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## INTRODUCTION

# Creative Crises of Democracy

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However grave the indictment that may be brought against democracy, its friends can answer: "What better alternative do you offer?" [...] Hope, often disappointed but always renewed, is the anchor by which the ship that carries democracy and its fortunes will have to ride out this latest storm as it has ridden out many storms before.

James Bryce, 1921<sup>1</sup>

One of the most striking aspects of democracy to the modern eye is its remarkable resilience in the face of challenges. Democracy has a great potential for renewal and adaptation to new circumstances. When a certain constituency introduces democracy, it tends to grow much attached to it, and abolishes it only under immense pressure. Crises in the historical journey of democracy, which as we know from the bitter experience of the twentieth century can turn out catastrophic, can also breed renewal, leading to the reinvigoration and enrichment of the inventory of democratic possibilities and practices.

This issue of resilience is not merely an academic question: now, twenty years since the collapse of communism, the discourse of democratic crisis is all-pervasive. Shortly after 1989, democratic triumphalism dominated for a time and, although not entirely fairly, has remained associated with Francis Fukuyama's "End of History" thesis.<sup>2</sup> Although there was some awareness back then that the rational had not necessarily become reality, there were great hopes that liberal democracy would conquer the world by force of sheer reason. Nonetheless, there was unease about the future too. Leszek Kolakowski immediately warned

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<sup>1</sup> Bryce, James, *Modern Democracies*, London, Macmillan, 1921.

<sup>2</sup> Fukuyama, Francis, "The End of History?", *The National Interest*, Vol. 16, 1989, pp. 3-18.

against taking potential threats to democracy too lightly: the growth of nationalism, theocratic aspirations in Islamic countries, and the potential for international terrorism to lead to undemocratic measures were matters requiring vigilance. Most importantly, Kolakowski believed that the limits to economic growth, combined with a mentality of endless expectations, were bound to cause bitter disappointment, especially in the West. He foresaw frustration and aggressiveness being among the possible reactions of a citizenry confronted with such unwelcome challenges. "It is hard to predict what ideological expression or other channels this frustration might find, but in order to tame it and prevent society from plunging into chaos or falling prey to a lawless tyranny, it is likely that many undemocratic restrictions will be needed."<sup>3</sup>

The current academic industriousness concerning a contemporary "crisis of democracy" has its background in the developments detected by Kolakowski. Concerns about the performance of democracy have become manifest and have intensified. The crisis is linked to processes of globalization, the democratic deficit of both national representative democracy and the European Union, and sociological developments, with an impact on patterns of participation. Globalization is said to be bringing about a decline in the quality of democracies worldwide and making effective popular influence on government impossible; and the preoccupation with populism and attempts at expanding forms of direct democracy have their roots in doubts about representative democracy. In some ways, this renewed emphasis on representation and participation echoes the previous critical evaluation of democracy in the 1960s, especially as regards the renewed emphasis on representation and participation. However, the tendencies summed up by Kolakowski make for a radically altered situation, pointing to the recurrence of discourses of crisis within different historical circumstances.

## **Recurrences and Resilience**

This volume offers a critical evaluation of this and previous discourses of crisis in democracy by proposing a different way of approaching these crises: a perspective of creativity. Some historical examples may elucidate this point. When the Peloponnesian War was approaching its conclusion, Athenian democracy experienced a period of upheaval. Dissatisfaction with democracy had grown among aristocrats, leading to two oligarchic coups in 411 and 403 BC. When in the latter case the Thirty Tyrants were ousted from power within the year, a reform of democracy was undertaken comprising an extension of the

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<sup>3</sup> Kolakowski, Leszek, "Uncertainties of a Democratic Age", *Journal of Democracy*, Vol. 1, No. 1, 1990, pp. 47-50.

franchise and a limitation of the position of the Areopagus, the traditional court of appeal.

Athens, however, continued its fall from hegemony in the Greek archipelago, which resulted in swelling critiques of democracy. Rhetorician and philosopher Isocrates lamented the degeneration of democracy, arguing for democratic renewal: the present democracy led citizens to see “lawlessness as liberty, insolence as democracy”.<sup>4</sup> The Areopagus would have to be restored, and

[m]oreover, they considered this constitution to be more populist (*demotikoteros*) than that which is based on the casting of lots. In the latter, fortune governs, and often those who desire oligarchy are appointed to receive the offices, while in one based on the selection of the best, the people have the authority to choose those who are most devoted to the current constitution.<sup>5</sup>

Isocrates’s aristocratic discourse of crisis stayed within the confines of democratic debate. As a rhetorician, freedom of public opinion was crucial to him. He did not want to replace democracy with something drastically different, as Plato had done in his *Republic*, proposing the philosophers’ state as an alternative to a democratic one. Abolishing democracy would have destroyed Isocrates’s own *raison d’être*. Instead, the crisis he detected should, he argued, lead to a reinvention of democracy. Thus Plato and Isocrates exemplified two ways of approaching a perceived crisis of democracy: Plato concluded his criticism of the problems that oligarchy and democracy had, he believed, left behind by formulating a utopian alternative, whereas Isocrates represents an attempt to see the crisis of democracy in terms of renewal or regeneration.

However poor these illustrious observers thought the state of democracy to be, the democratic regime after those two crises weathered the storm and prolonged its existence until Alexander the Great intervened in 336 BC. Even then, every time the city-state had the chance it tried to reinstate its traditional form of government. Crises of democracy ultimately tend to be crises *in* democracy.

When Alexis de Tocqueville travelled around the United States in the 1830s he greatly admired how the Americans had organized their government. He was struck by the way the possibility of a crisis had been built into the republican system by the Founding Fathers: checks and balances would be constantly needed to counteract the possible lapse into dictatorship or oligarchy. Nevertheless, the president at the

<sup>4</sup> Isocrates, “Areopagiticus”, in *id.*, *Works*, Vol. 1, Austin, University of Texas Press, 2004.

<sup>5</sup> Isocrates, “Areopagiticus”, §23, p. 188.

time, Andrew Jackson (1829-1837), founder of the Democratic Party and the first president chosen by mass suffrage, believed that the lapse into oligarchy had already taken place. His populist campaign against the National Bank, led by New York notables, was a huge success. Jackson accused them of having betrayed the virtues of the Revolution and of having reintroduced aristocracy. He vetoed the extension of the licence granted to the National Bank of the USA, which plunged the country into a deep economic recession. Daniel Webster vituperated in a Senate speech against Jackson's demagogic rhetoric of crisis: "It raises a cry that liberty is in danger, at the same moment when it puts forth claims to power heretofore unknown and unheard of. It affects alarm for the public freedom, when nothing endangers that freedom as much as its own unparalleled pretenses."<sup>6</sup>

The combination of mass suffrage with crisis rhetoric was no mere coincidence. Since the dawn of mass democracy, fears about the survival and performance of democracy have constantly accompanied the growing conviction that it is indisputably the ideal regime. Crisis narratives could be anti-elitist, as Jackson's was, but also the other way round, as Webster's reaction shows; a phenomenon altogether more common in the European case. At the end of the nineteenth century, the rise of mass movements was perceived as a crisis of the representative democratic regime as liberal political elites understood it. However, it was exactly this critical moment that enriched the democratic repertoire, exhorting new creativity from politicians and intellectuals in dealing with the novelties of mass democracy, developing styles and practices adequate to the situation. The democratic culture of Americans in the 1830s and of Europeans later in the century was enriched by these challenges, perceived by some as disasters in their own time.

After the introduction of universal suffrage in Europe, parliamentary democracy appeared to be completed and threatened at the same time. Many parliamentary democracies seemingly failed to cope with social and economic problems. Some even collapsed and were replaced by dictatorships in the 1920s and 1930s. Intellectuals and politicians were deeply perplexed by this first major systemic challenge to the mass democratic system, and many commentators lamented this "crisis of democracy". One reaction of course was to abolish democracy and replace it with the authoritarian alternatives so in vogue at the time; much more interesting, however, was the attempt to improve the demo-

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<sup>6</sup> Webster, Daniel, "Veto Message of President Andrew Jackson on Returning the Bank Bill to the Senate with his Objections, July 1832, Together with the Speech of the Hon. Daniel Webster, Relative to the Same", in *id.*, *The Papers of Daniel Webster. Series 4: Speeches and Formal Writings*, Charles Maurice Wiltse (ed.), Hanover, NH, University Press of New England, 1988, Vol. 1, pp. 502-529.

cratic system by shaking its foundations in a constitutional sense, and by strengthening its potential to resist encroachments from anti-democratic forces.

Reformers wanted to correct the perceived flaws of democracy in order to make the system more efficient and to enable it to energetically solve the social and economic problems of the time. Popular suggestions, advocated across the board, centred on creating stronger leadership and more “organic”, functional, or corporatist forms of representation. Due to the broad dissemination of the crisis discourse, fascists were not alone in arguing for those reforms. Catholic parties, for example, called their suggestions “true democracy”.

In addition, politicians and intellectuals came up with a wide range of measures to cope with the negative side effects of mass politics and class conflict. Fear of revolution was in the air everywhere. All across Europe, democracies tried to repress political extremism by curbing political rights and excluding radicals from parliaments and the public sphere. The German political scientist Karl Loewenstein, who surveyed these developments during his exile in the United States, called this the “deliberate transformation of obsolete forms and rigid concepts into the new instrumentalities of ‘disciplined’ or even – let us not shy from the word – ‘authoritarian’ democracy”.<sup>7</sup>

This redefinition of democracy was quite controversial. Questions concerning the democratic acceptability of this defensive attitude were a central point of political debate, as Gijsenbergh shows in his contribution to this volume. The possible victims of repression, especially communists and social democrats, were among the fiercest critics of the democratic tolerability of these measures. The bandwidth and limits of democracy were explored in this way. Lessons were drawn from those debates after the Second World War, when democracy was reframed, notably in West Germany.

A final historical example that naturally comes to mind is the 1960s. When democracy came to be regarded as the uncontested political ideal in the Western world after the Second World War, fears arose about the threat of democracy descending into totalitarianism, and about its potential for survival in the global struggle with communism. This, however, was perceived as largely an external problem, possibly exacerbated by a communist fifth column.

These international concerns were increasingly associated with internal debates about the performance of the democratic system once the

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<sup>7</sup> Loewenstein, Karl, “Militant Democracy and Fundamental Rights: Part II”, *The American Political Science Review*, Vol. 31, No. 4, 1937, pp. 638-658.

hottest period of the Cold War had died down in the course of the 1960s: most notably in the connection between equality and emancipation in the Third World and at home, and in the connection between freedom of expression and its repression in Eastern Europe.

From the 1960s onwards, this brought the discourse of crisis back to the centre stage of political debate. Setting aside some doomsday scenarios, most crisis discourses at this time were not oriented towards a possible radical end of democracy, but concentrated on issues of social and political participation and on the hampering of democracy by technocratic government and an authoritarian political culture. Direct democracy and attempts at democratizing democracy were supposed to help alleviate this crisis: indeed, the 1960s and 1970s have become most pronouncedly associated with the idea of a “creative crisis”, because protest and contestation were attributed a creative role. The crisis of the postwar style of leadership was applauded and, contemporaries believed, this would lead to a creative renewal in culture, religion, and politics along democratic lines. As a result, if the democratic system was not revolutionized in an institutional sense, it certainly was in a cultural one. This is why the crisis discourse of the 1960s conveyed a sense of optimism, which in hindsight seems somewhat naïve: the proposed radical neo-republican alternatives had their share of utopian overtones. In the 1970s this cheerfulness was replaced by a much more pessimistic rhetoric, informed by “limits to growth” environmentalism and a sense of disillusionment about further renewal.

These short illustrations of democratic creativity show that there is a remarkable potential within democracy for coping with crises. Even when these crises are perceived to be real, the claim of crisis has its own performative dimension, working as a self-fulfilling prophecy. In every instance, crises prompt furious debates. This points to the contested nature of democracy, the subject of a national research programme funded by the Netherlands Organisation for Scientific Research (NWO). Crises have a profound effect on the dynamics of democratic repertoires, making them more explicit and putting them to the test. Indeed, moments of democratic emergency are the most revealing and exciting moments in the life of democracy, as was recently elaborated by Bonnie Honig in her *Emergency Politics*: “Sensitized to it, we start to see democracy’s challenges in what Bernard Williams would call tragic perspective and we attend to the forces, temporalities, powers, agencies, and contingencies that thwart but also *enliven* human efforts to bring order, meaning, and justice to our universe.”<sup>8</sup>

<sup>8</sup> Honig, Bonnie, *Emergency Politics: Paradox, Law, Democracy*, Princeton, NJ, Princeton University Press, 2009 (italics added).

## From Normativism to Creativity

The perception of crises of democracy is a valuable and fascinating topic of research when it is approached from this perspective of creativity. Usually, "crisis of democracy" is the phrase used to describe pessimistic fears of destruction or internal disarray, which is connected to the fact that democracy is usually approached from a normative point of view. It also stems from the very comprehensible fact that in the late twentieth century academics and politicians grew much attached to democracy as they saw it, and wanted to see it protected. There have been times when this was not the case: interwar theoreticians such as Carl Schmitt used the term "crisis" in a sometimes even lascivious way, welcoming the termination of the hated parliamentarianism as an end to empty chatter.

This normativist approach, the great monument to which is Rawls's *A Theory of Justice* (1971), incorporates a crucial problem in that it is fundamentally ahistorical and deliberately designed to set up criteria outside of time and space, which leads to the misleading assumption that it is possible to know what democracy ultimately *is*. A crude set of criteria is habitually used, which effectively amounts to slotting democracies into a matrix and counting the ones that survive the litmus test. The response to the fundamental problem of defining democracy in this type of literature is to start filling in the blanks. Alternatively, the point of departure for the present volume is the historicity of democracy. In the words of Pierre Rosanvallon:

It is to go astray to think that one can exorcise complexity in movement of the democratic adventure through any topological exercise. What is interesting is not the distinction of many different kinds of representative governments from one another or the attempt to classify the positions of actors or the characteristics of institutions according to well-defined cases. The point, rather, is to take the permanently open and tension-filled character of the democratic experience as one's object.<sup>9</sup>

Thus it is important to have an open eye for the debate over what democracy *is* as a fundamental aspect of democracy, a point van der Zweerde elaborates upon in this volume. In this way one can more effectively avoid an all too present-bound evaluation of political phenomena, however inevitable that always remains. After all, democracy is an "essentially contested concept", a point acknowledged by more and more historians, philosophers, and political scientists, who agree

<sup>9</sup> Rosanvallon, Pierre, "Inaugural Lecture, Collège de France", in *id.*, *Democracy Past and Future*, Samuel Moyn (ed.), New York, Columbia University Press, 2006, pp. 31-58.

that different conceptions of democracy coexist and change over time. It is important to see *who* is claiming there is a crisis of democracy, and from *what* perspective that claim is being made. The real boundary line separating non-democratic alternatives to democracy is reached only when the debate about the foundations of democracy is terminated and a monopoly claimed by one of the contending parties, as Lefort has pointed out.<sup>10</sup>

A normativist, non-historical way of approaching democracy inevitably leads to a perspective of crisis as pathology. When a static concept of democracy is used – a post-1968 liberal democratic one for instance – the failure to meet those standards is problematic for the phenomenon under consideration: it is undemocratic, or, in the case of a democracy, is seen as being in crisis, a negative attribution in this case. This approach has no doubt resulted in interesting publications on democracy and crisis, but it narrows the perspective. Moments of reinvention or readaptation of democracy in the middle of perceived threats run the risk of being overlooked when they do not fit this perspective.

Because democracy as a phenomenon is multiform in nature, crises of democracy are also multilayered, a crucial point for our present purposes. Even after initial catastrophe, crises can ultimately result in new democratic adaptations, creativity, and rejuvenation, as happened in Athens in 403 BC, in the United States during and after the Civil War in the period of Reconstruction, and in Europe during and after the tragic collapse of the 1930s. Outcomes of critical moments within the trajectory of democracy are therefore just as open-ended as democracy itself.

Democracies can turn for inspiration to the historical repertoire of democratic ideas and practices, as was done by the 1968 movement with Rousseauian direct democracy. Creativity therefore does not necessarily mean that solutions are completely innovative. Democracies can also adopt models from other countries: this was done by Western democratic governments in the interwar period, which adopted repressive measures against extremists drawn from those in place in other democratic nations in Europe. In this way, the morphogenesis of democracy is laid bare through an analysis of its problem-solving capacities.

As a result, the expression “crisis of democracy” acquires a new meaning. Instead of referring to the demise of democracy, it refers to the escalation and intensification of the competition to define the substance, forms, and limits of democracy. To underline this fresh approach, the present volume bears the title “Creative Crises of Democracy”. At first

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<sup>10</sup> Lefort, Claude, *L'invention démocratique: les limites de la domination totalitaire*, Paris, Fayard, 1981.

sight this might seem a misleading phrase: it does *not*, however, refer to a crisis of creativity, as in the case of writer's block. It points instead to the period which usually *follows* such a stalemate, when solutions to the challenge or crisis are possibly found. Hence it highlights creative aspects of critical moments in the life of democracy. Etymologically speaking, this perspective corresponds to the definition of "crisis" as a critical, decisive moment with an unknown outcome. In order to avoid misinterpretation, this volume appends the adjective "creative" to the traditional phrase "crisis of democracy".

## Central Questions

The central notion that inspires this volume, namely that democracy experienced many interesting attempts at reform and adaptation, prompts new questions about democracy in moments of creativity. These are tackled from an interdisciplinary perspective, gathering contributions from philosophers, historians, and political scientists. First of all, are creative crises inherent in democracies? Van der Zweerde argues that repeating self-contestation is intrinsic to democracy and, therefore, democracy is in recurrent crisis. If this is true, what aspects of democracy do these creative crises relate to, and where do they lead in terms of gradual and fundamental adaptations?

Verschoor, for instance, takes on the boundary problem of the polis as a structurally recurring element of democratic debate leading to moments of crisis. The question of adaptation is dealt with by Hausknot, who argues that radical policy changes concerning market capitalism are impossible in liberal democracy, and by Lucardie, who suggests some creative changes to the system of representative democracy, thereby illustrating the historical inventory of democratic repertoires since the Greeks invented democracy.

A further question concerns the performative role of crisis in democracy. Since democracy and crisis are both very controversial concepts, they have provoked intense discussions in the past and have affected political reality. On the one hand, the perception of crisis can lead to political and social action, as de Jong shows in his contribution on postwar citizenship education in the Netherlands. Houwen, on the other hand, notes that "crisis" can also be used as a political weapon in public debate by populists who exaggerate the internal problems of representative democracy to strengthen their claim that democracy in its current form is ailing.

Furthermore, the logic behind the ever-recurring crisis discourse is discussed by several authors in this volume. Karskens uses the idea of cyclical crises and argues that every democracy harbours the thought that it might break down. This makes it interesting to examine by whom

(academics and political actors, possibly in interaction with each other) an alleged crisis of democracy is perceived. In their article on the postwar debates on Europe's democratic deficit, Hoetink and van Leeuwen show that not all historical actors necessarily shared the crisis discourse.

The third part of this volume focuses on the exact forms the creative crises of democracy take, which sheds light on the way historical actors have perceived and treated democracy. What moments of creativity can be discerned during crises of democracy? Democracy can be reinvented, both by national governmental institutions and by societal initiatives and supranational organizations. Most authors examine periods in which democracy was perceived to be in crisis, such as the 1930s, 1960s, and 1970s. Friberg, using the case of the powerful Social Democratic Party in Sweden, shows how the concept of democracy was enriched following the crisis precipitated by the introduction of mass suffrage. Gijzenbergh and Pekelder look at the tensions caused by democracy and extremism in the 1930s and in the 1970s respectively. Couperus and van Meurs study how a number of Western European democracies were adapted as a result of those creative crises, both in their institutions and in their political culture. Conway's article on postwar Belgium, in contrast, makes clear how different repertoires of democracy struggled for dominance in a period in which democracy is often regarded as having been undisputed.

Last, but not least, a number of the contributions by political scientists and philosophers address the present crisis of democracy in Europe, its perceptions, variations, and remedies. Their contributions highlight populism and direct democracy as alternatives to representative democracy. In both cases, however, it turns out that these "alternatives" – acclaimed by some and scorned by others – are complementary to the established forms of representation rather than radical alternatives. Taking a philosophical perspective, Bal addresses the question of the consequences of globalization for the democratic public sphere in terms of legitimacy and efficacy. Van Kessel indicates that forms and perceptions of populism vary widely among the old and new polities of the European Union. Similarly, Hollander and Leyenaar demonstrate that there is by no means a Europe-wide trend towards forms of direct democracy. Their study of the usage of referendums as the best-known instrument of direct democracy qualifies, on the one hand, the perceived trend in the reshaping of democracy; on the other, it proves that the referendum today is at least intensively debated in the political and public sphere throughout Europe. Hugh-Jones, conversely, sets out to fathom the motives of elected politicians in institutionalizing forms of direct democracy – to the detriment of their own political or "exact forms".