a new leftist party" (Patzelt 2010: 48). The more profile a party has in its social position, the more dangerous this seems for its position as soon as changes on the right-left-scale seem to be inevitable. In the era of Chancellor Angela Merkel this rule has occurred even in the case of the Christian Democrats, who were accused of a trend towards "Social-Democratisation".

In 2009, the two largest parties in Germany, the Christian Democrats (CDU) and the Social Democrats (SPD), which had together obtained 56.8% of the vote, lost 12.5% of their votes. This development suggests that big parties need to reform. In the debate it has sometimes been ignored that the changes have been supported by a decline in voting participation and the membership in parties. This trend has normalised the Germany political scene in comparison with the international situation.

Compared with the USA, the structures of German parties remain pretty stable. Since it seems unlikely that Germany will tolerate a merely temporary presence of the parties which prevails in the American scene, new forms of organisation have to be reflected.

The development of new media will have to be included in the reform debate (cf. Chap. 2). Even in the area of party analysis crisis theories frequently believe in the moral superiority of protest movements. They overlook the fact that political organisation in the tradition of early modernity is still an alternative. Idealised protest movements frequently have no chance of superseding traditional party organisations (Siri 2012: 220, 254). Reforming parts of the parliamentary system and the party state is difficult because most deputies follow their institutional interests, such as regulating the payment of expenses, party finance or anti-corruption laws which try to punish the bribing of deputies. Leadership groups have become a kind of "political class" actors who attend to their own interests as much a as possible, even when they try to justify their behaviour as a "political elite" as *a response* to the needs of citizens who are not part of the elite.
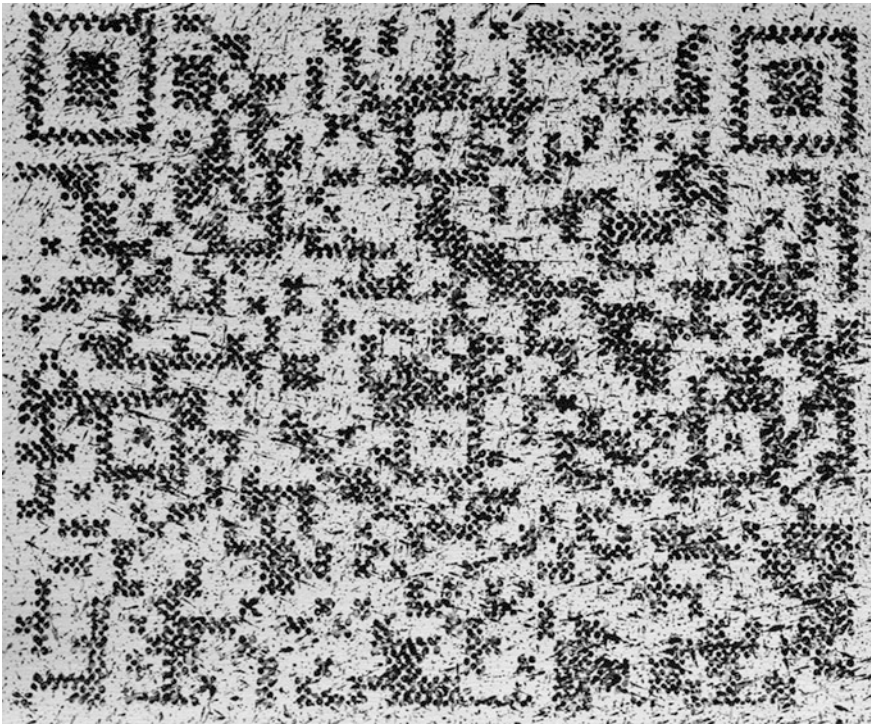
Max Beyme, painting: "Labyrinth", Acrylic on canvas, 2016, 29.5 × 36.5 cm. *Source* Photo by © Max Beyme, reprinted with his permission. The work "Labyrinth" draws to scale the structure of a QR code, which can be read with the help of a special app. In this case, this is a temporary residence permit for Japan. The traveller—whether a refugee or a tourist—goes into a bureaucratic labyrinth when he wants to move from one place to another. And at the end stands—Nothing. In addition, the code is unusable because it is incomplete and covered with splashes. This is the end of its function. The image grid is reduced to its semantic structure as an abstract labyrinth that leads nowhere

4.3 Individual Proposals for Reform of the Parliamentary System and the "Party State"

Reform policies need to take account of change at several levels: social change and the development of the parties take place at different levels: social, electoral, party organisation and even the whole political system. Some of these levels can be influenced by the political process or politics; many others happen in a rather uncontrolled way. Reforms can be enforced when citizens have the impression that they have more to win than to lose by these changes than the political class. Surveys on the opinions of citizens about parliament and parties (Patzelt 1999, 2001: 9) showed that citizens and political elites perceive systems differently. Citizens normally have a deep aversion to the factional votes in parliamentary party groups and still believe in a more archaic perception of the division of powers, including non-compatibility of parliamentary mandates and certain executive offices. The methods of selecting party candidates are frequently unpopular. Most citizens favour direct elections of county leaders (*Landräte*) and prime ministers (*Ministerpräsidenten*) of the "Länder". Surveys have revealed that even 6% of the deputies were not able to define the options of the Basic Law for a parliamentary or presidential system. A new law for the electoral system and the introduction of referenda on all state levels are demanded by great majorities (v. Arnim 2001: 358). An empirical researcher on parliaments, Patzelt, has been accused of only wanting to maintain the political system because his main aim was to enlighten citizens about their political system in order to overcome the "wrong perspectives" of most voters about possible reforms of democracy.

Eight reforms of democracy and the party state were proposed:

1. Change of the electoral law.
2. Direct election of the head of the executive.
3. Temporal limitation of mandates for deputies and executive ministers.
4. Abolition of party discipline in parliamentary votes.
5. Changing the conditions for party financing.
6. Intense fights against corruption.
7. Primaries for the democratisation of candidate selection.
8. Introduction of referenda on all political levels.

4.3.1   Changes to Electoral Law

A well-known specialist on elections, Arnim (2001: 351), has been pleading for the introduction of an electoral law with provision for a relative majority. The possible consequences of such an electoral reform were frequently discussed during the coalition between the Christian and Social Democrats. Systems with traditions of concordance among parties would not generally dare to introduce a reform which would arbitrarily abolish small parties. This impossibility began with the Green Party in Germany. Today such a system of relative majority might leave one third of the voters without representation in parliament. The strongholds of the two leading parties would probably lose still more of their initial impetus than under the existing electoral system. This tendency would be even worse if the American model with pre-elections were copied rather than the British system of relative majorities.

Existing electoral law in Germany is fairly complicated, but it has been internally accepted by the majority of voters. Only the growth of "additional mandates" (*Überhang-Mandate*) which strengthen just the big parties is increasing dissatisfaction. In 2012 the Constitutional Court introduced a reform to the system with a decision which did not completely outlaw the system of additional mandates, but remained half-hearted. Tactical behaviour which calculates possible preferred government coalitions was spread among 10–20% of the voters in Germany. Thus it seems to be flexible, but has stabilising consequences as well. New Zealand, with its British tradition as part of the Commonwealth, introduced a variation of the German system in order to strengthen the opportunities of minorities. Arnim also recommended cumulating and changing the ranking of the deputies (*panaschieren*), a strategy already in existence in some German federal states. The state of Baden-Württemberg in particular showed, however, that this system strengthened regional elites and parties known as "Townhall parties" (Rathausparteien) which existed in only one city. This system looks a-political, but covertly strengthens hardline interest groups which then gain disproportionate influence compared with mainstream parties. Moreover, in a crisis this system might strengthen extremist and populist groups, as the populists under Haider in Austria have shown.

Max Beyme, painting: "Pattern painting", Acrylic on canvas, 2014, 50 × 64 cm. *Source* Photo by © Max Beyme, reprinted with his permission. During the First World War the English Navy camouflaged its warships with so-called "pattern paintings" to make them invisible to the enemy. In this image the motif is not a ship, but an old map of Hamburg. It shows the master plan for the transformation of Hamburg under the National Socialists in 1941. Partially recognisable is the harbour area. Through the grid structure of the image, the city map mutates into an abstracted structure that encrypts the actual purpose of the master plan because it can no longer be read completely

4.3.2   The Election of Executive Leaders by the People

There remained a hope that top leaders would place pressure on political parties for positive reforms (v. Arnim 2001: 336ff). The doyen of German political science, Theodor Eschenburg, favoured such solutions for the governments of the German federal states (*Länder*). He started from the old liberal assumption that in the lower levels of the system unpolitical agendas prevail, because there is no "Christian-democratic illumination system of the cities and no Social-Democratic public toilet". These examples were humoristic—but at the same time pretty wrong. Shortly after his statement, a bitter fight broke out in Eschenburg's home city, Tübingen, over whether to prioritise a riding school or a centre for the *Kindergarden.* The disagreement certainly had polarising consequences in the party system and was far from remaining unpolitical. But some authors such as Scheuch (2000: 13) have criticised even the highest level of the party system because voters

are only able to vote for groups of politicians not for individuals. Despite these criticisms, there appears to be no chance of a radical change to the electoral law, although Scheuch was once a member of the "Committee on Electoral Law" when the first Grand Coalition planned far-reaching innovations. But they ultimately failed because of the "red-yellow" coalition agreement between Social Democrats and Liberals.

Even the constitutionalist and party critic Hans Herbert von Arnim did not propose the direct election of the Federal Chancellor. He correctly anticipated that abuses might threaten the system in the tradition of Berlusconi in Italy, who advocated the semi-presidential system of the French Fifth Republic. The populist premier's ignorance about the scientific debate became evident when someone in the Italian Assembly shouted out the name of Giovanni Sartori, who had advocated the French system for a long time. Berlusconi shouted back: "Who is this Sartori? Lead him to me". Berlusconi was not interested in a scientific debate, but only in a way to strengthen his power. The experience of Israel has also influenced political science. It was the only country which introduced direct election of a prime minister, in spite of the existence of a president. The experiment was not a success, and Israel quickly abolished this variation of semi-presidentialism.

In Germany direct election of the prime ministers of the federal states has frequently been discussed. But the reform of democracy at this level might not be efficient without simultaneous reinforcement of state parliament competencies. This would mean a great reform of German federalism. The strong cooperation of the powers—in Germany called *Politikverflechtung*—would have to be replaced by competitive federalism. Quite a few prime ministers of the Länder would prefer direct election to their own office—without reform of the whole federal system. This might, however, further reduce participation in the election of Länder Parliaments. Some reform proposals advocate synchronising elections at Länder level. But this might have unhappy consequences. On the one hand the elections of the Länder Parliaments might acquire the function of American mid-term elections for the federation and this would weaken their importance for the federal states in Germany. Such a solution would also be anti-federalist. The federation would have to interfere deeply in the constitutional structures of the Länder. The discretionary practice of dissolution of a state parliament in some Länder would have to be prohibited by the federation, because premature dissolution of a Landtag would quickly erode the significance of polling days. East Germany previously trialled this sort of process. After the Reunification all of its states originally voted on the same day, but this unified system quickly lost its importance.

A further danger of the direct election of Länder prime ministers (*Ministerpräsidenten*) might be the blocking of reforms by several prime ministers who cooperate for the preservation of traditional arrangements. France has shown that this type of collaboration does not automatically lead to collapse of the whole system, as some political scientists initially predicted, but it does not aid reform. The dualistic system in France has certainly led to grave losses because of difficulties in coordinating the two main powers.

4.3.3 Limitation of the Term of Office for Deputies and Ministers

Proposals for a limitation of the term in office for the main political officials was initially proposed by the Green Party. More rotation in the Federal Parliament is certainly desirable. But if periods were too short, it would be difficult to serve effectively on important committees, because normally politicians only get the opportunity to join them after four to eight years. Two periods would not be sufficient for ambitious deputies to raise their profile. Two further sessions on important committees would mean a presence in four parliatmentary sessions.

Germany has the reputation of having the oldest students and the youngest retired people. There is an urgent need to change this situation to reduce the public cost of expensive pensions. The German federation of taxpayers does not want to reduce the income of recipients, but rather raise it by makingpeopleresponsible for their own retirement pensions (Landtag. Print No. 15/1500, 19th Dec. 2001). Such an arrangement would probably also diminish the danger of a mandate being sought solely because it promises privileges for old age pensioners.

For ministers, limiting the term in office is hardly necessary. With 5.5 years in office, Germany is above average in international comparisons, but even the German rate is not extremely high. Limiting the tenure of top positions might even lead to negative consequences. Excellent politicians would lose interest in higher politics. Should a top leader such as Adenauer after his highest success in the elections of 1957 be sent into retirement? In Chile the unsuccessful experiment of Allende would not have happened if the country's constitution had allowed the popular and successful President Frei to serve another term in office. Was it desirable that the end of the Clinton Administration in the USA made the election of George W. Bush possible, with its negative consequences for peace in the Middle East? Despite these experiences, the proposal of limiting the term in office re-emerged in Germany during the era of Helmut Kohl as Federal Chancellor (1982–2009).

4.3.4 Abolition of Party Discipline in Parliamentary Party Groups

Such a proposal is not necessary because in questions relating to "Weltanschauung" (world view) and morality the voting discipline in parliamentary groups is less strict than usual. But in normal questions the parties could hardly come to united votes. Voting might become irrational like in a lottery, which happens frequently in the USA where party discipline is far below the level of European parliamentary systems. Surveys among the citizens came to a contradictory result. On the one hand, the vote of deputies should reflect the views of the electorate, which is close to an "imperative mandate". On the other hand, votes should be free from influences—

with the exception of those coming from the electoral district of a deputy. An electoral event which proceeds in a rational way is based more on party policies than on individual beliefs. Completely free mandates would hardly promote efficient decisions at parliamentary level.

4.3.5   Reform of Party Financing

There is no other area of the German party state in which so many judicial decisions and amendments to laws have been applied as party finances. In no other area has the legislator been so frequently punished by the Constitutional Court and had to reform former laws. Far-reaching proposals have been discussed. Theodor Eschenburg once favoured a *bonus for citizens* which should be distributed by a neutral institution to the parties. In case of abuse the vouchers for the party should not be distributed. As a neutral institution the Red Cross or Amnesty international were recommended. However, it was unclear whether these neutral institutions would accept such a difficult task. The old question: *quis custodiet custos*? (who surveys the surveyer?) has never been answered. v. Arnim's (2001: 346) proposals went even further than those of Eschenburg. In 1983 the committee on party finances had already considered an additional financial vote for the electorate. Despite Constitutional Court rulings and certain additions to existing laws, the self-sufficiency of the parties (v. Arnim 2012: 7) went even further. In 2012 the parties received subsidies amounting to 151 million Euros. The Constitutional Court rejected this kind of development several times, set limits on subsidies and instituted an approval process which subordinated higher subsidies to public control. The parties, however, were very inventive in finding detours for their financing. In 2012 parliamentary groups received about 190 million Euros, 81 million Euros for the groups in the Bundestag, and 109 million Euros for the parliamentary groups in the state parliaments (Länder). 98 million Euros were transferred to foundations closely linked to the parties. In addition, they received 252 million Euros for their work in foreign countries. In the Federal Parliament (*Bundestag*) about 5000 MPs' assistants were paid 152 million Euros. This development reinforced the oligarchy in the parties and contributed to the decline of independent work by foundations closely linked to the parties.

The Federal Constitutional Court tried a less far-reaching road to reform the system of party finances than was proposed by radical critics. The restitution of costs for electoral campaigns was regulated by the Court in 1992 (BVerfGE 85: 264ff), which led to new legislation in the area of party finances. Electoral costs and compensatory measures designed to give all parties an equal chance were replaced by partial financing of the parties. This was necessary because tying state support to specific aims proved to be an artificial measure that facilitated abuse. In order to spur parties on to greater efforts, state subsidies reflected how successful parties had been in collecting funds and votes. Special provisions were made for small parties. The remuneration for the first five million votes received by a party was criticised

for conferring a covert favour on some parties. At that time the upper limit of subventions was fixed at 230 million DM, although the Court had not demanded this provision. This meant that the debate on party financing would never be resolved. Parties orientated towards the electors, such as the Green Party, felt that they received less support from the state than the "party of cadres", as they derogatorily called the Party of Democratic Socialism (PDS) and later the Left Party (*Die Linke*). This new system was even considered to be a hidden help for the old parties against the contesting new parties (Rudzio 1994). The so-called reform even contained incentives for the organisation of pseudo-donations to the parties. The versatile former leader of the German Liberal Party (FDP), Jürgen Möllemann, developed a talent for finding ways to split these subventions in a way that was difficult to regulate.

Each party's expenditure has so far been less scrutinised than its income. This aspect is also relevant with regard to income, since there have been reports of *increasing commercialisation*. The main expenses are "political work"—especially work in political institutions—and administrative costs. The expenditure of the two largest parties has risen sharply. Almost a quarter of the expenses relates to their "political work". For the Liberals (FDP) and the Green Party this proportion has been even higher. Expenses for electoral activities are no longer a secret, though these were formerly carefully hidden from competing adversaries. In 1996 and 1997—two years with only regional elections—expenditure on electoral battles was 14 and 7% by the Christian Democrats, compared with 11 and 19% by the Social Democrats (SPD).

Using party funds to purchase services—which also increases the commercialisation—is mostly done only by the central parties. Compared with the US, electoral campaigns are still predominantly coordinated by the central parties and do not allow any major deviations from this arrangement in favour of individual candidates or deputies. Hampering the development of parties towards greater independence could be the "bonus for citizens" which the political scientist Theodor Eschenburg proposed and a "committee of experts" later took over (Bericht 1983: 213). The German parties—with the exception of the Green Party—did not agree to a *third vote* about the distribution of subsidies by the State. They sometimes called this proposal "a bonus for humorists and querulous persons" (Landfried 1994: 311) . Likewise, the introduction of matching funds as was proposed in the USA—linking state subsidies to the efforts of party members—found no supporters in Germany, except in the Federal Constitutional Court.

The expansion of public financing for parties was certainly extremely dangerous for new innovative party groups. When the Green Party failed to return to the Federal Parliament in 1990, it was threatened with financial disaster. The treasurer of the Greens calculated—loss of more than 12 million DM in state subsidies for its eleventh period in parliament. Further losses were the mandatory expenses of deputies in the Bundestag from their remunerations. In spite of these drawbacks, in the long run the Green Party was reconciled to public subventions for parties, despite originally criticising them harshly.

In the sixth amendment to the Law on Parties the German Federal Parliament inserted the conditions of the Federal Constitutional Court of 1992 (BVerfGE 85: 264ff). "Repayment of the costs of electoral battles" and the "equalisation of chances" were replaced by *partial financing of the parties*. Expecting parties to specify the use to which they put state subsidies was always artificial and invited abuse by the party management. In order to stimulate the initiatives of parties these subsidies were linked to the success of the parties' own efforts. Initially each vote was refunded with 1 DM. To avoid being disadvantaged by their size, small parties got 1.30 DM each for the first 5 million voters. Each Deutsche Mark which the parties raised by membership fees or special gifts was matched by a subsidy of 0.50 DM from the state. A special commission had to report on the effects of the new regulation up to 1999. The limit of 230 million DM proved to be too low. In 1994 the limit of donations was calculated at 250 million DM. These corrections ensured that the debate on party finances would never end. Loose parties, such as the Green Party, felt less supported financially than more bureaucratic parties such as the Leftists (Rudzio 1994: 399). This new regulation invited investigations of "fake special gifts". The post-modern frame of institutionalised parties under the guidance of professional party elites has been supported by these new regulations. The mobilisation of voters became less important than the success of party elites in *fund-raising from state institutions.* When the Christian Democrats were involved in a scandal over gratuities in April 2002, the Federal Parliament passed another change to the Law on Parties. Before this legal step a committee of the Federal President had wasted precious time until the pressure for reforms seemed to diminish according to the views of the electorate. It was mostly the party treasurers who were blamed for this failure and suspected of postponing the enquiry by investigative committees. According to the specialist on party finances, Arnim (2002: 1066), they caused "a scandalous rhythm of anticyclical legislation". New rules on accountability came into effect in 2003. It was decided that the so-called limit of three states would only apply from 2005 onwards. According to this decision, a party which did not gain at least 0.5% of the second votes in elections for the Federal Parliament or for the European Union, and did not attain at least 1% of the votes in at least three states (Länder), had to repay the state contribution at a rate of 0.38 Cent for each Euro it had received as subsidy. This made the situation less complicated: 1% of the votes for the parliament of a federal state was sufficient to secure a non-refundable state subsidy. However, splinter parties were again at a disadvantage. Criteria for the permissible grants were severely unfavourable. Legal contributions and donations were not allowed to exceed 1000 Euros. Donations from public institutions were completely outlawed, as well as donations from paid commercial agents who gathered donations for the parties, if this sum exceeded 25% of the value of the contribution. Oddly enough, this regulation seemed nec-essary to prevent the practice of attracting voters who subsidised the cost of party advertisements in the "Bayernkurier", a Bavarian paper linked to the Bavarian Christian Social Union (CSU), the Bavarian branch of the Christian Democrats.

Again, the legislation failed to solve important issues, such as the definition of sanctions and controls and the outlawing of "party taxes" for parliament deputies. Exploitation of loopholes was still common. The Penal Code (§ 108e of the Penal Law) mentioned the crime of "corrupting deputies". But even this provision remained "symbolic legislation". In 2016, the Federal budget (Drucksache 18/9750 Sept. 23, 2016) showed that the state subsidies for parliamentary groups amounted to 84 million Euros. The monthly contribution for each member was 8218 Euros. Opposition groups received 15% in addition to the basic contribution.

State financing of parties has frequently been criticised as the main proof of unacceptable *étatisation* or "state directed development" in political life. But this is only half the truth. It indicates, but does not prove, that parties are permanently moving towards the centre of the political system. Moreover, this reproach seems to be old-fashioned because the traditional division of state and society cannot be preserved in other spheres of politics. Parties and groups are no longer only special interest groups, demanding favours from the state, but also cooperate frequently with state institutions for the defence of the system and overcome the traditional metaphysics of an isolated state confronting society. Moreover, the motivations for joining a party have changed considerably. Even the Social Democrats are no longer a conspiring community of warriors from the underprivileged classes. Internal self-financing of the parties would not just have positive consequences, but would also strengthen patronage politics, as the USA shows as a deterring example, with sometimes only rich people contributing millions of dollars to the presidential campaign. The tasks of the parties have grown, but the number of party members is rather diminishing, though the old anti-party effect which characterised German voters immediately after World War II has diminished. With the growth of the "catchall-parties" no party can hope any longer to attract a voter who likes all its policies. Nor can it even answer questions about "Weltanschauung" since Protestant and Catholic voters are no longer strongly separated in their political behaviour in the way they were in the 19th century and partly also in the Weimar Republic. Voters have become more critical and divide their preference according to differing questions among different parties. Research on party identification in the early Federal Republic has sometimes been wrong. The media as well as new social movements with populist inclinations (cf. Chaps. 2 and 3) have considerably changed the outlook for parties y.

After Puerto Rico, Germany was the first country to create state financing for parties. The country aimed for the "best of both worlds", but in some respects it got the worst of them with the combination of state subsidies and private economic tactics in fundraising from private sources in society. A satisfactory solution for this dualism is unlikely to occur. In order to mobilise party members, the country will have to search for a middle ground between private initiatives and party bureaucrats who frequently become lazy. New experiments try to change this dualism, but a miracle weapon against the "piecemeal-engineering" of most undogmatic parties so far has not yet been invented by European democracies.

4.3.6   *Fighting Against Corruption*

There is already concern that the State is increasingly losing a clear definition of the "common good" and will dwindle into a court of appeal if the public rhetoric of the parties is too far removed from a minimum consensus about the common good. But there is no clear solution to this problem. Huntington (1981) detected the so-called *IvI-gap*—referring to "ideals versus institutions"—in America as well. This meant that from time to time American credos had to be renewed to counteract institutional abuse. At the beginning of the twenty-first century Scheuch (2000: 15) predicted "Belgian ituations" (cluttering, chaos and differences of taste) for the German states because the parties were perishing in a "swamp of donations". Such comparisons were scientifically rather useless and have been replaced by more empirical research. Corruption was measured by the frequency of corrupt actions and changes, the amount of bribes and the advantages which the corrupt actors could obtain. The number of accusations and convictions by the courts was difficult to find. Transnational data cannot realistically be compared because in some countries the figures are based on the subjective estimates of the elites and their adversaries. "Transparency International" published the results of a survey of business people conducted in 1998 about perceptions of political corruption (Lambsdorff 1999: 67): the "scale of purity" was led by Scandinavian countries, New Zealand, Canada and Singapore. Germany was ranked 15th, shortly above the USA (ranked 17th). In more recent rankings in 2002 Germany dropped to 18th place, behind the USA (ranked 16th).

In the *Corruption Perception Index 2011* Germany moved up to 14th place, behind the smaller countries from New Zealand to Iceland, but ahead of Great Britain (16th) and the USA (24th). The *Corruption Perceptions Index 2016* showed that Germany improved to position 10, far ahead of the USA (position 18). Germany rose because other countries were even more affected by corruption, especially during the global financial crisis. As a counter measure the introduction of the Scandinavian freedom of information was demanded. In Sweden the civil right to examine state documents has existed since 1766. The USA came closer to this goal in 1964 with its *Freedom of Information Act.* According to Scandinavian customs, the authorities have to respect the principle of transparency and have to publish their proclamations and announcements. Only four of the Federal states in Germany— Brandenburg, Berlin, North-Rhine-Westphalia and Schleswig-Holstein—have introduced a comparable regulation. In crisis zones, such as areas prone to flooding, the danger of corruption is particularly high. However, the experience of countries prone to earthquake sindicates that no time is saved by relaxing the regulations.

Mutual distrust is quickly revealed in surveys among economic and political elites. Economic elites think that politicians are affected by their "ideologies", while political elites think that economic leaders are selfish and not orientated towards the common good (Abromeit 1981). Certainly, there is a lot of cooperation between the two elites, but not always in terms of the common good. On the economic side most cases of corruption have been discovered by employees (51%), marital partners

(20%), auditors (19%) and company management (10%). State sanctions rarely happened. Corruption charges of 33 million US dollars led only to damages of about 2 million and fines of 1.1 million US dollars.

But even in this area a lot has recently changed, as in the case of the amendment to the law on parties in Germany in April 2002. v. Arnim called this measure an "alibi law". In cases of illegal donations, up to three years of imprisonment were threatened. Large donations were not even mentioned. There is still no nationwide control by auditors. "Trade secrets" are frequently used as an excuse for unspecified business expenses. Parliamentarians have only been punished for corruption since 1995, but this has been reduced to the "purchase of votes" before a parliamentary decision. The history of investigating committees, from the decision on the future German Capital city—in a struggle between Bonn and Berlin—in 1950 to the scandalous affair of the Christian Democrat MP Julius Steiner—whose vote was bought for the election of Willy Brandt as Federal Chancellor—shows that hardly any clear causal links were made. Financial contributions for administrators— which until 1999 were not taxed and were even tax deductible for administrators serving abroad—were outlawed. Even a Federal Court (BGH) once admitted that German entrepreneurs could not renounce corruption because in some countries public contracts could only be acquired by corruption. Only increasing international pressure led to a ratification of the United Nations Convention against Corruption (2003) which outlawed bribes in international commercial relations. Radical publications of transfers, however, were not sufficiently controlled. "National security" frequently served as an excuse for the absence of controls. The occasionally proposed "Citizens service" was considered too expensive, though some federal states which imitated the Scandinavian model showed a more favourable development. Regulations introduced in 1998 in Brandenburg's capital Potsdam led to only 233 enquiries by September 2001, and thus hardly overwhelmed the authority's working capacity.

As a possible means of fighting corruption limits on the terms of office for parliamentarians were again proposed. Conservative critics, such as the German Federation of Taxpayers, proposed instead an increase in the politicians' salaries and a reduction in pensions (Landtag and Drucksache 15/1500, Dec. 19, 2001: 8) so that the deputies themselves could make provision for their retirement. The return to their former professions should be facilitated. Erwin Scheuch—among other unrealistic proposals—even suggested that politicians should be 'recycled' because he recommended 10 years of professional experience before a candidate should be entitled to enter a parliamentary career. This proposal was far from the social reality of the elites. Chancellor Kohl was viewed as the prototype of a professional politician who entered the political arena straight after completing his studies, and he was not the only one who opted for a career in politics at an early age. But, having also been a businessman, even Kohl could challenge accusations that he had spent more time as an assistant at the Institute of Political Science in Heidelberg and working for political interest groups than gaining practical experience in industry.

Such defences, however, did not tell the whole story, because Kohl and others were active in their parties and preparing their professional political career while working for other employers. Such proofs of occupations would probably lead to still more "lyricism" about the pre-political career of politicians than the handbooks about parliamentary deputies tend to offer even now. According to Eschenburg these biographical handbooks are the "most discreet reference books in the world".

It would be far more promising to introduce rigorous quasi-judicial powers of investigation similar to the privileges held by judges in investigation committees in the USA. Unless investigators are endowed with more far-reaching powers, no causal link between an action and the political result could be proved. An early example of this kind of failure happened when the first case of corruption in the German Federal Parliament was investigated. This concerned the decision over whether West Germany's capital should be Bonn or Frankfurt. The Parliament was unable to prove a connection between bribery to make Bonn the capital and the final decision against the more convincing claims of a city like Frankfurt. In this debate the Communist deputy Renner pronounced the result of the final decision on the capital: "The mountain was circulating above us and gave birth to a little mouse" (BT 1951: 5849 C). Some reformers are again proposing plebiscites and praise the American primaries as a successful instrument against corruption. The country shows, however, that fights at regional level are more at risk of corruption from subsidies from organised interests than from the European system of selecting candidates within the competing parties.

4.3.7   Introduction of Primaries

The American example has frequently served as a model for the reform of European party politics. For a short time in 1971, the CDU in Rhineland-Palatinate experimented with this system—without great success. Plebiscites within parties have also been discredited by negative experiences. In the contest between Schröder and Scharping within the Social Democratic Party, the latter candidate got the majority because he was able to mobilise the well-organised workers, although Schröder later proved to be the more successful leader of a German government. The party establishment soon doubted the wisdom of this decision and returned to the representative route for selecting top party candidates.

Primaries may be justifiable when identification with political parties and electoral participation are lower, as in the United States. But this procedure has led to the paradoxical result that participation in national elections becomes even lower, especially in the areas where a party is very strong. Primaries on a regional level strengthen local elites and interest groups and support the demagogy of local leaders.

4.3.8 Referenda at All Political Levels

Plebiscites have been proposed even for highly specialised decisions such as city planning. The famous book of Dienel, "Planning cell" (*Planungszelle* 2002), in the state of North-Rhine-Westphalia has even been applied in practice. But the costs were out of all proportion to the success of this democratic experiment. This negative experience would not be replicated in the case of a one-off referendum which entails only limited costs. Conservative forces have nevertheless opposed any plebiscite and generally criticised the adherents of new forms of participation as adversaries of representative democracy intent on aiming for a "New Republic". The myth that the Weimar Republic collapsed because of too many referenda (Jung 1990) was as strong as wrong since there were only a few plebiscites concerning ethical matters. In spite of such insights, the experts were not motivated by the same enthusiasm as the electors for several reasons:

- *Parties and Parliaments* which fight for prestige among the electorate could be *weakened.* In the case of the parties this possible consequence even seems to be desired by some conservatives.
- *The stability of governments declines* because a negative result can be transformed into distrust against government leaders. Even a famous politician like de Gaulle experienced the beginning of his end in office, because he had combined a popular problem, the regional reform, with an unpopular issue: the depowering of the Senate. Norway, the country which used referenda very seldom and with care, paradoxically twice experienced a negative result for their parties in the next elections (Caciagli and Uleri 1994: 174). In spite of fabulous results for a referendum in 1993, the decline of Prime Minister Amato in Italy led to a crisis in the "old republic" which new conservative majorities tried to count as the "first Republic" among institutions of the past. Frequent referenda and, in particular, "initiatives of the people" in countries where they are possible *strengthen interest groups outside the political system in a narrower sense.* The much-praised Swiss example has shown that only major interest groups could mobilise the necessary votes, sufficient for the quorum.
- Referenda have to *simplify the questions for the voters* in an intolerable way and *polarise the voters* with their questions, demanding simple decisions "yes or no". Moreover there is hardly any continuity in the treatment of their topics. Parliaments, by contrast, possess the advantage of working continuously for compromises (Vosskuhle 2012: 7).
- Since no country dares to confront the electorate with questions about finance, the questions posed in referenda *neglect to consider economic rationality.* The world's most expensive ruin—an atomic power station in Zwentendorf in Austria—is a monument to this disadvantage after construction had to stop following a referendum regarding its proximity to the capital of Vienna.
- In the period of mobilisation in the 1970s it was hoped that new democratic enthusiasm would encourage the electorate to vote for innovative proposals. The comparison of European cases shows, however, that referenda lead to

stabilisation rather than innovation (Caciagli and Uleri 1994: 58). Even mature democracies such as Denmark failed when they proposed reducing the voting age of youngsters to 18 years. This negative vote was viewed as a punishment for the students' rebellion. In Sweden the people rejected the change from left-side traffic to right-side traffic which prevailed in much of the world. It was introduced later by a parliamentary decision, which the people quickly accepted. Italy is second only to Switzerland as the country which has used referenda most often. In the first 25 years after the introduction of this popular institution, 26 referenda with 8 events of voting happened. As well as important issues such as divorce (1974), abortion (1981) and hunting (1990), there were also referenda on issues of little importance, such as the abolition of the Ministry for Tourism (1993). The referenda set a good example to the parliaments, since they were consultative, and the wisdom of the people led to responsible decisions. Sometimes even unpopular arrangements were accepted, such as party financing by the state. While referenda are too cumbersome to use for routine decisions, when innovative decisions are required, referenda could break down the traditional barriers between the historical parties and help to reinforce the legitimacy of certain decisions. Changing the system through plebiscites, as in the case of de Gaulle's transition from the Fourth to the Fifth French Republic, proved preferable to revolutionary change. Nevertheless, Italy entered a heavy constitutional crisis, despite consulting the people so frequently. Even the Italian specialists, such as Sartori (1994: 165), who pleaded for "constitutional engineering", recommended using plebiscites only rarely and carefully.

- Underpinningdemocracy with many referenda and plebiscites has not been very successful. The *new culture of demonstrations and protests* has led to better results for the engaged citizens. The juxtaposition of plebiscites with representative and media-oriented forms of participation has not automatically led to success. Elitism can only be avoided when substantive forms of reform are realised in the life of the parties. In particular, there is a need to overcome the undemocratic search for candidates, multiple elections for the leader's job with no alternative options, and the artificial scenes during party conventions with its "cult around the leaders". In 2011 the German Social Democrats asked their members to vote for the holders of the highest offices (Bender and Wiesendahl 2011: 24). Earlier attempts by the Christian Democrats to strengthen plebiscites for the selection of candidates were never permanently adopted. The discussions on democracy frequently led to rather inprecise global recommendations. One author (Behrendt 2011: 362f) who called for a "democracy of mandates" even demanded: "Strikes should be abolished". They were considered to be a "barbarian instrument of conflicts", and a remnant of early capitalism. This statement overlooked that in this early period the great theoreticians of liberalism, from Adam Smith to John Stuart Mill, had already accepted the use of smaller local strikes.

- Referenda in times of crisis in democracy were frequently considered to be a miraculous *weapon against political alienation of the majority* of citizens. In an empirical analysis of Swiss referenda, Wagschal (2008: 90) showed that

plebiscites were rarely a "power-free discourse". Centre groups mostly decided on their propaganda slogans without consultation. Also some specialists on democracy, such as Merkel (2011: 55), remained sceptical of the plebiscitarian component of democracy. It frequently happened that two-thirds of citizens voting for parliament were beaten by a small majority of one third of the voters, constituting a "one third majority demos" which weakened the legitimation of democracy. This also happened in Germany at regional level, such as the referendum on school reform in Hamburg. This "limited majority of the people" is composed mostly of representatives of the upper and middle classes, excluding the lower strata of the electorate. Against these scientific insights it was recently argued that mobilisation of marginal strata is spreading more frequently. Participation should not be considered only in terms of efficiency but should also create a "placebo effect" for alienated groups of society, which are found more frequently in the lower and lower middle groups.

- Comparative political scientists try to mitigate the exaggerations of doom-mongers by showing that alarmism is unnecessary because their own country is in an even better situation than other countries which are not in decline. Moreover, waves of populist excitement are not a permanent trend in the history of democracies. Alarmists are normally "unmusical in normative judgements", to alienate a famous *bon mot* of Max Weber's which was directed towards religiosity. When old-fashioned institutionalists, such as Theodor Eschenburg, argued against institutional changes, this was not very dangerous. In the Fifties and Sixties, the Cold War, and its minimal consensus in the constitutional framework, prevented strong swings in public opinion. Only later, when populist waves brought alarmists, such as Le Pen, Haider and Pim Fortuyn close to power, did it become necessary to be more circumspect about changes to representative parliamentary systems.

- Comparative scholars can avoid serious fatalism towards democracy by reverting to the *normative theory of democracy*. Many normativists, from fighters for deliberative democracy to supporters of sub-democratisation, are less focused on institutional reforms than on a new ethos and a modernised political culture (cf. Kielmansegg 2000: 3). The problem, however, is finding a way to convince society to embrace these precepts. Frequently policies are reduced to hopes for the future which depend for their success on educating the next generation. In the short term more money will be required for political education. But what happens if the students are annoyed by attempts to enlighten them in the same way that agnostics reject religious education? The real danger of parliamentary democracy and the party state is their sheer capacity to survive. Until 1990 they were enlightened models compared with bureaucratic totalitarianism in the East. Since Communist countries collapsed, democracy seems to have reached a victory which seems to make additional efforts unnecessary. It was, however, discovered that additional efforts to improve democracy are important, and this was the main reason why many experiments from other countries were borrowed, from primaries and referenda to direct election of top executive officers. These experiments have so far not

been sufficiently scrutinised in the context of other political cultures. Germany has contributed two theories about reforms to the political system.

- The suddenly achieved *unity of the country* with two difficult political cultures which did not change overnight. It was not Chancellor Kohl who convinced leading politicians, such as the French President François Mitterand and the British Prime Minster Margaret Thatcher, that German reunification was necessary. It was rather the financial ministers in these countries who showed that admitting a democratic GDR would result in a lot of expense for these countries, since East Germany was practically already part of the EU by several special arrangements between the two German states. The financial experts wanted to leave the integration of the GDR to the Federal Republic, whose per capita income went down from a top position to a middle position in Europe. In the long run, Germany has handled its reunification quite skilfully. The *Treuhand*, an institution set up to aid the privatisation of East German enterprises, turned out to be better than its reputation. A centralised institution was needed because the Länder were afraid of the expense. The Federal government had to bear most of the cost. Economic Minister Count Lambsdorff originally estimated that the cost would be 100 billion DM. In fact, this figure was close to the annual expenses after unification. Each plan to diminish the subsidies for the East led to enormous protests from the East German population. One-fifth of the electorate of united Germany, which voted in pretty much the same way, could even determine the outcome of German elections, as was shown in 1990 and 1998.
- The *federalist system* which frequently blocked reforms to central institutions. The evening before her first election, Margaret Thatcher was asked what she wanted to change. Her answer: "Everything!" Chancellor Kohl could never have said the same thing before the first German election. A lot of reforms created strong distrust of the new democracy. The complicated federal system made decisions complex because a lot of special institutions—besides the Länder and the Federal Government—were reforming certain policies, from health institutions to the migration system. One political scientist correctly spoke about the "Republic of councils or Soviets" in Germany.

4.4   Reform of Democracy in Coalition Negotiations, Government Declarations and Policy Outputs

Debates about innovations in democracy are mostly far above the level of concrete policies. They mostly neglect the innovations regularly discussed in negotiations for coalition-building and government declarations. Restrictions in the institutional system for new governments of goodwill are also rarely discussed. All the parties in the German system accept the importance of the legal and the welfare state in the German constitutional system (Art. 28). But different parties favour different extensions to the welfare state's existing social measures. Sometimes a single party;

such as the CDU-CSU, can be divided on this important issue. Parts of the Christian Democrats whose ideology was founded on the Catholic Social Doctrine opposed the liberal over-emphasis on the "legal state" (*Rechtsstaat*) much more frequently than the traditionalists of the old liberal parts of the CDU. That is one of the reasons why the fathers and mothers of social basic rights omitted social legal rights in "Basic Law", the Constitution of the Federal Republic—contrary to what they had seen in Italy. Projects focusing on social policy have therefore been more important in government declarations in Germany than in other countries. An influential political scientist like Hennis (1977: 190) criticised the "teleocratic realisation of programmes" in a declaration which was meant to justify his departure from the Social Democratic Party. This artificial new term was hardly a correct description. Government declarations mostly contained only a rather "opportunistic practice" and came close to Luhmann's (1971: 77) definition of an "unsystematic promenade through the landscape of aims and values". Luhmann demanded instead "considerations which organise the change of preferences … and which do not deny supreme values, but let them wait for the moment if necessary". This approach seemed necessary because German governments last only four years and have to concentrate on the "urgency of the necessary" in order to be successful.

- New ideas of planning the future through major projects were the outcome of a protest movement in the late 1960s. Most institution were criticised for failing to underpin politics and science with sufficient theory. The change of ideological parties to general "people's parties" was blamed for party conventions becoming more orientated towards publicity than the development of new programmes (Dittberner 1973: 443). The programmatic function was differentiated: politicians and experts agreed on basic points in the development of new programmes, as in the case of Weizsäcker in the CDU, Ehmke in the SPD and Dahrendorf in the FDP (v. Beyme 1979: 19). The Social Democrats developed a "committee of long term planning" (*Landzeitkommission*). But scholars criticised the way that the work of these institutions was carried out without the knowledge of experts or the public (Scharpf and Wollner 1973: 76). The SPD was the party which developed a certain "bifocal development of programmes". The long-term programme with far-reaching syntheses was scarcely able to combine the views of the *Godesberg Programme* (ratified in 1959 at an SPD convention in Godesberg, with electoral platforms or government declarations. During campaigns the only truly effective aspect of the programme was that preserving the power of the coalition parties appealed to voters (Grube 1976: 167). Leftist scholars, such as Wolf-Dieter Narr (1975: 212), pleaded for "letting the wound of non-existent programmes get worse", rather than agreeing on the "Frame of orientation" (*Orientierungsrahmen*) in the SPD which he considered to be inadequate. More objective observers of the party scene correctly criticised not the lack of far-reaching programmes, but the unilateral concentration on "economising onreforms". The argument "lack of financial resources" was frequently used as a pretext for not fully implementing even limited projects.

- Coalitions also have a negative impact on the implementation of measures. Fear of the counter-forces of the opposition sometimes leads to a "splitting of the control field". New issues, such as environmental policies, have sometimes led the smaller coalition partner—who was not really in favour of an agreed measure—to claim that the detailed programme could only be regulated in the future by additions to the executive regulations. The liberal leader Genscher successfully used this tactic in the case of the "Federal Emission Law" (1974), by promising the majority that he would deal with the non-regulated aspects of the "waste water" legislation and handle an amendment to the "household water budget" law (BT, 7th period 16.1.1974: 4691 C). This kind of cautious legislative procedure had another advantage as well: the lobbyists did not interfere in the general formulation of the laws or impede decisions regarding the overall programme, but waited instead for discussions about the details of specific laws. Habermas once criticised the tendency towards legalisation, bureaucratisation and judicialisation) as a gateway to destructive forces which undermined the lives of citizens. However, the call for justice has certainly been more positive than bureaucratisation, especially in areas where it protects the rights of citizens, as in the case of education nd family law. Those who criticise too much justice are certainly not in favour of re-introducing corporal punishment. The relationship of citizens towards the legalisation process is normally ambivalent: in abstract, regulation is praised by citizens, but alternative groups and the Greens normally fight against the increase of state regulations in their favoured policy areas and demand more autonomy in those spheres. Alternative movements also worked for legal regulation on questions which are difficult to regulate, such as "rape in marriage". Legislation and legalisation have often been viewed quite differently depending on policy area: in the fight against terrorism and extremism, intervention was frequently rejected by the Left, but was demanded with regard to conservative family structures. Judicialisation has sometimes been used by alternative movements as a blockade against the majority of the so-called "establishment". Coalitions and oppositions facing the triple crisis which Habermas had criticised mostly agree only on measures against bureaucratisation. Renouncing legal regulations does not necessarily spell the end of law-making. In the first legislatures under Adenauer there coexisted almost twice as many decrees as laws (Loewenberg 1969: 334).
- Germany was described by critics like Scharpf as a "joint decision-making trap" (*Politikverflechtungsfalle*). But even German reunification showed that the country was better at regulating problems than y many commentators had anticipated. Germany had no alternative majority system like that of Great Britain, where many majority decisions are made on time without being undermined by a Constitutional Court. In Germany there is also no system of proportional representation, as Switzerland has had for a long time, where all the relevant parties sit in government and there is the permanent threat of referenda which sometimes support and frequently block important decisions. Germany can also not imitate Sweden with its long-term hegemony of the Social Democratic Party, in which the party and the trade unions were closely

connected and where the bourgeois camp was not united in a Christian Democratic Union as in Germany. With his hegemonial position, the Swedish Prime Minister, Göran Persson, was able to effect an orderly withdrawal from the welfare state—just as his predecessor, Hjalmar Branting, had once had organised an orderly creation of the welfare state with his ideology of "the people's home".

- Germany had to find a way to deal with existing institutions, which was not easy because of the permanent need to create government coalitions. In 2002 a "grand coalition" would have been advisable in order to avoid the swings between consent for and dissent against the important "migration law". In the meantime, the optimism that Grand Coalitions solve all important problems has perished. Reforming federalism has been a major issue, but the small reform of federalism by a grand coalition has not improved but rather worsened some key solutions. The frequent solution of German governments has been to follow a traditional course. But the Social Democratic chancellor Gerhard Schröder hoped that he could survive a third period in office via dissolution of the parliament and new elections. By a small margin this calculation did not work out. He remained, however, the chancellor who imposed rigorous sacrifices on the people, whereas his predecessor Kohl did not achieve any major reform in sixteen years of office. The CDU government under Angela Merkel was cautious enough to further a latent consensus among the two major parties and since 2009 has been able to count on enlightened oppositional politics.

- The Christian Democratic victory of 2002 was extremely narrow. Some analysts (Geyer et al. 2005: 230) formulated ironically: "Four years ago when the first coalition treaty was signed, there were sunflowers, red carnations, lots of champagne and promising speeches. This time they offered only water; there were questions but no answers". In the declaration of the new coalition there was an amusing mistake, when the word *Aufbruchstimmung* (atmosphere of innovation) was misprinted as *Aufbrauchstimmung* (atmosphere of undirected behavior (Egle and Zohlnhöfer 2007: 12). The "atmosphere of innovation" was missing—but the linguistic mistake correctly showed the actual not very innovative political mood of the government. The SPD and the Green Party had no effective common project. One author judged: "red-green is the coalition which in some respects represents the poorest alliance in aims and intellectual foundations since the foundation of the Federal Republic" (Walter 2005: 109f). This judgement was certainly an exaggeration. But the weak performance of Schröder's second government was also the consequence of his former success. The first government had solved so many projects that for 2002 only "clear-up work" was possible, such as the new version of an immigration law and amendments to the Higher Education Act (A. Busch in: Egle and Zohlnhöfer 2007: 408ff).

The unhappy start of Schröder's second government was also caused by a deficit in the state budget which became visible after the elections because of wrong prognoses of economic growth. The opposition set up an investigative committee in parliament in December 2002 to find out whether the government coalition had deliberately misinformed the public by using inaccurate data (BT Print 15/125: 4). Schröder's second government tried a "flight forward". Under the skilful slogan of "Agenda 2010" a couple of plans for economic and social policies were combined. This met with much enmity—not only in the political arena, but even in the main government party, the SPD, especially among trade unionists. The agenda was frequently attacked for a "mixture of issues which could be solved in a short time". As a counter-measure to improve its popularity the Government decided not to take part in the war in Iraq, which was a wise step in foreign policy but did not meet with the desired response in public opinion, because of the dominance of domestic affairs. Politicians as well as scholars sometimes asked why Schröder pushed premature elections: "suicide because of fear in front of death" was published by the news magazine *Der Spiegel* (online 23 March 2005). Officially Schröder announced that his motive for declaring an election was fear of not getting a sufficient majority to implement his political innovations. Several hypotheses were discussed:

- Dissolution as a reaction to unfavourable regional electoral results,
- Decrease of vote distribution in the Federal Council (Bundesrat),
- Plebiscitarian legitimation for his "Agenda 2010",
- Failure to consolidate the Federal Budget.
- The electoral alternatives of the Leftists, including former Communists, but also leftist Social Democrats, should not be given the opportunity to expand.

In fact, by this coup of a "fake question of confidence", Schröder became a sponsor of a new competing party and contributed to the two major "Peoples Parties" falling back to the level of 1953 with less than 70% of the votes. For the first time, three small parties, the Greens, the Leftists and the liberal FDP, got a quarter of the votes. The unpleasant way in which Schröder offered a tolerant political home for former Neo-Communist PDS cadres did not pay off (v. Beyme 2003: 21f). The likeliest explanation was that the SPD was using the elections to safeguard its rule in a "Grand Coalition", a strategy which finally worked out (Egle and Zohlnhöfer 2007: 21f). In the elections of 2002, compared with 1998, several important differences had some impact:

- There was a latent dissatisfaction with the red-green coalition,
- the optimistic climate of 1998 was the result of Kohl's long-standing dominance, which no longer existed in 2002.
- In 1998 deviant electoral behaviour was explained by a general political dissatisfaction which favoured right-wing groups such as the Schill-Party and the NPD, but in fact the trend for a concentration of votes in the centre continued.

- The electoral result of 2002 invited strange legends. Most of the prognoses of the experts on elections were not verified. In 1998 the experts had believed that economic development would not have as much impact as in previous elections (Klingemann and Kaase 2001: 53). The hypothesis for 2002 was correct in the assumption that positive data on economic development are no guarantee that a party will stay in power. The American slogan "you can't beat the boom" was created for a system in which the executive leader can only stay in power for eight years. Kohl had spent twice as many years as a Federal Chancellor and the accumulated dissatisfaction would have shown in every economic situation. In 2002 the paradox was that the Chancellor won the election even though the economic situation was judged to be bad by half the electorate (Wahlen 2002: 40). Electoral campaigns were increasingly based on emphasising the competence of the Government in certain policy areas. With a ratio of 36 to 31 in judgements on the competence of the Christian Democrats, no clear prognosis about the winner of the elections was possible. The personalisation of electoral battles after 2000 increased the importance of the personal factor, which is difficult to calculate in advance. Compared to 1998, when he fought against Kohl, Schröder was able to increase his advantage over the CDU candidate from 52 to 58%. Even among the Christian Democrats 11% preferred Schröder to the CDU candidate Angela Merkel (Wahlen 2002: 35). The personalisation of electoral battles even took place in the Green Party, which pretended to fight against a "cult of political personas". The campaign "second vote for Joschka Fischer" apparently contributed to the salvation of the coalition between the Greens and the SPD. The PDS made the mistake of promoting a team of four candidates, and Gregor Gysi was no longer the top representative of the party. These factors contributed to the fact that the Leftist party for a while seemed to be "out". This improved the position of a weak government majority.

In her government declaration of 2005 Angela Merkel called the new "Grand Coalition" a "coalition of new possibilities" and talked about the "new years of foundations". Merkel explicitly thanked Schröder for Agenda 2010, which he had carried through against enormous opposition (REGIERUNG online 30.11.2005: 2, 7ff, 16). It was unprecedented that Chancellor Merkel had to emphasise the continuity with the former government under Schröder while simultaneously promoting her own profile. She achieved this through her proposals for the pension system, the health system and a framework for inter-generational cooperation. Also the labour market and cultural politics were announced as fields of innovation. New aspects of *Cultural policy* included previously marginal topics, such as the injustice of expelling millions of Germans from the eastern areas which were included in Poland and the Soviet Union, and the fight against racism and anti-semitism. This enumeration of interesting topics was, however, not a clear project because the government announced only "small steps". On the whole, economic and social

policies of the black-red governments 2006–2009 were concentrated on "the left side of a middle road" (Schmidt 2010: 346). The new government under Angela Merkel was not a very successful experiment because it was damaged in 2011 by the worldwide financial crisis. Merkel's pragmatic understatements were increasingly interpreted as "weak leadership". In her government declaration of 10 November 2009 (REGIERUNGonline: 1), Chancellor Merkel was not very self-confident and treated her adversaries with caution. She was even suspected of speculating on low electoral participation, a calculation which happened in reality. Merkel admitted that the problems would increase before improvements could be announced. A moderate start in a new political agenda was the "law on improving growth" and the announcement of simplifications to the tax system. The government declaration was shorter than at the beginning of Merkel's career. The middle road became a "must" in Merkel's politics and did not welcome greater visions on new projects. The State began to delegate some of its tasks which corresponded to the Christian Democrats' preference for the "subsidiarity principle" and the Liberals' commitment to *economic liberalism.* The affinity of a *teleocratic programme-orientation of the state* which has sometimes been criticised was a clear exaggeration, far from political reality. Until the first "Grand Coalition" (1966–69) the anti-planning ideology in Germany was evident, especially compared with France. The anti-planning ideology, combined with a strong input into the welfare state, seemed to coalesce into a kind of book religion in the neoliberal Freiburg school, with its prophets (Röpke, Rüstow) and preachers (Erhard and Müller-Armack). This kind of liberalism had the advantage of not renouncing moderate planning. The short-lived government of Christian Democrat Chancellor Ludwig Erhard (1961–1965) had tried to launch programmatic accents for the future (v. Beyme 1979: 16). Erhard tried to explain his concept in a combination of pathetic seriosity and irony: "my government declaration made it clear that I do not think in terms of two years but that I anticipate the future. It seems to be one of your wishes that I should plan", a statement which caused some laughter in Parliament (Sten.Ber. 24.10.1963: 4285 B).

The debate on projects did not prevent people noticing the discrepancy between political announcements and legislation. Concrete planning was only present in government declarations when preparatory work for a particular law had been successful. A quantitative study on key decisions in twelve legislatures found 7486 legislative projects for 150 key decisions. Only two-thirds of them (4896) became law. Sometimes the successful projects were laws for an "ad hoc-change" in politics, because crises and special problems such as the arrival of refugees had forced the government to act (v. Beyme 1997: 69). Indeed, the so-called "flood of laws" was reflected in the growing number of successful projects, because some chancellors worked with populist propaganda, and the agreement that important issues had to be regulated by Parliament (*Parlamentsvorbehalt*) enforced new laws. The

number of policy areas which invited state action had increased, and the juridical treatment of problems grew. *Europeanisation of politics* also had an important impact on the growth of laws.

A chancellor rarely dared to declare that his programme was completely successful, as Brandt did in a short period to 1972 (v. Beyme 1979: 283). This was only partly true, because in the period of 1969–1972 roughly a quarter of all projects were not realised. Brandt's great performance was not so much in the number of laws, but rather in the change to new policies towards the East. Quantitative outputs of laws have been compared on two levels with government announcements:

- The importance of electoral programmes is frequently doubted, especially in the USA where the "manifestos" mostly had an ad hoc-importance. In Germany the programmes had much more long-term relevance.
- Less doubted are the government declarations in countries where government coalitions are inevitable. The agreement of the coalition partners needs concessions from the various ideological catalogues and the new consensus of several partners tends to be more rational than one-party declarations. Quantitative analysis of the influence of important government declarations on concrete policies between 1949 and 1998 showed that the programmatic positions were mostly the outcome of factors within Government: Government party programmes and the programme of the biggest party in the coalition tend to be similar. The political position of parties is normally realised only via the Government's internal channels. There are certain differences among various policy fields. Environmental policy, more than any other issue, involves all the participating parties and even the majorities of the Federal Council which represents federal differences of parties in the various states (*Länder*) (König 1998: 658f). Specialists in the field of election research have increasingly become sceptical about the emphasis on only one factor, because the importance of the factors change and the composition of governments also tends to change after each election (Klingemann and Kaase 2001: 51). Electoral prognoses and later reconstructions of the influence of certain items has become more difficult since the influence of mass media increased. Nevertheless among scholars controversy continues as to whether "*ideological direction*" is the dominant model of electoral decision or whether the *mutual approach to each other's positions* prevails (van Deth et al. 2000: 297f, 327). But there is agreement that the content of government declarations depends little on the personal ideas of the prime ministers or chancellors. Electoral battles have become professional. TV and radio are important during campaign periods, and the internet has recently become dominant. Even in 2010 37% of citizens obtained their political information from the internet (Knuth 2010: 361f). This makes it possible for the public to influence which topics are discussed online by the parties. Unified

messages tend to be difficult to sustain. The participation of many groups increases the fragmentation of government declarations.

- There is some consensus in electoral research (Sturm and Kropp 1998: 149) that parties form coalitions based on different profit calculations and benefit balances. There is already a difference between parties which focus on *ideological advantages* and other political groups which calculate the *number of ministries* and important government positions in the central administration. Not all ministries are equally wanted by the parties, except in financial and administrative politics. Environmental and family policies attract only some of the governmental groups. Sometimes intervening events overtake the declared party positions, as happened to Merkel in 2010/2011, and cause a kind of wavering governmental course which does not strengthen the reputation of the Government. In 2010 the Chancellor caused a sudden change in the policy towards nuclear power stations though the Government had only recently prolonged the envisaged life-span of these industries. A crisis in the Near East enforced government declarations that "Leopard" tanks would be delivered. The media and citizens were deeply concerned because nobody could guarantee who would ultimately use these highly complex weapons. The German engagement in the first Iraq crisis was also extremely unpopular, but the non-engagement in Libya did not impress many Germans either. In the Euro crisis Merkel lost her reputation as a good negotiator, because she oscillated back and forth in the question of how to help the South-East-European countries. "The method Merkel" was not appreciated because for some people it was not sufficiently "European", while for the majority it did not represent German interests. For some people, however, this method of hesitating had some positive consequences, because it taught the countries with high debts how to learn financial discipline and how to help themselves out of the economic crisis (Frankenberger 2011: 1).

- In light of these various crises which nobody could have anticipated, the project of Merkel's government would have collapsed if a rational planning had existed. Minor mistakes could at least not compromise a "project" which did not exist. In summer 2011 conflicts with the liberal coalition partner led Chancellor Merkel to change her attitude concerning the position of the FDP and she had the ungrateful task of convincing the French president Sarkozy to see the advantages of the German option. A kind of smooth "continuity culture" was developing, because the German party system did not offer many alternative coalitions. Merkel seemed to prefer a grand coalition with the Social Democrats, even in 2011 when she remembered that agreement with the SPD had been easier than with the Liberal Party FDP. The elections in 2013 made this secret option for the SPD politically possible.

- Most of the partial reforms treated in this chapter have been considered to provide proof of the existence of a *Neo-Democracy*. But this topical term has become fashionable without much empirical content. To achieve substance it would have to be filled with a normative vision which requires the addition of "Neo" to the general term "Democracy".
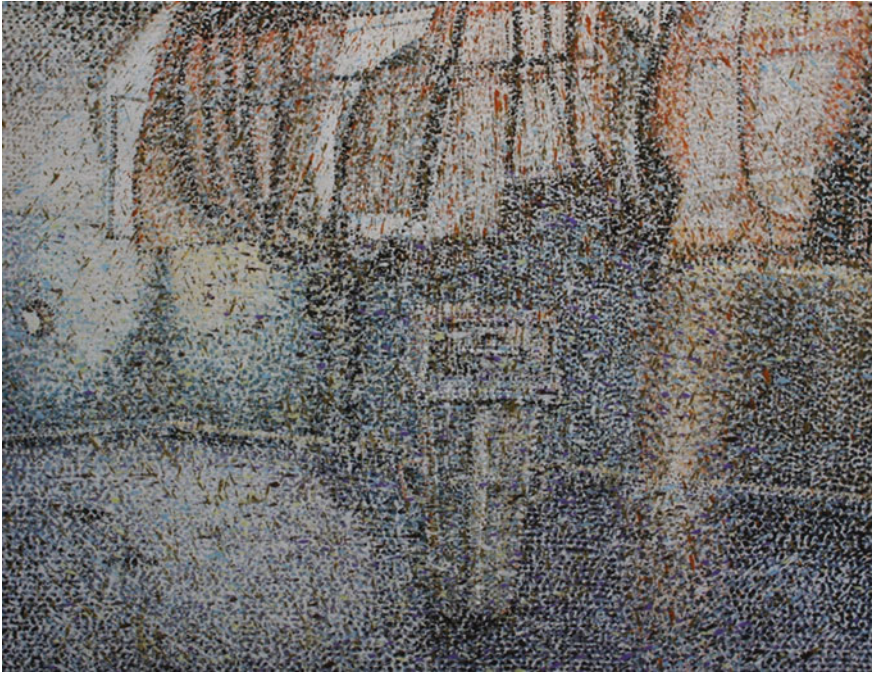
Max Beyme, painting: "Space for Interpretations", Acrylic on canvas, 2014, 50 × 65 cm. *Source* Photo by © Max Beyme, reprinted with his permission. As the title implies, this image does not want to offer a clear statement about the subject of the picture. Nevertheless, some fragments indicate the original concept. The pictured room with the waving curtains that are often used as a cover for sniper rifles are found in many photographs of war zones from Syria to the Ukraine. In the middle of the almost empty space stands a box-shaped object which resembles a coffin. In fact, it is a large-scale camera, which was attached to an aircraft during the First World War to take aerial photographs of the war zone

References

Abromeit, Heidrun: Der Führungsanspruch der Wirtschaft gegenüber der Politik. *Aus Politik und Zeitgeschichte*, 1981, B: 1119–1139.
v. Arnim, Hans-Herbert: *Das System. Die Machenschaften der Macht*. Munich, Droemer. 2001.
v. Arnim, Hans-Herbert: Die neue Parteienfinanzierung. *Deutsches Verwaltungsblatt*, No. 117, issue. 16, 2002: 1065–1144.

v. Arnim, Hans-Herbert: Die Selbstversorger. Die Parteien umgehen die Regeln der Parteifinanzierung, in dem sie ihren Stiftungen, Fraktionen und Stäben Geld zuschanzen. *Der Tagesspiegel*, 1 July 2012: 7.

Arzheimer, Kai: *Politikverdrossenheit. Bedeutung, Verwendung und empirische Relevant eines Politikwissenschaftlichen Begriffs*. Opladen, Westdeutscher Verlag, 2002.

Benz, Arthur, Seibel, Wolfgang (Hrsg.): *Zwischen Kooperation und Korruption*. Baden-Baden, Nomos. 1992.

v. Beyme, Klaus (Ed.): *Die großen Regierungserklärungen der deutschen Bundeskanzler von Adenauer bis Schmidt*. Munich, Hanser, 1979.

v. Beyme, Klaus: Zusammenlegung von Wahlterminen: Entlastung der Wähler, Entlastung der Politiker?, *ZParl*, 1992: 339–353.

v. Beyme, Klaus: *Der Gesetzgeber. Der Bundestag als Entscheidungszentrum*. Opladen, Westdeutscher Verlag, 1997.

v. Beyme, Klaus: Das Bundesverfassungsgericht aus der Sicht der Politik- und Sozialwissenschaften. In: Badura, Peter; Dreier, Horst (eds.): *Festschrift 50 Jahre Bundesverfassungsgericht*. Tübingen, Mohr, 2001a, vol. 1: 493–505.

v. Beyme, Klaus: Koalitionsbildung und Programmsteuerung. In: Derlien, Hans-Ulrich; Murswieck, Axel (eds.): *Regieren nach Wahlen*. Opladen, Leske & Budrich, 2001b: 85–112.

v. Beyme, Klaus: The German Constitutional Court in an Uneasy Triangle between President, Parliament and Regions. In: Wojciech Sadurski (ed.): *Constitutional Justice. East and West*. The Haague, Kluwer, 2002: 229–246.

v. Beyme, Klaus: Die Entwicklung des Parteienwettbewerbs. In: Egle, Christoph et al. (eds.): *Das Rot-Grüne Projekt*. Wiesbaden, Westdeutscher Verlag, 2003: 53–66.

Brandt, Willy: *Erinnerungen*. Berlin, Propyläen, 1989, 1993, 4th ed.

Caciagli, Mario/Uleri, Pier Vincenzo (eds.): *Democrazie e referendum*. Bari, Laterza. 1994.

Corruption perceptions index 2011. *Transparency International*.

van Deth, Jan et al. (eds.): *Die Republik auf dem Weg zur Normalität? Wahlverhalten und politische Einstellungen nach acht Jahren Einheit*. Opladen, Leske & Budrich, 2000.

Dittberner, Jürgen: Die Parteitage der CDU und SPD. Ideal und Realität. In: Flechtheim, Ossip K. (ed.): *Die Parteien der Bundesrepublik Deutschland*. Hamburg, Hoffmann & Campe, 1973: 441–458.

Egle, Christoph/Ostheim, Tobias/Zohlnhöfer, Reimut (eds.): *Das rot-grüne Projekt. Eine Bilanz der Regierung Schröder 1998–2002*. Wiesbaden, VS Verlag für Sozialwissen-schaften, 2003.

Egle, Christoph; Zohlnhöfer, Reimut (eds.): *Ende des rot-grünen Projektes. Eine Bilanz der Regierung Schröder 2002–2005*. Wiesbaden, VS Verlag für Sozialwissenschaften, 2007.

Elster, Jon; Slagstad, Rune (eds.): *Constitutionalism and Democracy*. Cambridge, Cambridge University Press, 1988.

Frankenberger, Klaus-Dieter: Methode Merkel. *FAZ*, 23 July 2011: 1.

Fröhlich, Manuel: Politische Programmatik mit wenig Pathos. Regierungserklärungen mit Geschichte. *Das Parlament*, No. 48, 20 November 1998: 13.

Geyer, Matthias u. a.: *Operation Rot-Grün. Geschichte eines politischen Abenteuers*. Munich, DVA, 2005.

Grube, Frank et al.: *Politische Planung in Parteien und Parlamentsfraktionen*. Göttingen, Schwartz, 1976.

Hennis, Wilhelm: *Organisierter Sozialismus. Zum "strategischen" Staats- und Politik-verständnis der Sozialdemokratie*. Stuttgart, Klett, 1977.

Hofferbert, Richard I.; Klingemann, Hans-Dieter: The Policy Impact of Party Programs and Government Declarations in the Federal Republic of Germany. *Journal of Political Research*, 1990: 270–304.

Huntington, Samuel P.: *The Promise of Disharmony*. Cambridge/Mass., Belknap. 1981.

Jesperson: Institutions, Institutional Effects and Institutionalism. In: Powell, Walter W.; DiMaggio, Paul J. (eds.): *The New Institutionalism and Organizational Analysis*. Chicago, Chicago University Press, 1991: 143–163.

Jesse, Eckhard: Die Volksparteien nach der Bundestagswahl 2009 – gravierende Symptome einer Krise. *Politische Studien*, 2009, issue 428: 35–46.

Jung, Otmar: Direkte Demokratie. Forschungsstand und Aufgaben. *Zeitschrift für Parlamentsfragen*, 1990: 491–504.

Kaltefleiter, Werner; Nassmacher, Karl Heinz: Das Parteiengesetz 1994. Reform der kleinen Schritte. *Zeitschrift für Parlamentsfragen*, 1994, No. 2: 253–262.

Kielmansegg, Peter Graf: Wenn das Gemeinwohl aus dem Blick gerät. *Frankfurter Allgemeine Zeitung*, 8 February 2000: 3.

Klingemann, Hans-Dieter; Kaase, Max (eds.): *Wahlen und Wähler. Analysen aus Anlass der Bundestagswahl 1998*. Wiesbaden, Westdeutscher Verlag, 2001.

Knuth, Natalie: Online-Campaigning, dargestellt an den Wahlen zum deutschen Bundestag 1998–2009 im Vergleich zum US-amerikanischen Oneline-Campaigning im Rahmen der Präsidentschaftswahlen 2000–2008. Diss. Heidelberg, 2010.

Köcher, Renate: Das Bollwerk. Deutsche Fragen – deutsche Antworten. *FAZ*, 22 August 2012: 10.

König, Thomas u. a.: Regierungserklärungen von 1949 bis 1998. *Zeitschrift für Parlamentsfragen*, 1998, No. 3: 642–659.

Korte, Karl-Rudolf (ed.): "*Das Wort hat der Herr Bundeskanzler*". *Eine Analyse der Großen Regierungserklärungen von Adenauer bis Schröder*. Wiesbaden, Westdeutscher Verlag, 2002.

Kurbjuweit, Dirk: Ein unterzuckertes Land. Die politische Kommunikation Angela Merkels ist ein Desaster. *Der Spiegel*, No. 29, 2011: 24–25.

Lambsdorff, Johann Graf: Wie lässt sich Korruption messen? *Jahrbuch für Europa- und*, 1999, 3: 45–92.

Landfried, Christine: *Parteifinanzen und politische Macht*. Baden-Baden-Nomos. 1990. 2nd ed., 1994.

Landfried, Christine: Jedem das Seine. Das Zusammenwirken von Verfassungsgericht und Politik, *FAZ*, 26 July 2012: 8.

Lösche, Peter: *Wovon leben die Parteien*. Frankfurt, S. Fischer, 1984.

Loewenberg, Gerhard: *Parlamentarismus im politischen System der Bundesrepublik Deutschland*. Tübingen, Wunderlich, 1969.

Luhmann, Niklas: *Politische Planung*. Opladen, Westdeutscher Verlag, 1971.

Münkler, Herfried u.a.: Korruption und Gemeinwohl. *Neue Rundschau*, 2001, issue 2: 90–100.

Narr, Wolf-Dieter: Warum sich eigentlich mit der SPD beschäftigen? Zum Politikum des Pseudopolitikums des zweiten Orientierungsrahmens. *Leviathan*, 1975, No. 2: 207–212.

Patzelt, Werner: Ein latenter Verfassungskonflikt? Die Deutschen und ihr parlamentarisches Regierungssystem. *Politische Vierteljahresschrift*, 1999: 725–757.

Patzelt, Werner: Verdrossen sind nur die Ahnungslosen. *Die Zeit*, 22 February 2001: 9.

Patzelt, Werner: Brauchen wir die SPD?, In: *Cicero*, 6, 2010: 48–51.

Rudzio, Wolfgang: Das neue Parteienfinanzierungsmodell und seine Auswirkungen. *Zeitschrift für Parlamentsfragen*, 1994: 390–401.

Sartori, Giovanni: *Comparative Constitutional Engineering*. Houndsmill, Macmillan. 1994.

Scharping, Rudolf/Wollner, Friedhelm (Hrsg.) *Demokratischer Sozialismus und Langzeitprogramm*. Reinbek, Rowohlt, 1973.

Scheuch, Erwin und Ute: *Die Spendenkrise. Parteien außer Kontrolle*. Reinbek, Rowohlt, 2000.

Schmidt, Manfred G.: *Demokratietheorien*. Wiesbaden, Verlag für Sozialwissenschaften, VS, 2010, 5th edition.

Schmidt, Manfred: Immer noch auf dem „mittleren Weg"? Von der Linksverschiebung in der Staatstätigkeit der zweiten Großen Koalition. In: Jesse, Eckard; Sturm, Roland (eds.). *Bilanz der Bundestagswahl* 2009. München, Bayerische Landeszentrale für politische Bildungsarbeit. 2010.

Siri, Jasmin: Parteien. *Zur Soziologie einer politischen Form*. Wiesbaden, Springer VS, 2012.

Sturm, Roland; Kropp, Sabine: *Koalitionen und Koalitionsvereinbarungen*. Opladen, Leske & Budrich, 1998.

Sturm, Roland; Pehle, Heinrich: *Das neue deutsche Regierungssystem*. Wiesbaden, VS Verlag für Sozialwissenschaften, 2005, 2nd ed.

Vosskuhle, Andreas: Über die Demokratie in Europa. *FAZ.*, 9.2.2012: 7.

Walter, Franz: *Abschied von der Toskana. Die SPD in der Ära Schröder*. Wiesbaden, VS Verlag für Sozialwissenschaften, 2005, 2nd ed.
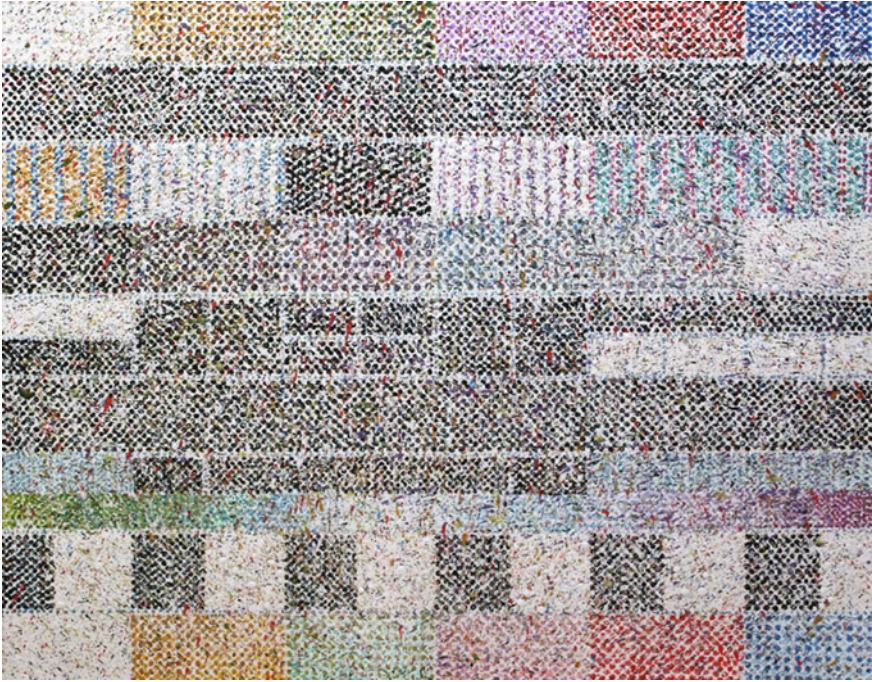
Max Beyme, painting: "System error F1", Acrylic on canvas, 2016, 50 × 65 cm. *Source* Photo by © Max Beyme, reprinted with his permission. The abstract colour patterns of the work are reminiscent of a carpet or the façade of a modern residential silo designed by Le Corbusier. "System error F1" shows the slightly changed detail of a test card on the first East German television. The section was narrowed and the white circles typical of test patterns were omitted. Removing some image information makes it difficult for viewers to read the image correctly. They are forced towards an independent interpretation of the image motif. In the era of analogue tube televisions test cards marked the beginning and end of the day's broadcasting—and not only in the GDR. The test card as a "no-image" thus also stands for the interruption of communication, which the sociologist Niklas Luhmann described as the real task of art. According to this theory, the test card becomes the ultimate work of art. The GDR no longer exists, nor is there any test card for analogue tube televisions any more. Two systems, which were overtaken by historical developments. But it is at least a typical German end in a very ordered way

Chapter 5
Normative Models of Democratic Development. From *Post-Democracy* to *Neo-Democracy*?

5.1 Models of Justice for Democratic Reforms

Post-democracy seems to be related to a "mood of decline". This can only be transformed by reverting to the normative foundations of political theory in combination with a neo-democratic mood of positive change. Democracy normally occurs in conjunction with another fundamental concept, the "legal state". In a normative view the legal state is based on the theoretical concept of "justice" which transcends the neo-liberal notion of a "market" for individual happiness-seekers. For a constructive view on the future of *neo-democracy*, justice is essential. Modern social sciences are frequently founded on classical theories of justice. What is the best way to approach them? One can start with the assumption of Skinner (1969):

- The theory-building should not start with a *textual approach*, isolating the historical documents.
- Nor is it desirable to choose a *contextual approach* which explains the accepted text causally, in the context of economic, social and political theories. The contextual approach was exhibiting a tendency to ends up as a "constructivist obsession". Analogies of theoretical notions as a copy of social processes were therefore constructed and non-linguistic contexts were neglected (Rosa 1994).
- It makes sense to reconstruct the intellectual context to determine the theoretical position of the author. This is important because political actors are frequently operating with statements which are not based on a stringent theory, but rather transform ad hoc citations into political concepts.

German theories about justice have frequently been opposed to the theories of the utilitarian school which tended—like Bentham—to regard theoretical justice as stilted nonsense ("nonsense on stilts"). Originally, Germany was not a leading country in the construction of theories of justice. But it became important via the theories of Immanuel Kant. Even a leading Anglo-Saxon theoretician like Rawls worked on Kant. Important contributions by German theoreticians, such as Jürgen

Habermas, Ulrich Beck, Wolfgang Kersting, Otfried Hoffe and Rainer Forst, were increasingly recognised in the international debate.

In the West concepts of justice vary according to theoretical fashions. Frequently they influence party ideologies, especially in Germany, where political parties tend to aim for the philosophical heights. In this respect, the German Social Democrats have been the most open to high theoretical principles in their party programmes, being founded on basic values such as liberty, justice and solidarity. In the age of reevaluating contract theories the basic notion of "the common good" was again repressed because it was regarded as an "empty formula". Politically, the notion of the common good was classified as an aspect of "Catholic social theories" and perceived as the motivating theory of right-wing Christian Democrats. "The public interest", however, still playsa role in the legal doctrine of state, though this has frequently been narrowed down to economic and administrative matters. Compared with these notions, justice is much broader and deeper. Since Kant, however, several problems have arisen:

- *Justice* does not need the construction of context-dependent relativity. The "legal state" already suffers from the problem that the national framework is not compatible with its universal principles. It is ludicrous that a criminal national citizen is granted more protection by the legal system than an honest immigrant who is in danger of being deported by the state administration.
- *Solidarity*, on the other hand, as a human category must always consider the social context, which is not as universal as the principle of justice. "Distributive justice", in particular, differs in various social contexts. An anti-distribution theory was therefore chosen by Hayek and the Neo-Liberals.
- Other theoretical social liberals, like Rawls or Sen, founded their considerations on a better distribution. A still more subjective principle chosen by Walzer and the Communitarians was "emotional solidarity".
- Neo-Liberals wanted to limit the notion of justice to a "processual consideration" and did not accept justice as a product of "outcomes". In recent theoretical debates the principles of "process versus political outcome" dominated the confrontation in theories of justice. From a constructivist approach Forst (2007: 9) assumed that justice was the opposite of arbitrary decisions made by groups, classes or states. In this approach, inter-subjective conditions are considered more important than a supposedly objective supply of common goods.
- Hayek (1996: 6) disapproves of "welfare state intervention" in the market and rejects the term "social justice". He says the *market* creates its own order and evolutionary morality which transcends the capacities of reason. According to this theory, the market is not developed by a rational design and therefore cannot be steered by the State (Hayek 1971: 48). For this approach to work, society needs "equal rights" and total freedom to make its own contracts without government interference.
- As a pro-distribution theorist, Rawls (1975), however, believes that access to the market does not favour the development of justice. Unjust access conditions create an entity which is blind to justice. To compensate for societal injustice,

state institutions need to provide underprivileged citizens with a basic supply of goods. Inequity is only acceptable when the underprivileged receive benefits. Life chances should be freed from the accidental circumstance of social origin.

Rawls (1992: 379) has emphasised that political liberalism is occasionally viewed as neutral with regard to both procedure and societal goals. Justice, for Rawls, is not supported by a special theory of social aims. Procedural neutrality is supported by a concept of "justice as fairness". According to this approach, political liberalism should recognise certain moral forms as superior and should support certain moral virtues. Justice as fairness seems to be connected with important political virtues, which promote social cooperation, such as tolerance, politeness and the acceptance of fairness. The latter statement, however, has the drawback of sounding slightly tautological.

The normative theory of politics has experienced a renaissance since Rawls. *Neo-constructivism* has developed as a "grammar of reciprocal recognition among citizens". It is related to civil society and does not need support by theories of state and sovereignty. Post-modern constructivism pretends to allow the use of theories of contract as an "experimental procedure of testing theories"—without needing reconstructions about historical reality or even metaphysical assumptions to support its approach.

In conceptions of *deliberative and reflexive democracy* an individualistic approach constitutes mutual recognition of rights and duties by citizens. In this theory the mutual obligation is not defined only in conventional and procedural ways. Since Rawls, minimal ideas about material justice are combined with the concept of a contract. Empirical and normative-procedural ideas move towards each other (Kersting 1996: 354) when normative ideas are increasingly combined with the rules of rational choice theory or even game theory. Nevertheless the hypothesis of a "veil of non-knowledge in the original condition" has attracted strong criticism. According to Sen (2010: 155, 439), this condition would make human beings blind to their previously acquired rights and goals. But even Sen has admitted that this "fictious ignorance" could lead to a critical review of local and narrow-minded values. Impartiality must be open and not localised. Justice as fairness is exposed to the risk of being restricted to allegedly equitable institutions. Communitarians and neo-liberals fought against each other in the 1980s. But both were junited t in rejecting a merely empirical and anti-normative image of society and its legitimation. However, they developed divergent images of a civil society:

- *Neo-liberalism* is "anti-state", or at least "minimal-state orientated", and restricted to a bourgeois market society. But neo-liberals rarely go as far as some East-European theoreticians who have identified the State with perverted bureaucratic rule of the system. Since neo-liberalists have not been able to conquer the State or change it morally, they have traditionally ignored it by concentrating on a concept of *anti-politics* which departs from the Anglo-Saxon concept of civilised society.
- *Communitarianism*, on the other hand, emphasises the political and cultural dimension of civil society more intensely, and does not reject the State as a

catalyst of good citizenship. It is no miracle that communitarianism, as a synthesis of liberal and normative-social ideas, has proved highly attractive to the new democracies in Eastern Europe.

- Walzer (1992) is less holistic in his approach. He postulated the idea that there is no general logic of distribution. Each sphere of goods and life had its own logic of distribution and is not able to influence other areas. Health and education should not be dependent on money. His concept of a community is closer to the concept of solidarity than the Kantian universalism in the work of Rawls.

- Accordint to the *neo-democratic* paradigm, theories which support activities are more efficient than abstract concepts of justice. In his theory of justice Sen (2000: 30) emphasises activation of humankind in order to broaden options. His idea about developing societies was connected with the hypothesis that liberties are interwoven with economic chances and social security. He differentiated between instrumental liberties for the self-realisation of individuals, which are valid for all societies, and constitutive liberties, such as freedom from disease and hunger in the Third World. Indicators for social justice could be used to formulate concrete social policies, such as avoidance of poverty, undernourishment, infant mortality, life expectancy, social chances via education, social changes on an integrative market and quota of employed citizens, gender equality and social security in terms of social expenses. The more developed the democracy, the more equitable the opportunities, finances and social achievements, according to quantifiable research on democracy (Sen 2000: 97; Krück and Merkel 2004: 95).

- Sen (2010: 9f) has developed his theory of justice further: he believes that a theory of justice which aims to produce concrete political decisions should indicate ways to diminish injustice and measurably promote justice for all. Theories of "ideal justice" are not meaningless, but they should be analytically decoupled from empirical approaches. Several reasons for justice combined with pluralism of values should be recognised as coexisting, and injustice could be explained by concrete negligence concerning the rules of behaviour. Classical theories of justice, according to Sen, are too much concentrated on the assumption of "fair institutions" and neglect the real patterns of behaviour. Sen's comparative perspective (2010: 12, 17) includes many religious principles from Christianity to Buddhism and thereby eliminates the Euro-centric vision of most other writers in this field. Mentioning practical matters is more appropriate to the traditions of the Third World and may become more important in topics ranging from torture to social security than an abstract theory of perfect justice. Sen perceives a dualism of contract theories and comparative approaches. Both are, however, thinking.

- In empirical research on justice a new a priori principle which focused on access opportunities was established., Corrective measures in the name of the social state are of secondary importance in this approach. A test case for these assumptions could be the new democracies after the collapse of communism. Despite the complication of simultaneity, the performance of democracy and the social market economy have developed relatively well in the new democracies

of Eastern Europe, mainly because of the high standard of education which already existed during Communism. So far, Africa is comparatively the least developed exponent of new democracy. Latin America, however, has improved in recent years. In spite of this success, these regions have achieved only moderate success in developing social security. East Asia is at the other end of the spectrum of justice models: social justice is more developed than democracy (Krück and Merkel 2004: 102). Only the "four little tigers" do not completely conform to this model.

- The concepts in East and West converged via the popularisation of the notion of "civil society", a term which has had a long career. For 150 years, according to Marx, a ghost was wandering about Europe—namely Communism. It was like a fairy-tale: when the spell broke and the ghost disappeared, a good fairy emerged: civil society. The concept of civil society was the guilding principle for peaceful "candle revolutions". The West, which increasingly entered into an unimaginative neo-liberalism, all of a sudden developed a normative consent which strengthened consensus in society. Communism, in its search for a "community", had tried similar ideas. The thinkers of civil society among the East European intelligentsia have shown, for the first time in history, that normative concepts could become powerful leading ideas overnight. The paralysed utopia of what they once called the "real socialism" has been replaced by a concrete utopia: "civil society". One of the most heavily armed superpowers in history suddenly stepped aside without firing a single shot. The "miracle of Jericho", in which trumpets were praised for the collapse of high walls, seems small compared with the miracles of Moscow, Warsaw, Leipzig, Prague and Budapest.

- The *East-European theory of civil society* developed—like its Marxist counter model—under the influence of an intellectual un-empirical concept of the world. In Eastern Europe this seemed excusable. The counter concept of a pretended "real socialism", with its artificially constructed periods and small steps of progress still exerted some influence after Communism. The "phenomenon was often euphemistically stylised as Stalinism, although for a long time such systems continued to exist in a sclerotic but authoritarian Post-Stalinist period. However, a return to socialism was not desirable. Theoretical dreams of a "Third Road" between polarised social systems spread. But, in reality, an unprecedented neo-ethnic concept of society developed. Civil society movements in Eastern Europe were occasionally driven by illusory grievances, such as the one propounded by the East-German politician Bärbel Bohley: "We wanted justice—but we only got the rule of law". Only later did the people realise that it was not really possible to have a fairer justice system than that already prevailing in the new democratic constitutional state.

- Even well-known theoreticians of discourse like Habermas (1992: 435) have continued to be affected by the *anti-economic tendencies of civil society thinking*. The rigid Marxist view of antagonism between "lower and upper classes has long been superseded by antagonism between the political system and the real world. However, in some influential circles the attitude towards this

concept of civil society has remained rather antieconomy. The economic system has developed in the direction of globalisation and promotes processes of colonialisation in the real world through commercialisation and indirectly also through bureaucracyt and legalisation of relationships. A fundamental criticism of the system could hardly be expected from the theories of civil society. The minimal consensus which developed in the 1990s showed a great variety of terms. But they contained minimal differences of opinion, whether they promoted their ideas with notions such as "participatory democracy", civil society, network-cooperation or promotion of sub-politics. The hope for an innovative social movement has not even been realised by the standard-bearers of civil society. The advocates of "reflexive democracy" have been quick to explain that normative reasons are not sufficient to impregnate theoretical models with empirical insights (Schmalz-Bruns 1995: 153).

- Post-modern reflections on civil society have created individuals who are mainly concerned about themselves. They may be inclined to accept the basic notion of evolution, but do not necessarily admit that teleology was inevitable. In the theory of civil society, society is no longer credited with any mythical forces during its development. Rather, a situation of equilibrium between "system" and "civil society" has developed. Even the possibilities of participation offered by the democratic state are incomplete. Again there is a complementary relationship between the two realms (Held 1989: 182).

- The Romanticism of the *Soviets or democratic councils* has been the last big social movement in modern times. It tried to overcome the rational world of systems in a kind of double strategy. The mobilisation of new social movements for a "civil society" led to unstable institutions and new creative forms of participation based on the real world". Civil society is considered relevant as long as it does not isolate itself and keeps the focus of the political process on democracy. In accordance with the tenets of homeopathy, Beck (1988: 209) has praised weak doses of "counter poisons" against a technocratic society of risks, even if it is supposedly aimed at a reflexive policy which changes the rules. The aim sounded innovative, but the method sounded rather conventional: "blocking stagnation" instead of "pressure and strikes". Even Habermas (1992: 211) has stated that the political communications of citizens may develop in an original way, but finally they end up as the conventional decisions of legislative

Table 5.1 Matrix: Equality and inequality of citizenship. *Source* The author

	Equality	Inequality
Broad inclusion	*Legal state* Basic right, especially *Habeas-corpus* rights, valid for everybody living in a certain territory	*National state* Citizenship only for members of the people; *jus soli* is more integrative than *jus sanguinis*
Extended exclusion	*Welfare state* Inclusion of migrants and asylum-seekers even those excluded from citizen rights	*Democratic State* Participation for citizens only; occasionally voting of most citizens

institutions. Thus, even in theories of deliberative democracy, the highly praised "justice" is finally reduced to the concept of "rule of law" and unorthodox development of political institutions.

- Only a utopian society could truthfully claim "all are accepted—and no one has priority" (Walzer 1992: 79). In reality, the old national states in Europe developed principles such as "*exclusion*" and "*inclusion*" in a systematic sequence.

First the "*legal state*" developed, which included all citizens and most non-citizens.

- Then—even among liberal thinkers—the *national state* dominated, mostly founded on language and culture. It was added in order to motivate citizens protected by the legal state to participate actively in the political system and, if necessary in times of national danger, even to sacrifice their life.
- Next the national state pushed its citizens isto participate in a *democratic state* by granting electoral powers to each citizen. But since the citizens were extremely unequal, the *welfare state* had to be added to democracies as a fourth basic principle in order to strengthen the likelihood of equal political participation by socially unequal citizens.

Civil society enthusiasts may be inclined to think that all citizens and non-citizens who participate in the discourse—even those who do not even know the language of the guest-country—are equal on all levels. However, in reality, there are significant inequalities of citizenship in all states, including the USA. The expansion of civil society as an incarnation of justice primarily means conferring citizenship on all people who live in a specific territory, no matter what area of it (Table 5.1).

In all European states the concept of an inclusive welfare state is becoming increasingly similar. In the USA there is disparity even among citizens in some social fields—since complete inclusion of all citizens in the social security system has not been achieved. However, complete inclusion remains a basic aim of all the operationalising theories on justice.

Increasingly, even in the USA, theories have been developing which, in their own way, approach Russian scepticism towards the prevailing political philosophy. Richard Rorty's critique of the hidden essentialism of the deliberative theory of democracy has developed new accents. Rorty became acquainted with the pragmatism of James, Peirce and Dewey, who maintain that a theory is only true if it proves to be useful in practice. Ultimate justifications are also impossible for Rorty. Such declarations are unacceptable to neo-idealists, for example assumptions that, just as doctors prescribe several medicines, so there may be several truths. After studying pragmatism and writing his book *Philosophy in the mirror of nature* (1979), Rorty became isolated in the field of critical social sciences and became a literature specialist at Stanford University. Discourses were now developed on the

basis of aesthetics. This intellectual turnaround did not please most traditional normative thinkers. According to Rorty, theoreticians normally make offers. In a linguistic connection "we create the world," says Rorty. There is hardly any difference between "knowledge and mere opinion". The human way of thinking remains rhetorical. The main task of theories is to create notions for ideological debates. Theory does not lead to universal notions but rather to special insights. In these debates "contingency" is a kind of key notion located between "certainty and accident". In his book: *Contingency, Irony and Solidarity*, Rorty (1989) developed his basic assumptions: Theories are mostly without sense. Better than theories seem to be novels and comics, which develop understanding of the suffering in the world. Novels and cinema have superseded preaching and discussion as vehicles of moral change. There is no prelinguistic conscience which we can elaborate in a linguistic way, because our vocabulary is random. Frequently our language stays close to traditional certainties. The vocabulary of the Enlightenment played an important role in the implementation of democracy. Rorty found, however, that precisely this language had become an obstacle to the improvement of democratic society.

New political language has to be invented. This causes a certain conflict among the political languages in the whole world—even in the international debate on justice. Such new descriptions are, however, only tools which do not claim to have found the essence of the intellectual world. Liberal terminology is only better than most competing political languages. Rorty likes to stick to thinkers like John Locke. Only classical theorists choose a perspective from above and believe themselves to have a complete view from a theoretical distance. Rorty (1992: 111) stylised himself as a "liberal ironist" against Foucault, whom he also considered to be an ironist, but without being liberal. Habermas, in the eyes of Rorty, was an engaged citizen—an attitude which he claims to share with him. Habermas remains a "metaphysician" for Rorty because as he still hopes for consensus via discourses. Rorty did not consider himself to be a "relativist" or even a "nihilist" because he pleaded for engagement. Engagement is a consequence of stable convictions. The irony—which he sometime advocated—was for Rorty only a private attitude, which could not become a cornerstone for the education of younger generations. This attitude seems to facilitate a consensus with the theories of neo-idealists. Solidarity is important, but not solidarity from identification with humanity as such. Rorty saw a solidarity which was created by doubtful thoughts within a democracy—combined with sensibility for the pains and humilities of other people. Finally identification seems to be impossible—only self-doubt seems to be adequate for Rorty (1992: 320).

These ideas cause problems for many post-communist thinkers: they fight for a concept of democracy and justice and can therefore hardly identify with a stance which combines irony and self-doubt. Consensus is easy only with some neo-idealists who share a certain disappointment about philosophy. This leads to a

preference for literature which seems to be more important for the modern rule of law than philosophy. Tragic and even sentimental stories, such as *Oliver Twist* by Charles Dickens, have created greater awareness than political theories. Solidarity is not a product of objectivity but rather of narrative traditions. Solidarity is relative and closely related to a special culture. This has caused some critics to classify Rorty as "ethnocentric". Such criticism is, however, unjustified as long as the same right is recognised for all cultures—even outside Europe (Schaal and Heidenreich 2006: 246f).

Traditional theories of justice have been attacked because they are said to be founded only on the right to dispute. A philosopher like Kerstin (2000: 403), therefore criticised the Social Democratic concept of a "welfare state"—which he had once defended himself. He later reproached the welfare state for liberating itself from structural-political and labour market-based ideas of justice and even from bourgeois solidarity by extra payments to certain groups. Thus it became possible to identify Social Democratic ideas with a narrow monetary monism that elevates the currency of the market to the currency of justice. It was suspected that Social Democratic ideas come close to the radical egalitarian concept of society found in parties further left. Labour—in this concept—is more than an income. It is a *way of life*. What Kerstin called "compensationism" for the critics remained "ethically underdeveloped". Social Democrats and Trade Unions fight against unemployment but this struggle favours an upper stratum of workers who own the workplace. Only the use of "solidarity" in Social Democratic programmes was praised as an innovation. As long as it is founded on a normative individualism and shares the scepticism against the state it seems to be close to Communitarianism, although Social Democratic concepts are not founded in the hope of revitalising older communities and cultural identities. There is no "symmetry of obligation" between people but only obligations as a member of a community.

The *liberalism sans phrase* promoted by Kersting is based on a self-sufficient individual. It emphasises highly developed educational systems and a robust employment policy. Compared with this model, the welfare state was suspected of producing a lack of independence. Such a theory, favouring need-orientated basic care, should actually be orientated towards a basic salary. The basic underlying idea is "help for self-help". In this concept certain institutional arrangements are not accepted such as:

- *Treaties regulating work* on the basis of large areas which serve the lobbying of workplace-owners.
- The gap between social help and low wages. The problems are transferred to a system of social security which in the long run cannot be paid for.
- *Pay-as-you go funding*—instead, capital cover should be possible.
- *Abolition of certain models of redistribution* which favour older people and ruin the contract between the generations. Kersting senses the consequences of such a failing policy of justice: a reduced birth rate which leads to covert termination of the treaty between the generations.

- Free study grants for higher education. This leads to the abuse that non-academic workers finance, through taxes, the studies of children in the higher strata of society. Tuition fees for higher education must be high enough to finance scholarships for students from the underprivileged strata of society. Low tuition fees in some countries cause many administrative costs but do not really finance the studies of lower class children.

The question remains: can catch-all parties accept such complicated beliefs? Could parties discuss, as an important theme, the contradictions between justice and solidarity—with a lot of consequences which are contrary to their traditional stance? I am afraid they will have to accept these hypotheses. It is one of the virtues of the new concept of *Neo-democracy* that its followers know that normative self-criticism is necessary, and even the ironic distance from the overstatements in theories of justice creates a pluralistic democratic climate of debate.

Max Beyme, painting: "System question", Acrylic on canvas, 2013, 50 × 64 cm. *Source* Photo by © Max Beyme, reprinted with his permission. The picture "System question" shows the bullet hole in the reading centre of the German Central Institute for Social Questions after the liberation of Andreas Baader on 14 May 1970. For Ulrike Meinhof, participation and escape meant a leap into illegality. Thus she was transformed from a journalist into a wanted terrorist. For Max Beyme, who works as a journalist in parallel with his work as an artist, there is also a metaphorical parallel: the step from the socially respected profession of the journalist, as a representative of the fourth power, towards the violent outsider. He finds himself in a symbolic parallel—albeit non-violent and less existential—in the role of an artistic outsider who, through creative deconstruction of traditional cultural techniques, questions social conditions

5.2   Theories on the Reform of Democracies

The debate on democracy primarily focuses on three models:

- The *Liberal Model* of Hayek, Nozik and Kymlicka (1989).
- The *Republican Model* in the tradition of Hannah Arendt, which developed a contradictory admiration in conservative as well as critical Leftist circles. In this model politics is not a mediation system for social interests, but rather in favour of a just relationship between state and society. Political communities are at the centre of interest; they are not merely intermediaries for strategic and tactical negotiations. Empirical researchers, however, are afraid that ongoing discussions between on contradictory value orientations might lead to permanent political crises in the system.
- The *deliberative model* of Habermas and Nida-Rümelin (2003) is centred around the values of truth and honest orientations versus common goods as the essential virtues of deliberative democracy.

Whereas the liberal model looks for compromises between incompatible positions, the Republican model can function only when most essential interests are based on a common understanding of society. Many theoreticians today think that this kind of aim is illusionary. A more usable model of deliberative democracy is reduced to conditions for the political process which lead to reasonable results (Embacher 2009: 119). Nevertheless, the orientation towards a "common good" is still accepted as a pre-condition for a deliberative democracy. Especially in the context of international relations most concepts of deliberative democracy are frequently classified as insufficient. Two dangers diminish the value of deliberative democracy:

- The institutionalisation and Europeanisation of political decisions in crises.
- The internationalisation of media which are organised transnationally.

The model of deliberative democracy suffers from an *over-adaptation to the world system*, since it sees in the supranational separation of supra-national decision makers not a democratic evil, but rather a kind of "normative surplus". The critics of deliberative democracy consider the model to be far from reality because it refuses to see that the interactions in European decision making processes correspond only in exceptional cases to the principles of deliberative democracy (Höreth 2009: 307). Thus recognition of the model seems to be reduced to the national level, which loses, however, much of its former importance. In the Eurocrisis of 2012 many commentators pleaded in favour of the Europeanisation of decisions, though they knew that, while this might strengthen the capacity to deal with crises, at the same time it would be likely to reduce the importance of deliberative democracy.

The new *democracy of the media* is a further element that drives deliberative democracy into a position of selfdefence. The landscape of the media has not grown in an open and decentralised way. "Mediapoly" leaves little scope for building international media conglomerates, unless a kind of "democratic censorship" is to be

allowed   (Buchstein 1996: 603f, cf. Chap. 2). A merely national analysis of the problem in the context of the traditional institutions of representative democracy in the meantime caused critical reflections even among some pioneers of deliberative democracy, such as Habermas. A new scenario sees negative impacts on the normative model caused by the European Union. According to Habermas (2011: 8ff)—who never leaves us alone when intelligent scenarios on the decline of society are discussed—European decisions in a financial crisis threaten to disturb the centre of national parliaments. He is afraid of a kind of "executive federalism" in the European Council which empowers itself to action. He calls this development a pattern of "post-democratic rule". But there is still resistance against the erosion of democracy:

- In the crisis, the defenders of the national state have *lost the support of the economic lobbyists* who try to keep the Common Market free from political interventions.
- The defenders of a concept of the "United States of Europe" risk getting lost in a *half-hearted executive federalism.* A federal constitution was been described as the wrong model for transnational democracy, especially since the political elites are not yet ready to create far-reaching amendments to the European treaties.

Habermas   (2011: 48) tried to promote "trans-nationalisation of a people's sovereignty" through three processes:

- Democratic communalisation of free and equal legal persons,
- the organisation of collective capacities for political action,
- and a medium of integration with a citizen's solidarity even among strangers.

The European states are consoled by the assurance that they keep the national monopoly of power, even when it subordinates itself to the supranational legal order and shares sovereignty with all the citizens of the European Union. This division of sovereignty among citizens and nations in Europe needs a symmetrical accountability of the European Commission towards the Council and Parliament of the EU. Such normative vistas have rarely been accepted by the specialists of European integration. They offer three options in order to preserve democracy in Europe (Höpner et al. 2012: 12):

- Further *integration* with increasing interference in the sovereignty of member states.
- Breaking *the dynamics of expanding membership* of the European Union and reducing the heterogeneity of the states.
- *Search for a suitable new monetary regime* with fixed but adjustable exchange rates that adapt to economic needs and minimise the pressure on fiscal transfers and European interventions in the self-determination of the member states. The collective identity of the Europeans should not be overstretched.

Strategies of integration which save much of the sovereignty of the member states apparently have most sympathy among the specialists on European Union

politics. In this respect the manifest "We are Europe" (2012: 45), signed by Jürgen Habermas, Ulrich Beck and Richard von Weizsäcker, did not supply answers to many problems. In the media propaganda for a "voluntary European year" building up a European society of citizens was most frequently praised.

In the meantime, Jürgen Habermas suggested a new procedure connected with the debate on parties. Sigmar Gabriel, as chairman of the Social Democratic party (SPD), visited Habermas and asked for a contribution to the SPD government programme. Peter Bofinger and Julian Nida-Rümelin contributed to a programmatic programme for the SPD. The new programme should no longer be written in a kind of "closed shop" within the party but should be based on an exchange of scientists and intellectuals with politicians (Bofinger et al. 2012: 22). The proposed procedure was not completely new. It now seems to be forgotten that the parties once wrote the principles of *Critical Rationalism* and later of *Communitarianism*. The three authors pleaded in favour of the idea that the avantgarde in the Euro-Zone should give up parts of their national sovereignty. For these authors the welfare state systems and the plurality of cultures could only be saved by common efforts: "Renouncing of European Unity is tantamount to saying farewell to world history" was a somewhat daring last apotheosis. World history will probably continue even if the European unification process is postponed. It was remarkable that the work of Habermas and his co-authors aimed at a new dimension of democracy. But still workers organisations and trade unions are not really in favour of a European rescue policy because it allegedly wants to abolish democracy and national sovereignty at the same time (Sommer 2012: 73). The priority given in this concept to the convocation of a European constitutional assembly makes it, however, unlikely that the development will be enforceable in light of the criticism of Germany and Angela Merkel's "fourth Empire". The fear that Germany could dominate the process still seems to be stronger than the reason and the enthusiasm for a democracy beyond the nation state. In Germany, on the other hand, the states in Western and Southern Europe are blamed for lacking solutions to the crisis. Quite a few economists think that the higher rates of interest for German government bonds undermine the financial policy of other solid countries. According to Issing (2012: 23), a former chief economist of the German Bank, and since 1998 a director of this institution, the transfer of money from German taxpayers cannot be legitimised in a democratic way.

Sulik (2012: 11), the former parliamentary president of Slovakia and chief of the party "Freedom and Solidarity", was one of the few international writers who supported the German critic, because he was afraid that an increasing policy of debts would encourage many countries to incur even higher debts in the future. According to some experts, the formulation of a debt policy should never be confined to national experts. The author even saw the unsettling possibility that plebiscites at European level could abused as a platform to legitimise nationalism. Even British critics, such as Crouch (2012b: 25), have criticised the emphasis on national sovereignty in Great Britain. The British want Europe to guarantee autonomy while simultaneously providing international networks in the age of globalisation. If deliberative democracy leads to more referenda, nationalism could

indeed be strengthened. Politics of compromise do not always lead to logical compromises and this means that a new era of *neo-democracy*, combined with an increasing number of referenda, cannot be expected. But political systems have lost the confidence of citizens on the *demand side*. Less dangerous is the dissatisfaction with the *supply side* of political systems. Critical citizens are predominantly found in the middle classes (Norris 2011; Merkel 2011a: 442). Citizen satisfaction is based on their level of inclusion in political decisionmaking processes. Empirical findings concerning the level of inclusivity in newer democracies differ considerably:

- Compared with the 1960s, the newer democracies have failed as far as inclusion is concerned.
- On the inclusion of migrants and ethnic groups, the new democracies have improved but are far from being perfect.
- The inclusion of women and people of diverse sexuality, on the other hand, has certainly improved considerably.

The mainstream within Political Science has fortunately retained its composure in facing the scenarios of decline in Europe. Enlightened scholars with a good sense of history, such as Merkel (2011a: 445), do not want to write about a "crisis of democracy". There was *never a golden age of democracy*. The time of Adenauer, sometimes celebrated as the golden age, ignored the tendencies of a "streamlined society" under the first Chancellor in post-war Germany, and even an old democracy like Switzerland did not complete the process of women's suffrage until 1971. The lines between democracies and partially authoritarian systems have sometimes been blurred during Europe's phases of development. Neo-authoritarian systems are increasingly only partially authoritarian. Even dictators do not deny the value of democratic validation, and some claim that their methods result in a more consistent, fairer and more popular democracy than other democratic systems. They say their administrative actions are less politicised and more orientated towards realistic solutions, since wars as a means of revitalising the political system are no longer possible (Münkler 2010: 11ff).

Recent theories of democracy also emphasise concentration on political output rather than participatory input and try to measure their system in terms of efficiency, wide representation of interests, good implementation and orientation of neo-democracies towards justice and the common good. Certain new social factors increasingly influence democracies, such as growing social complexity, socio-cultural pluralisation and the increasing importance of *post-national* constellations. Even semi-authoritarian systems share some of these factors with democracy in their self-characterisation. These developments have led, in recent systems, to the increasing importance of academic experts who are normally no closer to the electorate than in earlier representative democracies.

This development increases dissatisfaction with professional politicians and creates distrust in politics (*Politikverdrossenheit*) among the citizens. Post-modern media has recently exacerbated this development, and empirical social sciences increasingly try to avoid normative theories and restrict themselves to empirical

analysis of various factors of *neo-democracies*. Well-known critics of *post-democracy*, such as Claus Offe and Colin Crouch, have frequently restricted their presentations to less favourable developments concerning the inclusion and participation of citizens. A fair analysis of post-democracy should also include positive developments. Such as increased opportunities for participation via the spread of new media and collective instruments of propaganda. Recent trends towards a growth in populism are sometimes also analysed exclusively in a negative way. Some advantages of the populist wave for new forms of participation have been mentioned by only a few analyists. Rosanvallon (2008: 15) has acknowledged the trend towards a "democracy of rejection" as a kind of "counter-democracy":

- Civil society has more opportunities to discover and criticise political actions,
- By blocking resources, social actors in civil society have increasing opportunities to stop unpopular political decisions being implemented.

    - Unpopular political decisions are increasingly counteracted by recourse to law courts.

A decline in the traditional powers of democracies has been most frequently observed in two directions:

- Democratic *elections have been desacralised*.
- The *administrative powers have also lost a great deal of their former special legitimacy*. Neo-liberal rhetoric has weakened state authorities and increasingly suggests that the market is a founder of the common good (Rosanvallon 2010: 11). The fashionable notion of "*responsivity*" *has* sometimes been denounced as a "self-destroying ideal of liberal democracy". The spread of neo-liberal guiding ideas has sometimes increased the responsivity of politicians. On the other hand, however, the possibilities of realising the aims has diminished despite the growing responsivity (Schaal 2008: 353).

Not all authors of such criticism have outlined scenarios of decline. It is recognised that *new orientations* are growing in society, and plurality and sympathy for other citizens are acquiring new importance. If traditional democratic powers, such as parliaments and the executive, have experienced a certain decline, constitutional courts and independent authorities for regulation and supervision have grown in prestige among democratic citizens. Modern citizens no longer believe in Montesquieu's frequently quoted dictum that court power is *quelque façon nulle*! ("somehow null and void").

The new intellectual tendencies needed a central notion which they found in "civil society". Civil society helps to found democracies and to develop them further. But some authors correctly emphasise that civil society is not *ipso facto* democratic (Möllers 2008: 36). Many organisations and forms of participation may be important for democracy, but they are not automatically legitimised in a democratic way.

The people have acquired three new roles as *watchdogs, veto-wielders and judges*. People's sovereignty is predominantly exercised in forms which have not

been specified by constitutional rules (Rosanvallon 2008: 17). This new trend can sometimes further "de-politicisation", but in most cases political elites respond positively to the new demands. This position, which has been identified with a theory of deliberative democracy, has sometimes been heavily criticised. The trend for transforming democratic politics into a kind of science has been accused of demanding too much from citizens who lack the expertise to be "judges". This kind of democracy could even develop undemocratic traits, if powerful veto-players left the political process or actively abused it (Jörke 2011b: 174). The participation of citizens can sometimes also contribute to an elitist transformation of the political process, because the necessary resources for political participation, such as linguistic competence, self-awareness and information, can allegedly only be found in a minority of citizens (Walter 2009: 113). Sometimes this elitist aspect contributes to attempts to overcome certain weaknesses of democracy by promoting strong leading personalities (Ritzi and Schaal 2010: 13).

The new forms of participation are regarded by critics as compensation for the tendency towards de-democratisation (Blühdorn 2009: 42f). The new lower strata who, in the process of modernisation, lost their social support through neo-liberal reforms, tend to stop voting. On the other hand, participation is growing among winners of the modernisation process, who have found a new playground (Parkinson 2006). The degree of voluntary engagement is apparently dependent on the degree of social integration of a person. The capacity to participate is linked to special resources, such as competence in language, self-awareness and information. That is a reason why participatory democracy is superior to a mere civil society since, in the act of voting, each vote is equal in representative democracy—unlike the people operating in civil society. Representatives in democracy have the advantage of a double identity: they are "generalist" concerning the whole society, but at the same time have "special connection to a part of the society", organised in parties (Urbanati 2006: 58).

It is certainly too pessimistic to see a liberal civil society limited to a "free market" and "free small associations" (Walter 2009: 113f). The State and large organisations play an increasing role since neo-liberalism has been on the defensive during the "Euro crisis". The example of Germany has shown that the model of the free market is always dominated by large organisations when they avert strikes and negotiate compromises between trading partners. This happened most spectacularly in May 2012. Even in the USA President Obama managed astonishing regulations in the banking sector. The avarice of the banks and the counter-excesses of the "occupy movements" which mobilised against the banks will, in the long run, create a *new equilibrium between the state, big organisations, political institutions and civil mobilisation groups.* Even those authors who praise the occupy movement (Graeber 2012) look for compromises, such as the growth of the welfare state, big public property, shorter working hours and an increase in direct democracy. Even a Leftist author, such as Sahra Wagenknecht (2012: 12), who calls for "creative socialism", hardly sounds revolutionary but seems rather to have produced a catalogue of the propositions of the older Social Democracy. If new Leftist populist hypotheses are thrown into the discussion, they attract wide attention in political

disputes, even if only a small minority of commentators believes in what they discuss. But conventional political science has always considered democratic legitimation to be a mixture of parliamentary and cooperative forms of political action (Benz 1998: 201, 205). The parliamentary majority democracy has the disadvantage that the structures of interests are mostly reduced to dualist conflicts and territorially limited interests. Performance-based legitimation criteria are more successfully met through co-operative state activity than through traditional parliamentary democracy. Moreover, the importance of some interests is reflected more clearly in new forms of political negotiation.

The concept of "reflexive democracy" (Schmalz-Bruns 1995: 165) developed on the premise that different patterns of representative, direct-majoritarian and participatory-deliberative forms of organisation were institutionalised at different levels of society. By contrast, the neo-liberal concept, which views cooperation between State and society as a threat to democracy, has lost much of its influence, as has the overly close link between cooperation and parliamentary decisions (Benz 1998: 213–219). A complex combination of consensus democracy and majority democracy, parliamentary and cooperative decision-making structures, negotiation and competition among parties is called for. These concepts have largely overcome the talk about post-parliamentary democracy. They analyse rather the various spheres of democracy, as Michael Walzer (1992) has already successfully done.

This kind of compromise has the advantage that great changes to the Constitution are not required, because the transformation can be achieved through gradual, unspectacular adjustments to parliamentary democracy. Nevertheless, quite a few pessimists are still spreading their concerns about the future of democracy. Münkler (2012: 100f) is afraid that the parliament will be overshadowed by the executive, that clear options for solving problems are difficult to formulate and, even if they are formulated, the electorate will hardly understand the significance of these alternatives. Even the concept of the Pirates Party, with its "liquid democracy" is not considered to be a political possibility, because the citizens are ready to react as quickly as the Stock Exchange—but at a low level of competence. There are also fears of new social divisions between those who vote regularly and those who vote only occasionally. Some experts are afraid that non-government organisations could replace political parties and citizens' groups.

Hardly any analyst of democracy works against the existing constitutions. Therefore the possibility of a combination of various models of democracy has to be dealt with in an empirical way. Most empirical comparative scholars agree that the elements of direct democracy are desired in most countries. But not all variants of representative parliamentary democracy are equally open to inserting instruments of direct democracy into the system. Great Britain shows the lowest and Germany the highest degree of openness to direct democracy (Stoiber 2011: 365). Germany has the advantage of a many-sided federalist constitution, but has so far hardly ever used it at federal level.

Comparative political science normally adheres to the belief that democratic developments have a certain dependence on a "historical path" (*Pfadabhängigkeit*). Developments initiated in tune with an abstract-normative scheme for realising

democracy, have failed in most cases, even in the transformation process of authoritarian regimes after 1989/1990. The conversion of transformation theory to empirical reality possesses some advantages: it strengthens our scepticism concerning prognoses of *post-democracy*. Consequently some authors have become more cautious and speak only of "post-democratic change" (Blühdorn 2006: 72). After the decline of old models new forms of democracy always appear. Criticism of *post-democracy* has nourished uncertainty about the direction taken by the democratic system in recent decades.

The term *post-democracy* is not a universal remedy. The concept of *neo-democracy* should not commit the same mistakes as the theories of *post-democracy* or construct a fixed programme of development reaching into the future. The strongest case of "post-conceptual conceptions" was certainly Fukuyama's (1992) famous title of "post-history". Shortly after the alleged "end of history", there were new waves of historical innovations without precedent, such as the transformations in "post-socialism", and the revolutions in the Islamic world. No regional expert can boast of having published a correct prognosis in most of these cases. The eventual decline of the Soviet Union was predicted, but the reasons for it were mostly wrong, such as a war between Russia and China (Amalrik 1970) or a rebellion by the nations of the Soviet Republic (Carrère d'Éncausse 1979 cf. v. Beyme 2010). "Post-Soviet" as a term seems acceptable, because not even Putin envisages the restoration of the old Soviet Union. But even the term "post-socialist" will not meet with unqualified approval while some large parties continue to promote non-authoritarian forms of democratic socialism. Only with warning and without moralising (Jörke 2006: 44) does the use of such terms seem tolerable in empirical political science. In this reductive sense post-democracy mostly characterises a complex and contradictory mixture of democratic rule and the dominance of experts, State and private, national and global forms of governing. This approach excludes evolutionary prognoses. Even Crouch (2004: 107) has never gone so far as to predict the end of democracy, but instead sought an "authentic democracy" which differs considerable from the Anglo-Saxon historical models of democracy.

Within a few years prognoses about *post-democracy* became problematic, such as when the neoliberal paradigm was combined with pluralisation and fragmentation in the hope of creating a "post-democratic leadership democracyers" (Ritzi and Schaal 2010: 3). For some post-socialist systems, citizen surveys trevealed the spread of anomie and political disorientation which could lead to authoritarian subservience (Rathkolb 2011: 62). Latent authoritarianism and the spread of neoliberalism are not a good combination. Moreover even in the United States the spread of neoliberalism did not continue—not even in the new era of President Trump, whose political plans—if he actually has any—contain elements of the two contradicting principles.

The phases in the social sciences are strangely unrelated. The important late scholar Ulrich Beck (1993) tried to provide, through the notion of "reflexive modernisation", a concept to describe the self-transformation of industrial society, and he also dared to predict a change from the first age of modernity to a "second modern state". The classical unity of industrial society and modernity was thus

broken up. This change combined new forms of participation, greater demands for inclusion and an increase in the importance of "sub-political forms" of social actions (Grande 2008: 13). The need for simplification led to the notion of *neo-democracy*. In this vivid discussion the "democratisation of democracy" (Offe 2003) was no longer limited to participation. Growing catalogues were offered (Helms 2011: 15ff) such as enlargement of democratic participation and increased liberty for individuals, combined with growing equality and even the increased efficiency of government activities. Transparency and smaller demands were added by some authors, who saw progress in most areas of *post-democracy*. Some authors, however, feared the growth of clandestine authoritarianism. But the positive steps should not be ignored:

- At first sight the situation seems very serious and has sometimes been compared to the declining Communist German Democratic Republic,—even in the case of West Germany (Wagenknecht, cf. Chap. 1). Critically, in West European countries electoral participation decreased by 10% between 1960 and 2010. There has also been an increase in the proportion of elites—richer, older and more educated citizens—among electoral participants. The younger generation has turned to new forms of participation which are not always seen as progress (cf. Chaps. 2 and 3).
- Public support for the democratic order, however, has not experienced a decline, even if some smaller fluctuations need to be analysed. Citizens have, however, become less enthusiastic. In Germany's 2012 (Politbarometer II, 51% of citizens did not believe that a complete change of government would amount to an effective change in the way of governing. The latent grand coalition in the Merkel era was somehow internalised by many citizens. There was a certain hope in 2017 that the retirement of SPD leader Sigmar Gabriel and the rise of a new more vivid candidate, such as a representative from the EU Centre in Brussels, like Martin Schulz, would change the political climate for longer.
- The national sentiment of European countries as a legitimation has not really suffered from the trend towards globalisation. It has even increased since the rise of populist parties from Norway to Turkey and from Portugal to the Baltic States. Minorities among the parties have become more militant and promote their nation state increasingly against the EU (cf. Chap. 3).
- In spite of the recent wave of right-wing extremism andthe appearance of a new populist party, AfD, in comparison with other European nations Germany is still a country with a small membership of right wing parties. In the era of Chancellor Adenauer a famous anti-fascist, Fritz Bauer, worked from 1950 in the capital of neo-national socialists in Lower Saxony as General Public Prosecutor against right-wing extremism. Bauer became internationally famous through the case against the former general Remer, who humiliated the memory of former resistance-fighters against the Nazis. Bauer rehabilitated the resisters in 1952 in Brunswick. Nevertheless this epoch remained a kind of "State anti-fascism" with some trials and outlawing of parties. Later State institutions, such as the protectors of the constitution (*Verfassungsschutz*) and the police,

were less successful in the fight against neo-fascists. This encouraged citizens' initiatives to become active—a movement from the bottom in which even a small, normally sleepy city in Mecklenburg-Vorpommern successfully organised marches against neo-fascists. Although State and citizen organisations failed to prevent mob violence against migrants in Rostock-Lichtenhagen in 1992, the twentieth anniversary commemoration of the riots highlighted the need for vigilance in civil society.

- The postwar era favoured "corporative democracy"—strangely enough praised even by Colin Crouch—even though it largely ignored the problems of immigration and integration of foreign migrants into civil society. This situation was not fully addressed until Chancellor Merkel ratified a migration policy which largely accepted migrants and tolerated compromises such as the building of Mosques and the circumcision of Islamic and Jewish children. *Citizenship* became a term which was meant to unite the groups with opposing interests in an increasingly heterogeneous civil society. However, dimensions, such as collective identity, political membership, social rights and duties increasingly diverged among the groups. Benhabib (1998) viewed social ruptures as innovative, declaring them to be a fundamental human right which was meant to cover "entry" and the search for a political community and "exit", self-exclusion as a moral right, though not as a legal right which could be implemented by courts of justice. Even Walzer (1983: 83) early discovered that emigration and immigration rights are asymmetrical. In a legal state there is no obstacle to emigration, but the right to immigrate does not necessarily exist. This was most apparent in the case of the Sinti and Roma. Since the integration of their chief homelands, Romania and Bulgaria, in the European Community, they have been allowed to move freely around Europe. But their access is limited in most countries. Even Germany has sometimes dissolved their camps as "illegal occupation of territory".

- Benhabib (1998: 245, 247) once vehemently contradicted the thesis which was spread by Walzer. The basic human right to immigrate into another country was defended under the condition that immigration does not entitle any immigrant to political membership in the guest country. After reunification Germany was accused of refusing to accept immigrants and asylum-seekers. The reason for this negative attitude was said to be the pretext that immigration has negative impacts on the national standard of living—a hypothesis which was declared incorrect by quite a few specialists. Restrictions against immigrants exist in most European countries and vary according to the economic situation of the country. The measures in European countries vary considerably. The Netherlands originally believed that they were more progressive in his matter than Germany. After some years, however, Germany became more open to migrants than Holland. In the meantime even strange measures near the borders are applied in the Netherlands. Foreign tourists no longer have the right to buy in shops selling drugs.

- In spite of these repressions the equalisation of women and homosexuals has made considerable progress in most European countries.

- Some theoreticians in the field of democracy have not found a strong relationship between democracy and redistributions in favour of socially weak strata of society (Shapiro 2003: 150). Empirical research on politics found heavy problems in the political system, but these did not amount to a crisis of democracy in the respective country, since most countries which suffered from particular crises, such as Great Britain, the Netherlands, Denmark and Sweden, after a while found solutions which could be called "fitting the pathways in overcoming the crises" (Scharpf 1998: 99).

Comparative studies found 22 typical weaknesses in democracies from conflicts between liberty and equality to errors in the democratic pathways. Schmidt (2010: 464, 506), who proclaimed a "realistic theory of democracy", confessed to "cautious optimism". A voluminous study on the "Performance of Democracy" (Roller 2005: 268ff, 280) falsified some of the normal hypotheses on the efficiency of Western democracies. A detailed comparison of economic and social policies proved the development of certain improvements. Other areas such as environmental policies remained at least stable. The developments were far from being unified. Overwhelming progress occurred in the USA and in Germany, but backlashes could not be ignored in Ireland and Southern Europe. Nordic welfare capitalism proved highly efficient. This was sometimes seen as a consequence of the predominant rule of Social Democratic parties, but other countries without such a Leftist domination, such as Japan and Switzerland, also demonstrated the capacity to progress well.

The USA has sometimes been characterised as a negative model. Nevertheless there have been greater improvements in the social system than in the average democracy. The relationship between increased efficiency in a field of social action and reforms in the democratic institutions proved to be so complicated that it was not easy to generalise. This is one of the reasons why the relationship of two variables could not be held responsible for a particular success. Not all attempts at institutional reforms in democracies have proved to be successful and independent based on the fact that they fitted into some theoretical hypotheses.

Despite some positive developments which have been ignored in the conversation about *post-democracy*, a couple of negative social and political trends should not be ignored. They are largely the consequence of increased power in the economic sector compared with the political system. Globalisation and a certain dominance of neoliberal concepts of the economy have caused quite a few new conflicts which have been stopped in the period of what has been called *post-democracy* (Crouch 2011: 62). A variation of neo-Keynesianism is increasing. The progress in political systems is so decisive that even classical welfare states admit that the gap between the poor and the rich sections in civil society has increased.

The main problem of democracy in Europe for the moment is a *crisis of the Euro currency*. Necessary counter-measures against this trend, such as Eurobonds and actions against the greediness of international corporations and taxes against speculations and evading national taxes, have been discussed. But few effective measures have been agreed upon by all European countries. One hope was further

unification in the "United States of Europe". Since Brexit and the anti-European trends in populist movements in France, Poland, Hungary and many other countries, these hopes remain restricted to intellectual experiments among the elites (Limbach 2012: 28). A certain fear against the possible leadership of Germany is limiting the enthusiasm for a radical institutional concept in Europe. Middle roads, such as the development of a loose confederation and a more effective regulation of the economic actors, are current hopes in the crisis of the European Union.

Despite the growing indicators of an impending democracy crisis, the hypothesis of a general crisis has been relegated to the realm of myths since David Easton's system theory. The drawback of empirical analyses seems to be the limited time-frame of most quantitative studies. Moreover, the definition of crisis is changing over time. Factors such as rising expectations due to increased knowledge have to be considered. Increased knowledge also leads to more negative reactions to political events. The aspirations of citizens have risen considerably. Governments and the media have responded to these changes by providing greater transparency and more information. The spread of democratic aspirations is no longer criticised by most citizens and this strengthens the development of democratic governments (Norris 2011: 221, 224, 241ff).

Democracy and the rule of law have to be kept in balance for neo-democracy to develop advantageously. The Weimar Republic has taught the lesson that, in spite of a considerable legal tradition in Germany since the nineteenth century, authoritarian movements are capable of undermining democracy and the rule of law. Nonconsolidated new democracies, such as Russia, have tried to strengthen their democratic institutions and laws. However, after a promising beginning, newly adopted Western systems of constitutional justice were largely undermined by Putin (v. Beyme 2002, 2016). *Consolidated democracies* are considered to be successful when two important factors help citizens feel safe: being at peace both internally and with international neighbours (Höffe 2009: 310). This seems to be one of the reasons to share Schmidt's (2010: 490ff, 506) "careful optimism" concerning the stability of democracy in his voluminous book on the subject.

The notion of *neo-democracy* comprises—like the neo-movements in art history—an enormous number of variations. Evolutionary three-stage models—from "Pre to Post"—have not always been successful in the history of political ideas. Cyclical patterns, as offered by Keane (2009) in *Life and Death of Democracy*, are of even less prognostic value. Recent research has found that the concept of democracy is increasingly losing its reputation (Buchstein 2011: 60). The starting point of earlier theoreticians, such as John Dewey, was the assumption that democracy and relativism were closely related. Vehement critics of this premise convincingly advocate the hypothesis that an objective side of democratic development is inevitable in order to measure the results of reforms and corrections in democratic systems (Möllers 2008: 44f). optimists are promoting a "new social contract" which facilitates a new model of politics with increasing public interest in political affairs. There has also been talk about a "postmodern modernity" which is going to reinvent itself (Embacher 2009: 129). Despite his pejorative notion of *post-democracy*, Crouch (2008: 31) envisages an abstract model of democratic

innovation. A "new discovery of democracy" has also been prophesied by other authors (Richter 2008).

My personal terminological proposal of a *neo-democracy* contains several elements which offer hope for a renewal of democracy, although the term *neo-democracy* may—like the term *post-democracy* initially struggle to be accepted by most scholars. General notions can hardly embrace all the elements which have been classified in Schmidt's (2010) voluminous study. However, there is much to be said in favour of *post-* or *neo-democracy*. Probably the term *neo-democracy* will be attacked in the same way as the notion of post-democracy, though, verbally, it already contains more optimistic expectations for revitalising and reforming democratic societies. Developing democracies are already noticing improvements in their infrastructure and traffic systems, health care and education systems.

However, no sooner did political theory discover positive elements in its research into democracy than new dangers appeared, such as populism under the guise of increased democratic participation. Nevertheless, the recent populism undoubtedly offers some incentives for new models of participation which are compatible with representative democracy, something not previously favoured by most populists. Increasing interest and participation in politics will hopefully lead to the development of positive trends in *neo-democracies* of the future.

Institutions of democracy are frequently defined by the routine way they are used by citizens without any requests for their legitimisation (Jesperson 1991: 149). Rational choice approaches have strengthened this type of perception. Political actors have different options. Their importance has changed over the course of different political cycles:
   used by citizens in a routinized way without asking for their legitimisation

- In the early 1970s the slogan "dare more democracy" was popular. An almost euphoric debate on the direction of politics became the democratic equivalent of *socialist utopias*.

  – When the economic boom collapsed in the mid-1970s the theoretical euphoria disappeared. The failure of well-intentioned government policies led to the theoretical restriction of "path-dependent reforms" (*Pfadabhängigkeit*). Politicians had to realise that there could be no choice about the intended reforms. Most nations wanted to continue along the path of development which was rooted in their history. Instead they had to identify the viable "restricted corridors of action"—for instance, the limits of reform in a federal state as long as the German inclination for "political interrelations" (*Politikverflechtung*) dominated on various political levels without the type of state-centralism prevailing in France.

- *Autopoietic theories in the 1980s and 1990s* ultimately pleaded for self-limitation of the inclination to instigate political reforms. They also pleaded for self-limitation of the governmental will to reform the state. "Self-steering of the subsystem" developed into a new option. The State was restricted to the role of supervisor. Thus, the focus of reform ambitions was changed again: the

theory of legislation still put the emphasis on the central institutions of the State, such as Parliament as the "institutional seat of people's sovereignty". But this view did not apply to the administration and other implementing institutions. For the executive power decentralised self-steering was seen as more successful on many levels.

Reform "politics" and "policies" ceased to follow an old-fashioned voluntarism which did not respect the differences of time and history. Reforms were regarded as having their own period. The German poet Gottfried Benn had already expressed the dilemma of politics: "Bad politics—easy to say—for one year, for ten years or for hundred years?" Even a good reform can develop bad consequences in the long run. Often this insight has been applied to "co-determination" in the economic sphere. Many amendments to laws or even bigger reforms can neglect the factors of time and accommodation. Frequent reforms of the electoral law in Italy and France during the Fifth Republic have shown this. If constitutions are frequently changed this might delegitimise them, as was the case in France in the nineteenth century. When a bookseller was asked for the French constitution, he answered: "I'm sorry, my bookshop does not sell periodical literature".

The appropriate time for meaningful reforms of democracy lies between the impatience of the individual who expects a career in a short time and the longer periods of "social time", for which politicians have to plan. Historians of the French school the *Annales* had already discovered the principle of "the uncontemporary elements of contemporary events". Political science has unfortunately not been prompt to incorporating the insights of a neighbouring discipline.

References

v. Alemann, Ulrich; Marschall, Stefan (eds.): *Parteien in der Mediendemokratie*. Wiesbaden, Westdeutscher Verlag, 2002.

Beck, Ulrich: Gegengifte. *Die organisierte Unverantwortlichkeit*. Frankfurt, Suhrkamp, 1988.

Behrendt, Hermann: *Die mandative Demokratie. Eine Realutopie*. Düsseldorf, Hanneli Hahn, 2011.

Bender, Christiane/Wiesendahl, Elmar: „Ehernes Gesetz der Oligarchie": Ist Demokratie möglich? *APuZ*, 44, 2011: 19–24.

Benhabib, Seyla: Democracy and Identity. In: Greven, Michael Th. (ed.): *Demokratie – eine Kultur des Westens? 20. Wissenschaftlicher Kongress der Deutschen Vereinigung für Politische Wissenschaft*. Opladen, Leske & Budrich, 1998: 225–247.

v. Beyme, Klaus: The Russian Constitutional Court in an Uneasy Triangle between President, Parliament and Regions. In: Sadurski, Wojciech (ed.): *Constitutional Justice. East and West*. Den Haag, Kluwer, 2002: 309–325.

v. Beyme, Klaus: *Von der Sowjetologie zur Transitologie. In: idem.: Vergleichende Politikwissenschaft*. Wiesbaden, VS Verlag, 2010: 90–114.

v. Beyme, Klaus: Representative Democracy and the Populist Temptation. In: Alonso, Sonia/Keane, John/Merkel Wolfgang (eds.): *Representative Democracy*. Cambridge, Cambridge University Press, 2011: 50–73.

Benz, Arthur: Postparlamentarische Demokratie? In. Greven, Michael (ed.): *Demokratie – eine Kultur des Westens*. Opladen, Westdeutscher Verlag, 1998, 201–222.

Bofinger, Peter/Habermas, Jürgen/Nida-Rümelin, Julian: Einspruch gegen die Fassadendemokratie. *FAZ*, 4 August 2012: 33.

Brodocz, André, Llanque, Marcus, Schaal, Gary S. (ed.): *Bedrohungen der Demokratie*. Wiesbaden, VS Verlag für Sozialwissenschaften, 2008.

Crouch, Colin: *Das befremdliche Überleben des Neoliberalismus*. Berlin, Suhrkamp, 2011.

Crouch, Colin: Kann der Markt moralisch sein? *Die Zeit*, Nr. 45, 2012a: 62.

Crouch, Colin: Europa sichert unsere Autonomie. *FAZ*, 15 August 2012b: 25.

Embacher, Serge: *"Demokratie! Nein danke?" Demokratieverdruss in Deutschland*. Berlin, 2009.

Fisahn, Andreas: *Herrschaft im Wandel. Überlegungen zu einer kritischen Theorie des Staates*. Cologne, Papyrossa, 2008.

Forst, Rainer: *Das Recht auf Rechtfertigung. Elemente einer konstruktivistischen Theorie der Gerechtigkeit*. Frankfurt, Suhrkamp, 2007.

Fukuyama, Francis: *Das Ende der Geschichte*. Munich, Kindler, 1992.

Fuchs, Dieter: Kriterien demokratischer Performanz in Liberalen Demokratien. In: Greven, Michael Th. (ed.): *Demokratie – eine Kultur des Westens?* Opladen, Leske + Budrich, 1998: 151–179.

Geddes, Barbara: What Do We Know about Democratization after Twenty Years? *Annual Review of Political Science*, 2, 1999: 115–144.

Gensicke, Thomas: Bürgerschaftliches Engagement in Deutschland. *APuZ*, No. 12, 2006: 9–16.

Graeber, David: *Inside Occupy*. Frankfurt, Campus, 2012.

Grande, Edgar: Reflexive Modernisierung des Staates. Zeitschrift für Public Policy, *Recht und Management*. 2008, issue 1: 7–28.

Greis, Georg (ed.): *Der gerechte Krieg*. Basel, 2006.

Habermas, Jürgen: *Faktizität und Geltung*. Frankfurt, Suhrkamp, 1992.

Habermas, Jürgen: *Zur Verfassung Europas*. Berlin, Suhrkamp, 2011.

Hayek, Friedrich August von: *Die Verfassung der Freiheit*. Tübingen, Mohr, 1971.

Hayek, Friedrich August von: *Die Anmaßung von Wissen*. Tübingen, Mohr, 1996.

Held, David: *Political Theory and the Modern State*. Cambridge, Polity, 1989.

Helms, Ludger: Demokratiereformen: Herausforderungen und Agenden. *APuZ* 44–45, 2011: 12–18.

Höffe, Otfried: *Politische Gerechtigkeit. Grundlegung einer kritischen Philosophie von Recht und Staat.* Frankfurt, Suhrkamp, 1987.

Höffe, Otfried: *Ist die Demokratie zukunftsfähig?* Munich, Beck, 2009.

Höpner, Martin u. a.: Erweiterung, Vertiefung und Demokratie: Trilemma der europäischen Integration. *FAZ*, 27 April 2012: 12.

Höreth, Marcus: Überangepasst und realitätsentrückt. Zur Paradoxie der deliberativen Demokratie in der EU. *Zeitschrift für Politikwissenschaft*, 19, 2009: 307–330.

Inglehart, Ronald: *Modernization and Postmodernization*. Princeton, Princeton University Press, 1997.

Issing, Otmar: Jeder muss sich selbst helfen. Der Plan einer politischen Union soll die Euro-Krise lösen – eine gefährliche Illusion. *Die Zeit*, No. 33, 2012: 23.

Jesse, Eckhardt/Sturm, Roland (eds.): *Demokratien des 21. Jahrhunderts*. Opladen, Leske & Budrich, 2003.

Jörke, Dirk: Warum ‚Postdemokratie'? *Forschungsjournal NSB*, vol. 19, 4, 2006: 125–129.

Jörke, Dirk: Bürgerbeteiligung in der Postdemokratie. *APuZ*, 1–2, 2011a: 13–18.

Jörke, Dirk: Demokratie als Ideologie. In: Otten, Henrique Ricardo; Schmidt, Julia (ed.): *Kritik als Leidenschaft. Vom Umgang mit politischen Ideen*. Bielefeld, Transcript, 2011b: 169–180.

Keane, John: *The Life and Death of Democracy*. London, Norton, 2009.

Kersting, Wolfgang: *Die politische Philosophie des Gesellschaftsvertrages*. Darmstadt, Primus, 1996.

Kersting, Wolfgang: *Theorien der sozialen Gerechtigkeit*. Stuttgart, Metzler, 2000.

Krück, Mirko/Merkel, Wolfgang: Soziale Gerechtigkeit und Demokratie. In: Aurel Croissant et al. (eds.): *Wohlfahrtsstaatliche Politik in jungen Demokratien*. Wiesbaden, VS, 2004: 85–110.

Kymlicka, Will: *Liberalism, Community and Culture*. Oxford, Oxford University Press, 1989.

Limbach, Jutta: Es gibt keine europäische Identität. *FAZ*, 27 August 2012: 28.

Merkel, Wolfgang: *Systemtransformation*. Wiesbaden, VS Verlag für Sozialwissenschaften, 2010, 2nd ed.

Merkel, Wolfgang: Die Krise der Demokratie als politischer Mythos. In: Bluhm, Harald et al. (eds.): *Ideenpolitik*. Berlin, Akademie Verlag, 2011a: 433–448.

Merkel, Wolfgang: Volksabstimmungen: Illusion und Realität. *APuZ*, 44–45, 2011b: 47–55.

Möllers, Christoph: *Demokratie. Zumutungen und Versprechungen*. Berlin, Wagenbach, 2008.

Mouffe, Chantal: „Postdemokratie" und die zunehmende Entpolitisierung. *APuZ*, 1–2, 2011: 3—5.

Münkler, Herfried: Lahme Dame Demokratie. Kann der Verfassungsstaat im Systemwett-bewerb noch bestehen? *Internationale Politik*, Mai/Juni 2010: 10–17.

Münkler, Herfried: Die rasenden Politiker. Vom absehbaren Ende der parlamentarischen Demokratie. *Der Spiegel*, 29, 2012: 109–101.

Nida-Rümelin: Mit der Wahrheit lügen. *Die Zeit*, No. 3, 2003.

Norris, Pippa: *Democratic Deficit. Critical Citizens Revisited*. Cambridge, Cambridge University Press, 2011.

Offe, Claus (ed.): *Demokratisierung der Demokratie. Diagnosen und Reformvorschläge*. Frankfurt, Campus, 2003.

Postdemokratie, ein neuer Diskurs? *Forschungsjournal NSB*, vol. 9, 2006: 2–5.

Rathkolb, Oliver: Neuer Politischer Autoritarismus. *APuZ,* 44–45, 2011: 56–62.

Rawls, John: *Eine Theorie der Gerechtigkeit*. Frankfurt, Suhrkamp, 1975.

Rawls, John: *Die Idee des politischen Liberalismus*. Frankfurt, Suhrkamp, 1992.

Richter, Emanuel: *Die Wurzeln der Demokratie*. Weilerswist, Velbrück, 2008.

Ritzi, Claudia/Schaal, Gary S.: Politische Führung in der "Postdemokratie". *APuZ*, 2–3, 2010: 9–14.

Roller, Edeltraud: *The Performance of Democracy. Political Institutions and Public Policies*. Oxford, Oxford University Press, 2005.

Rorty, Richard: *Der Spiegel der Natur. Eine Kritik der Philosophie*. Frankfurt, Suhrkamp, 1987.

Rorty, Richard: *Kontingenz, Ironie und Solidarität*. Frankfurt, Suhrkamp, 1989, 1992.

Rosa, Hartmut: Ideengeschichte und Gesellschaftstheorie. Der Beitrag der "Cambridge School" zur Metatheorie. *Politische Vierteljahresschrift*, 35, 2, 1994: 197–223.

Rosanvallon, Pierre: *Counter-Democracy. Politics in the Age of Distrust*. Cambridge, Cambridge University Press, 2008.

Schaal, Gary S./Heidenreich, F.: *Einführung in die politischen Theorien der Moderne*. Opladen, Barbara Budrich, 2006.

Schaal, Gary S.: Responsivität – Selbstzerstörerisches Ideal liberaler Demokratie? In: Brodocz, André et al. (eds.): *Bedrohungen der Demokratie*. Wiesbaden, VS Verlag für Sozialwissenschaften, 2008: 353–369.

Scharpf, Fritz W.: Demokratische Politik in der internationalisierten Ökonomie. In: Greven, Michael Th. (ed.): *Demokratie – eine Kultur des Westens?* Opladen, Leske, 1998: 81–103.

Schiffer, Sabine: Informations medien in der Postdemokratie. *APuZ*, 1–2, 2011: 27–32.

Schmalz-Bruns, Rainer: *Reflexive Demokratie. Die demokratische Transformation moderner Politik*. Baden-Baden, Nomos, 1995.

Schmidt, Manfred G.: *Demokratietheorien. Eine Einführung*. Wiesbaden, VS Verlag, 2010, 5th ed.

Sen, Amartya: *Ökonomie für den Menschen*. Munich, Beck, 2000.

Sen, Amartya: *Die Idee der Gerechtigkeit*. Munich, Beck, 2010.

Shapiro, Ian: *The State of Democratic Theory*. Princeton, Princeton University Press, 2003.

Skinner, Quentin: Meaning and Understanding in the History of Ideas. *History and Theory,* 8, 1969: 3–53.

Sommer, Michael, Spiegelgespräch: „Der Bürger wird entmündigt". *Der Spiegel*, 31, 2012: 72–74.

Steinweg, Rainer (ed.): *Der gerechte Krieg*. Frankfurt/Main, Suhrkamp, 1980.

Stoiber, Michael: *Die Qualität von Demokratien im Vergleich. Zur Bedeutung des Kontextes in der Empirisch- vergleichenden Demokratietheorie*. Baden-Baden, Nomos, 2011.

Sulik, Richard: Deutschland ruiniert sich. *Die Zeit*, No. 33, 2012: 11.

Urbinati, Nadia: *Representative Democracy. Principles and Genealogy*. Chicago, Chicago University Press, 2006, 2008.

Wagner, Thomas: *Demokratie als Mogelpackung. Oder: Deutschlands sanfter Weg in den Bonapartismus*. Cologne, Papyrossa, 2011.

Wagschal, Uwe: Folgt das Volk? Abstimmungsparolen als Instrument von Überzeugungs-strategien in Schweizer Volksabstimmungen. *Heidelberger Jahrbücher*, 52, 2008: 73–92.

Walter, Franz: *Im Herbst der Volksparteien?* Bielefeld, Transcript, 2009.

Walzer, Michael: *Spheres of Justice. A Defense of Pluralism and Equality.* New York, Basic Books, 1983. In German.: *Sphären der Gerechtigkeit*. Frankfurt, Campus, 1992.

Wir sind Europa. Manifest zur Neugründung der EU von unten. *Die Zeit*, 19, 2012: 45.

Zolo, Danilo: *Die demokratische Fürstenherrschaft. Für eine realistische Theorie der Politik*. Göttingen, Steidl, 1998.

About Heidelberg University

Founded in 1386, Heidelberg University, a state university of BadenWürttemberg, is Germany's oldest university. In continuing its time-honoured tradition as a research university of international standing, the Ruprecht-Karls-University's mission is guided by the following principles:

- Firmly rooted in its history, the University is committed to expanding and disseminating knowledge about all aspects of humanity and nature through research and education. The University upholds the principle of freedom of research and education, acknowledging its responsibility to humanity, society, and nature.
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- The disciplines taught at Heidelberg University encompass the humanities, the social sciences, law, natural sciences, and the life sciences, including medicine.
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Institute for Political Science (IPW)

The Institute of Political Science (IPW) at Heidelberg University is among the oldest political science departments in Germany. Beginning with the first seminar taught on the "Science of Politics" by Dolf Sternberger in 1947 and followed by the founding of the Institute in 1958, the Institute of Political Science has consistently been held in high regard. The same can be said of the sub-fields comparative analysis of political systems, German politics, and comparative public policy.

More recently, the Institute has been supported by the German Excellence Initiative as well as various programmes funded by the state of Baden Württemberg, which has greatly contributed to the expansion of the sub-fields comparative foreign policy and conflict research, modern political theory as well as international political economy and policy analysis.

The Institute's strong research profile is not only reflected by the *German Association for Political Science* (DVPW) rankings, but also by its members' involvement in numerous national and international research projects (funded, for example, by the German Science Foundation, Thyssen Foundation, VW Foundation, Bertelsmann Foundation, and EU research programmes). The researchers at the department have contributed to a wide array of diverse and internationally recognised publications. Currently, six full professors and around forty faculty members cover the core political science topics in their teaching and research:

- Empirical comparative democracy and autocracy research
- International comparative public policy and policy analysis (in particular labour market, energy, climate, sustainability, welfare state, and environmental policy)
- Analysis of decision making processes and state activities in the Federal Republic of Germany
- International and comparative political economy
- International security structures; security policy; and weapons of mass destruction
- History of political ideas and theories
- Institutional theory and urban studies
- Communal politics
- Justice theories and discourse

- Comparative analysis of political systems in the Global South, in particular Asia-Pacific, and in Western Europe
- Empirical analysis of intrastate conflicts and disputes in international relations
- Theories and empirical approaches to the study of political behaviours and attitudes.

Integrated into one of eleven national Excellence Universities, the IPW has been able to successfully combine outstanding research with excellent study conditions and a multitude of international contacts. The Institute is part of the Faculty for Economic and Social Sciences at Heidelberg University. Moreover, the Institute's second- and third-party funded research is embedded within the university's research environment, for example, the interdisciplinary group Field of Focus 4: Self-Regulation and Regulation: Individuals and Organizations and the Research Centre for Distributional Conflict and Globalization at the Faculty for Economic and Social Sciences.

The IPW is a member of the *European Consortium for Political Research* (ECPR). Its individual researchers are members of various national and international professional associations such as the *German Association for Political Science* (DVPW), *the American Political Science Association* (APSA), the *International Studies Association* (ISA), the *European Political Science Association* (EPSA), the *International Political Science Association* (IPSA), the *Midwest Political Science Association* (MPSA), etc. These associations offer students, doctoral candidates, and young academics numerous opportunities to expand their qualifications (e.g., at summer or winter schools) as well as to present their research at workshops and conferences.

The study of political science in Heidelberg covers all the core areas of the field: international relations, German and EU politics, political theory, comparative politics, policy analysis, and empirical research methods. Students get to know the full spectrum of topics and approaches to political science and are introduced to theoretical, empirical, and normative perspectives. Drawing on political science's theoretical claims, empirical foundations, and methodological instruments, the teaching at the Institute aims to equip students with the tools necessary to identify political patterns with the goal of generalisation. Such an approach not only fosters factual knowledge, but also requires a solid understanding of theory and methodological approaches. Students are moreover encouraged to address the normative foundations of politics as well. This demanding approach is what sets apart the study of political science from "politics" in general.

Each winter semester we accept around 140 new Bachelor's students majoring in political science. In addition, around 30 students start a minor in political science. We are able to accept 62 Master's students per year—two-thirds of which begin in the winter and one-third in the summer semester. A Master's of Education programme is currently under development that will replace the former teacher-training programme at the department. There are currently around 1050 enrolled students studying political science. In addition to the Bachelor's and Master's programmes, the Faculty of Economics and Social Sciences also offers a Ph.D. programme in

political science. Around 10–15 new doctoral candidates join the programme each year.

Apart from the large introductory lectures in the Bachelor's programme, most of the courses taught at the Institute have small class sizes. Undergraduates and graduate students benefit from the close proximity to current research at the department. The overarching goal of the degree programmes is to foster the theoretically grounded and methodologically sound analysis of complex issues and political ideas.

There are numerous working groups and student initiatives at the IPW, such as the *Heidelberg Institute for International Conflict Research* (HIIK), the *Forum for International Security* (FIS) and the Internet Governance Group as well as its student organisation. The Institute maintains a good relationship with the "Fachschaft Politik", a group representing the political science students in Heidelberg. Many of our former students remain connected to the department through the group *Alumni Scientiae Politicae*.

Source http://www.uni-heidelberg.de/politikwissenschaften/profil_en.html

About the Author

Klaus von Beyme (Germany) is Professor Emeritus of Political Science at the Faculty of Economic and Social Sciences of the University of Heidelberg. He studied Political Science, History, History of Art and Sociology at the Universities of Heidelberg, Bonn, Munich, Paris and Moscow (1956–1961). From 1961 to 1962, he was a Research Fellow at the Russian Research Centre of Harvard University and Assistant to Prof. Dr. Carl Joachim Friedrich. He obtained his doctorate (1963) and his habilitation (1967) from Heidelberg University. He was Full Professor of Political Science at Tübingen University (1967–1973) and at the University of Heidelberg (1974–1999). In Tübingen he was also the University's Rector for a short time (1971).

He was President of the *German Society for Political Science* (DVPW, 1973–1975) and of the *International Political Science Association* (IPSA, 1982–1985). He taught as Visiting Professor at *Stanford University* (California) in 1979, at the *École des Sciences Politique*s in Paris (1985), and at the *University of Melbourne*, in Australia (1989). He served as a member of the Research Council at the *European University Institute* in Florence (1983–1990) and the Board of the Commission for Research into Social and Political Changes in the New Federal States (1990–1993), and he is member of the *Academia Europaea* and of the *Berlin-Brandenburg Academy of Sciences*. He received many awards for his scientific achievements, including—Honorary Membership of the Humboldt University in Berlin (1995), the University Medal of the University of Heidelberg (1998), and an Honorary Doctorate from the University of Bern (2001). He was honoured with the Schader Prize (2008) and in 2010 he received an Honorary Professorship at Lomonosov University in Moscow. In 2012, at the 22nd World Congress of Political Science of the *International Political Science Association* (IPSA) in Madrid, he was awarded the Prize of the Foundation Mattei Dogan by the International Political Science Association for High Achievement in

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   Referring to his journalistic work, he reflects in his paintings the narrative strategies of modern media. Therefore he scans digital media for forgotten pictures and stories to reprocess them in an old fashioned analogue medium like canvas.

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