

Representative Democracy

Maija Setälä

I. The Change of the Meaning of the Concept of Democracy

In his famous book “Democracy and its Critics” (1989), Robert A. Dahl argues that, historically speaking, there have been two transformations of democracy. These transformations have brought about different models of democratic governance and different interpretations of the concept of democracy. By the first transformation Dahl refers to the emergence of the classical model of democracy in Greek city-states, most notably in Athens, that took place during the fifth century BC. The classical Athenian democracy was based on citizens’ direct participation in decision-making in popular assemblies, and the selection of certain public officials by a lot. Until the 19th century, the Athenian model epitomized the way in which the concept of the concept of democracy was interpreted. The second transformation refers to the emergence of modern representative democracy in nation states in the late 18th and in the 19th century. The modern interpretation of democracy evolved especially during the 19th century. The central feature of this conception is the popular election of the representatives who make political decisions.

In order to understand why the principle of representation has become such a key element in modern democracy, it is useful to point out two differences between the models of classical and modern democracy. First, the political units are different by their scale. Classical democracy flourished in small city-states, whereas modern democracies developed in nation-states with large geographical areas and populations of millions. For this reason, citizens’ direct participation in politics would involve enormous practical problems in the modern context. Second, citizenship is defined differently in classical and modern democracy. In the Athenian democracy, only a small proportion of adult males were citizens, and large segments of adult population (women, foreigners and slaves) did not have political rights. It has, indeed, been argued that the Athenian citizens were able to spend so much of their time and energy

in politics because they were to large extent freed from productive labor. In modern democracies, citizenship is defined inclusively so that at least in principle all adult males and more recently also females living in a particular geographical area have political rights. The inclusive definition of citizenship is based on a central idea of modern political thought, that is, the equal worth of individuals (Dahl 1989).

In sum, inclusive and large-scale democratic systems are not favorable settings for citizens' direct participation. However, new information and communication technologies may help to overcome some of the practical problems related to citizens' direct participation in politics. Despite of this, citizens' direct participation may still be challenged on the grounds that citizens lack the capacity and competence required in public decision-making. Capacity refers primarily to the time and energy people can invest in politics. Most citizens are busy with other businesses than politics and therefore their capacity for participation is limited. In the Athenian democracy, problems of capacity were partially solved by the fact that only a small proportion of adult population had political rights. This, exclusively defined, group of citizens could devote much of their energy and time to politics. Furthermore, there were forms of delegation of political responsibilities to public officials already in the Athenian democracy. However, as pointed out earlier, in classical democracy public officials were selected by lot, not by elections.

Competence refers to the decision-makers' ability to understand political problems, and thus to make "good" or "wise" political decisions. Modern societies can be characterized by complexity which sets high standards to the competence of decision-makers. This is due to technological development, but also economic and social complexity of modern, large-scale societies. The notion of capacity is in many ways related to the notion of competence, as it may be argued that people need resources, such as time and energy, to become more competent with regard to political issues. In sum, it may be argued that citizens' inadequate capacity and competence set restrictions to their participation in public decision-making and, for this reason, representation is necessary in modern democracies.

II. Political Equality in Deliberative Democracy

In addition to the pragmatic arguments pointed out earlier, the idea of representation may also be justified from the normative perspective of the theory of deliberative democracy. The basic normative idea of delib-

erative democracy is that political decisions should be based on public discussions among autonomous, equal and rational citizens. However, Warren (1996) has argued that citizens' "deliberative resources" are scarce. By this he refers to, not only issues of capacity and competence discussed earlier, but also citizens' opportunities to make autonomous choices which may be limited by their economic and other dependencies. In the rest of this article, it is argued that institutions and practices of representative democracy enable and encourage democratic deliberation among citizens' representatives.

It may be argued that the model of deliberative democracy follows directly from the ideal of political equality interpreted in terms as equal intrinsic worth of individuals. Political equality is a central idea in all conceptions of democracy. Classical democracy was already characterized by the equality of citizens, regardless of the fact that citizenship was defined in very exclusive terms. As pointed out earlier, the inclusive definition of citizenship characteristic to modern democracies follows from the normative ideal of the equal worth of individuals this ideal. However, the interpretation of inclusive citizenship is not entirely self-evident. One problematic element of the definition is that citizenship is defined on the basis of residence in a particular geographical unit, a state. In the current world of economic and ecological interdependencies, many political decisions have effects beyond state borders and many collective problems call for coordination between states. For these reasons, there have been debates on whether the nation state has become too small a unit for governance. Furthermore, it has been asked whether democratic citizenship should be defined in terms of those individuals who are affected by decisions rather than those individuals living in a particular geographical area (Zürn 2000).

In addition to the interpretation of inclusiveness, there are also other debatable aspects of the interpretation of political equality as equal intrinsic worth of individuals. For example, Dahl (1989) defines political equality in terms of citizens' equal opportunities to influence political agenda and decision-making. In practice, equal political rights, most importantly the right to vote and to stand as a candidate, are necessary for political equality in Dahl's sense. However, Dahl seems to admit that there are limits to the extent to which political equality can be enhanced by formal institutions such as political rights. At a more substantive level, political equality depends on social and economic factors because they have influence, for example, on the ability to organize collective political action.

Although Dahl's view of political equality may appear very appealing, it has certain problems from the normative perspective. The most problematic aspect is the view that the simple majority rule fulfills conditions of procedural equality in decision-making. Dahl refers to May's (1952) theorem, according to which the majority rule is the only decisive decision rule that fulfils the conditions of anonymity and neutrality. Anonymity means that all individual opinions are given equal weight in decision-making; and neutrality means that all policy alternatives are treated equally (May 1952). For example, Charles M. Beitz has pointed out in his book "Political Equality" (1989) that the simple majority rule may bring about unjust decisions just because it treats opinions and outcomes equally regardless of their contents. From this perspective, the anonymity and neutrality of the majority rule may not be as desirable properties as indicated in May's theorem.

It is a well-known problem that majority decisions may bring about outcomes that violate the basic rights and the vital interests of minorities. This being the case, the procedural equality of the majority rule may be in contradiction with the ideal of equal worth of individuals. Indeed, many liberal political thinkers have been concerned about "the tyranny of majority". The liberal cure to the problem of majority tyranny has been the institutionalization of individual rights and their constitutional protection from majority decisions, for example, by such arrangements as bicameralism and supermajority requirements. These kinds of arrangements protect the constitutional *status quo* in comparison with other policy alternatives, and thus they violate the condition of neutrality in May's theorem.

Beitz introduces an alternative interpretation of the concept of political equality which also involves a cure to the problem of the tyranny of majority. As the ideal form of democratic decision-making, Beitz puts forward a model of "complex proceduralism". If the liberal solution to the problem of majority tyranny violates the condition of neutrality, Beitz's complex proceduralism violates the condition of anonymity because it does not treat all individual opinions equally. Beitz's model does not involve the aggregation of individual preferences only, but also a process of public discussion in which all citizens are equally represented and in which all participants are motivated to find solutions acceptable to all. In the course of such a discussion, citizens' political demands and values are put forward and are weighed by such standards as their urgency. Through this kind of procedure, it is possible to make decisions that, in Scanlon's (1982) terms, are "reasonable" for all. Because reasonable

decisions should not hurt anybody's vital interests or basic rights, it may be argued that Beitz's complex proceduralism is compatible with the idea of political equality understood in terms of equal worth of individuals.

It may be argued that Beitz's complex proceduralism requires democratic deliberation in public decision-making. Theories of deliberative democracy are based on two distinct philosophical views on the normative standards applied in political decision-making, that is, Habermas's (e.g. 1996) theory of communicative action and Rawls's (1993) political liberalism. In Habermas's theory, the "validity" of normative claims depends on rational communication among autonomous and equal citizens. Democratic deliberation that resembles this ideal model communication and takes place in "public spheres" is the key to the legitimacy of political decisions. The normative model put forward in Rawls's political liberalism is very similar to Scanlon's theory of reasonable agreement mentioned in conjunction of Beitz's theory. In both Habermasian and in Rawlsian variants of deliberative democracy, democratic deliberation requires that those involved have to justify their political views to others. In other words, political decisions should be based on processes of mutual justification of policy views in which arguments are judged only by their merits. The term "merits" refers to three different notions: the correctness of factual claims, consistency of argumentation and finally the quality – validity or reasonableness - of normative claims presented.

III. Political Equality and Deliberation in Representative Democracy

To conclude, there seems to be a direct theoretical connection between the idea of political equality understood as equal worth of individuals and democratic deliberation. However, at a more pragmatic level it is useful to keep the ideas of political equality and deliberation distinct. Indeed, one of the most pressing problems in current political systems is how to combine citizens' equal opportunities to influence (political equality in Dahl's sense) on the one hand and processes of public justification of political views on the other hand. It seems that these normative goals may not be easily reconciled in modern, large-scale democracies. Table 1 illustrates these problems by showing how different forms of decision-making fulfill the conditions political equality in Dahl's sense and public deliberation.

Table 1: Public Deliberation and Political Equality in Dahl's Sense in Various Forms of Decision-Making

Public Deliberation			
		Yes	No
Political Equality in Dahl's sense	Yes	Deliberative experiments; Practices of representative democracy	Plebiscitary democracy
	No	Expert deliberation	Interest group bargaining

'Interest group bargaining' is a form of decision-making exercised in political systems with corporatist characteristics.¹ When interest groups are parties in bargaining, all citizens are not equally represented but only the members of these groups. In addition, bargaining must be distinguished from deliberation as a method of decision-making because the outcomes of bargaining are based on the power resources of parties involved, not on the merits of political arguments. 'Expert deliberation' refers to deliberative systems (e.g. expert committees) in which all citizens are not represented, but deliberators have been selected on the basis of their special expertise of the issue. These methods may be deliberative in the sense that decisions are made in discussions in which arguments are judged by their merits. However, because all citizens and their views are not represented, these deliberative procedures do not necessarily bring about "legitimate" or "reasonable" outcomes.

'Plebiscitary democracy' refers to systems which fulfill the condition of formal procedural equality in terms of people's participation or representation, but do not involve deliberation. Referendums, for example, give each voter an equal say in decision-making, but their deliberative character is debatable.² In general, all forms of secret voting pose a challenge to deliberation because they do not encourage public justification of political views. Finally, deliberative experiments fulfill both conditions,

1 So-called tripartite agreements among the labour unions, the employers and the state in Finland are an example of interest group bargaining.

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that is, political equality in Dahl's sense and public deliberation. Deliberative experiments refer to deliberative polls (Fishkin 1997), citizens' juries and other deliberative bodies involving citizens' participation. The important feature of these experiments is that the participants are selected as a random sample which guarantees equal probability for each citizen to be included in deliberations. However, deliberative experiments have not usually been decisive on the issues they have dealt with. In most situations, they have been considered as ancillary instruments that supplement the existing forms of representative democracy either by consulting the representatives or enhancing civic education.

Furthermore, traditional forms of representative democracy involve many practices that combine political equality and public deliberation. Henry S. Richardson (2002) uses the term "the division of deliberative labour" to describe the fact that in modern representative democracies the work of public deliberation is largely delegated to the elected representatives. According to Richardson, democratic autonomy requires that there are representative forums for "reasoning about the ends of policy". In these forums, all citizens and their political views should be equally represented. Of course, the electoral system has impact on how well citizens' views are represented in deliberations among the representatives. In this respect, proportional electoral systems may provide a better representation of all political viewpoints than majoritarian systems. It is argued that proportional systems may provide a 'microcosm' of the whole electorate, that is, a group of representatives who resemble the voters by their relevant characteristics and, consequently, their political views. Representative institutions involve different forums for public deliberation, such as parliamentary plenary sessions and committee meetings. Among the elected representatives, certain institutional rules such as the legislative rules of procedures guarantee that all representatives have equal rights to voice their opinions.

IV. Accountability and the Publicity of Parliamentary Work

Representative democracy is not, however, only about deliberation among the representatives who reflect the views of the whole citizenry. If this were the case, representative bodies would work very much in the similar manner as deliberative experiments involving randomly selected citizens. Deliberations at the parliamentary forums are, however, rather different from those in deliberative experiments. In fact, different institutions enhancing *accountability* may be regarded as the central

characteristics of representative systems. In representative democracies, accountability refers to different forms of public oversight over the representatives. In terms of deliberative democracy, accountability means, not only public scrutiny of policies and policy-makers, but also the requirement of public justification of policy choices.

In representative democracies, accountability takes place at two levels. First, it refers to government's accountability to legislators; and, second, to legislators' (government's) accountability to citizens. Accountability of governments means that these are expected to justify their policies at the legislative forum. Institutionalized forms of legislative control, e.g. legislators' access to governmental documents, are prerequisites for this type of accountability. More generally, principles and institutions of *parliamentarianism* enhance deliberative accountability. The most central principle of parliamentarism is the requirement that governmental policies must be supported by the majority of the elected representatives. This requirement, as such, encourages governments to justify their policies in order to reach the support by the majority of legislators. The principle of parliamentarianism is further enforced by such institutions as interpellations and parliamentary questions that make governments to justify their policies.

The notion of accountability also refers to the elected representatives' accountability for the electorate. In terms of deliberative democracy, this means that the representatives in both legislatures and governments are expected to justify their views for the public. The institutional prerequisites for this type of accountability are, first, the publicity of decision-making and, second, elections as *ex post* mechanisms of challenging governmental policies. Political competition among candidates and parties is needed to provide alternative views that challenge governmental policies. Of course, the central idea of representation is that citizens do not need to scrutinize their representatives' actions all the time. However, as Warren (1996) points out, representative institutions should provide opportunities for "discursive challenges" on issues that are important and politically contentious. The terms "discursive challenge" refers to public debate on policies and the public challenge of the views and policies pursued by the representatives. Electoral campaigns are central forums of discursive challenges, but so are also referendums held *ex post* (Setälä 2006).

As pointed out above, the publicity of representative decision-making is a pre-condition for the representatives' accountability for the citizens. Citizens need information on decision-making in order to make judge-

ments on their representatives' views and the justifications given to them. In addition, as Bentham (1791) already pointed out, publicity is needed for the development of citizens' competencies of making political judgments. Publicity of decision-making is also likely to set constraints on the argumentation and the behaviour of the representatives. Elster (1998) has analysed the constraints created by publicity more in detail. According to Elster, when arguing in public, the representatives cannot appeal to their own interests because justifications based on speakers' own interest would not be convincing to the audience. Therefore, the representatives need to appeal to generalizable principles that are acceptable to the public at large. When doing this, it is also likely that the representatives cannot pursue policies that would benefit themselves only. Furthermore, publicity sets requirements of consistency. Once the representatives have appealed to generalizable principles in public, they cannot publicly deviate from them without appearing opportunistic. Because of public voting at legislatures, it is likely that there are constraints of consistency also between representatives' argumentation and voting.

However, the publicity of decision-making does not necessarily create the kinds of constraints depicted above. In many cases, the representatives may not appeal to the public at large, but only to particular segments of society and their particular interests. When the representatives appeal to particular groups, publicity may in fact decrease the representatives' capacity to listen to arguments of the other sides of the conflict and to judge arguments by their merits. In justifying their own positions, it may become more important for the representatives to appear as efficient agents pursuing particular interests rather than appeal to principles acceptable to all segments of society. In these situations, the publicity of decision-making may decrease the chances of deliberation among the representatives. The deliberative types of constraints are created only if the representatives have to appeal to all segments of society or, alternatively, they address to deliberative publics that are ready to judge political arguments by their merits. Because from the deliberative perspective the current representative systems may enhance "wrong" types of constraints and accountability, secrecy may be justifiable in some contexts of representative decision-making. For example, secrecy of committee discussions may help genuine exchange of views. Secrecy may, however, also enhance bargaining in which parties' power resources are reflected. For this reason, there should be a balanced combination of publicity and secrecy in representative decision-making.

The above analysis shows already that different forms of democratic

deliberation characteristic to representative democracy are not necessarily easily combined. Mechanisms of publicity and accountability may, indeed, hinder deliberations at representative forums. Furthermore, governmental accountability which requires the support by the majority of legislators encourages party discipline. Party discipline, in turn, is likely to prevent deliberations at the parliamentary arena, especially at parliamentary plenary sessions. Parliamentary discussions that precede voting are likely to become a show rather than real exchange of policy views as the representatives' votes have already been determined in party-group meetings behind the closed doors. However, the impacts of party discipline may not be entirely negative from the deliberative perspective, either. Indeed, party discipline may help to clarify policy alternatives to voters at elections, and it may also encourage intra-party deliberations among party members.

V. Concluding Remarks

To sum up, it has been argued that deliberative democracy may be regarded as the best model of political decision-making if the equal worth of individuals is held as the normative ideal. In practice, deliberative democracy requires political equality in Dahl's sense and forums for public deliberation in which the merits of political arguments are judged. Furthermore, it has also been argued that representative institutions enable and enhance democratic deliberation. However, a closer look on the practices of representative democracy shows that certain forms of democratic deliberation may be, if not completely incompatible, at least hard to reconcile in representative institutions.

As far as normative ideals of deliberative democracy are concerned, the mechanisms of representative democracy have never worked perfectly. However, there may be certain tendencies that have weakened the deliberative mechanisms in representative democracy in recent decades. One of these tendencies is the growing technological complexity of political problems. The complexity of political problems raises the demands of expertise in decision-making. This, in turn, tends to strengthen the position of bureaucrats who have more expertise and a better access to expert information than elected representatives. Another tendency that weakens deliberative mechanisms of representative democracy is the expansion of the scale of political problems. As a consequence of increasing numbers of political problems requiring coordinated action by states, the need for supranational decision-making increases.

Supranational decision-making is usually based on intergovernmental negotiations (Dahl 1999). Intergovernmental negotiations tend to take place behind closed doors which means that there are no such forums for public justification of policies as parliaments. However, increased publicity, as such, would not be a cure for the problems of democratic deliberation at the supranational level. The parties involved in negotiations, that is, national representatives, are accountable for and constrained by their national electorates only. For this reason, their primary role is to promote national interests. In fact, governmental accountability at the national level may be a hindrance for deliberations and the achievement of “reasonable” or “legitimate” decisions in intergovernmental negotiations. This may be one of the reasons why, for example, the EU decision-making is to large extent insulated from popular influence (Mair 2005).

As nation states have become too small units for the solution of many political problems, there seems to be a need for the development of new forms of supranational democracy. Dahl (1989) discusses the prospects of the “third transformation of democracy” which would refer to the emergence of democratic governance at the supranational level. However, as far as supranational decision-making is concerned, the combination of formal procedural political equality in Dahl’s sense and public deliberation becomes increasingly difficult. Supranational democracy would, essentially, require large modifications of the concept of democracy. Some might even argue that the talk about supra-national democracy has been so far nothing else but concept-streching.

VI. References

- Beitz, Charles R. (1989): *Political Equality*. Princeton University Press, Princeton.
- Bentham, Jeremy (1791): *Political Tactics*. Edited by Michael James, Cyprian Blamires, Catherine Pease-Watkin. Clarendon Press, Oxford, 1999.
- Dahl, Robert A. (1989): *Democracy and its Critics*. Yale University Press. New Haven and London.
- Dahl, Robert A. (1999): Can International Organizations be Democratic? In Ian Shapiro & Casiano Hacker-Cordón (eds.): *Democracy’s Edges*. Cambridge University Press, Cambridge, 19-36.
- Elster, Jon (1998): *Deliberative Democracy*. Cambridge University Press, Cambridge.
- Fishkin, James S. (1997): *The Voice of the People*. Yale University Press, New Haven & London.
- Habermas, Jürgen (1996): *Between Facts and Norms*. The MIT Press, Cambridge, Mass.

- Mair, Peter (2005): Popular Democracy and European Union Polity. *European Governance Papers (EUROGOV)* No. C-05-03, <http://www.connex-network.org/eurogov/pdf/egp-connex-C-05-03.pdf>.
- May, Kenneth O. (1952): A Set of Independent Necessary and Sufficient Conditions for Simple Majority Decision. *Econometrica*, 20, 680-684.
- Rawls, John (1993): *Political Liberalism*. Columbia University Press, New York.
- Richardson, Henry S. (2002): *Democratic Autonomy*. Oxford University Press, Oxford.
- Scanlon, T. M. (1982): Contractualism and Utilitarianism. In A. Sen and B. Williams (eds.): *Utilitarianism and Beyond*. Cambridge University Press, Cambridge, 103-128.
- Setälä, Maija (2006): On the Problems of Responsibility and Accountability in Referendums. *European Journal of Political Research*, 45, 5, 701-723.
- Warren, Mark E. (1996): Deliberative Democracy and Authority. *The American Political Science Review*, 90,1, 46-60.
- Zürn, Michael (2000): Democratic Governance Beyond the Nation-State: The EU and Other International Institutions. *European Journal of International Relations*, 6, 183-221.