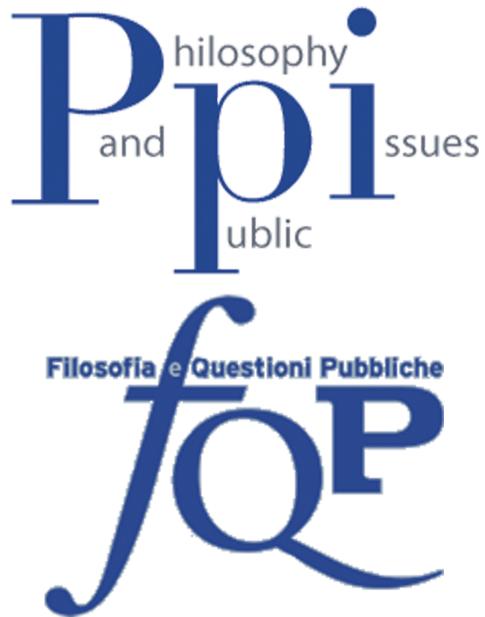


SYMPOSIUM
LE BON GOUVERNEMENT



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A PRÉCIS

BY
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Le bon gouvernement
A Précis

Pierre Rosanvallon

From One Democracy to Another

Our regimes are democratic, but they are not governed democratically. This apparent paradox is at the root of the disenchantment and dismay that is so widely felt today. Our regimes may be said to be democratic in the sense that power comes from the ballot box at the end of an open competition, and that we live in a legally constituted state that recognizes and protects individual liberties. To be sure, democracy has by no means been fully achieved. People often feel abandoned by their elected representatives; once the campaign is over, they discover that they are scarcely more sovereign than they were before. But this reality must not be allowed to mask another phenomenon: bad government. Though it is still poorly understood, no one doubts its power to erode the foundations of our societies.

Political life is organized around institutions that together define a type of regime. But it is also bound up with governmental action, which is to say with the day-to-day management of affairs of state, the authority to decide and command. It is where power--which in constitutional terms means executive power--is exercised. Politics are what citizens deal with directly, every day of their lives. By the same token, the center of gravity of democratic societies has imperceptibly

shifted. Whereas it had long been located in the relationship between representatives and those who are represented, now it is the relationship between governors and those who are governed that matters. This shift does not signify a complete break with the past, however. The question of representation continues to occupy a prominent place in public discussion; indeed, one is forever being told that there is a “crisis of representation.” I will come back to this point. For the moment it is important to emphasize that the feeling there is something wrong with democracy, that it is not working as it should, now clearly derives from some deeper discontent. The chief failing of democracy in the minds of citizens is that their voice is not heard. They see their leaders making decisions without consultation, failing to take responsibility for their actions, lying with impunity, living in a bubble—in short, a government shut off from the world, a government whose workings are opaque.

Politics never used to be thought of in this way. Democracy has traditionally been understood as a kind of regime, very seldom as a specific mode of government. The fact that, historically, the words “regime” and “government” were used more or less synonymously is proof of this.¹ Considering the earliest modern form of democratic regime, the *parliamentary-representative* model, in which the legislature dominated the other branches, the question may well appear to be of only minor interest. But it is now the executive that has the upper hand, inaugurating a *presidential-governing* model of democracy. Whereas dissatisfaction once sprang from a sense of being poorly represented, lately it has come out of a feeling of being poorly governed. In what follows I examine the history of this shift, and the reasons for the mistrust of executive power that preceded it. I then go on to lay the foundations of a democratic theory of government.

I

The Presidentialization of Democracies

Let us start out, then, from the fact that for some thirty years now the growth of presidentialism has marked a major change in the nature and form of democracy. The change is immediately detected, since presidentialism is defined in the simplest and most natural fashion as the election by popular vote of the head of the executive branch. Events everywhere today constantly remind us of the central place it occupies in the political life of people in all parts of the world. At the same time the implications of this change have yet to be fully appreciated. One reason for this is that in the new democracies, and they are many--in Asia, in Africa, in Latin America, in the countries that emerged from the break-up of the former Soviet Union, in the Arab world--the move toward presidentialism was made without much thought being given to it, as though it were a logical consequence of the overthrow of a despotic regime and the recognition of popular sovereignty, a transition whose legitimacy had no need of being justified (even where highly illiberal impulses took hold, as in Russia or Turkey, no one dreamed of challenging it). In all these new democracies, presidential election is identified with the very fact of universal suffrage.

Nor has the change attracted much comment in the United States, home to the oldest modern democracy, though here for different reasons. Because the American presidency existed from the beginning, as part of the Constitution of 1787, and because as a procedural matter it involves two stages (direct election and ratification by an electoral college), the election of the head of the executive has now for more than a century, ever since the establishment of a system of primary voting in the various states, been equivalent with popular election. It is also true that the principle of separation of powers, to which the American system

owes much of its special character, acts as a check on executive power. For both these reasons, among others, Americans have the sense less of a transformation having taken place² than of a gradual evolution in which particular events, such as the crisis of the 1930s or the attacks of September 11, 2001, have played a decisive role in enlarging the sphere of presidential authority. Indeed, the perceived imperatives of the struggle against terrorism have won general acceptance for emergency measures that bring the country closer to a “state of exception” in which almost unlimited executive power in certain areas is felt to be warranted on grounds of national security.

In Europe, universal suffrage was achieved everywhere more than a century ago. At that time it was associated with the election of representative assemblies; except under the Second Republic in France, in 1848, and the Weimar Republic in Germany, in 1919, it was never used in its early stages for the purpose of electing the head of the executive branch. The distinctive thing about the great majority of European countries, from the constitutional point of view, is that they remained stuck in this first age of democratic life. Again, there are several reasons for this. First, because the rise of democracy was accompanied in many countries by the persistence of constitutional monarchies. This is the case still today in the United Kingdom, Belgium, the Netherlands, Luxembourg, Denmark, Sweden, and Norway, creating the impression of something rather like a museum of the institutions of liberal democracy as they existed in the nineteenth century. Under these monarchies the question of electing a chief executive, the prime minister, by universal suffrage never arises. Indeed, it could not arise, for that would be to undermine in its very principle the accepted preeminence of the crown. It was always in his or her capacity as leader of the party, or of the coalition, that had prevailed in the elections, and therefore won a parliamentary majority, that the prime minister was appointed to

this office. Next there is the case of the countries that survived Nazism and Fascism, Germany and Italy. They are both provided with a president of the Republic, but this person is elected by the parliament and has only a representative function; here the prime minister is named by the president, again in acknowledgement of the majority formed by the election of parliamentary representatives. Germany had experimented after 1919 with the popular election of the president of the Reich, which ended with Hitler's rise to power, and in Italy Mussolini had established a dictatorship in 1925. The memory of this tragic period between the wars led both nations after 1945 to adopt their current institutions. The countries of southern Europe that belatedly emerged from dictatorship in the 1970s, Spain, Greece, and Portugal, took what might be called a cautious view of the return to democracy. In Spain this was done through the reestablishment of a monarchy, in Greece through the adoption of a traditional parliamentary regime in which the president is elected by the parliament without acting as head of the executive. Portugal was the exception, instituting the election of a president by universal suffrage. And yet this arrangement concealed a novel conception of the presidency, shaped by the importance attached to the old liberal idea of a moderating power. If political theory inspired the Portuguese view (in no other twentieth-century country could one have so thoroughly annotated the writings of Benjamin Constant as a resource for the present), it was nonetheless political practice that gave the chief executive a peculiar position from 1976 onward: relatively unassertive in ordinary times while intervening more actively in case of crisis, his relationship with the government depended on having to bring to bear both his moral and his electoral legitimacy as a function of circumstances. The countries of eastern Europe, for their part, unlike the new ones issuing from the dismemberment of the Soviet Union proper, subsequently made much the same

kind of choice by equipping themselves for the most part with prime-ministerial regimes³ after the break-up of the Communist bloc in 1989.

With the exception of France--evidently a major exception,⁴ since it may be considered to have set in motion the modern history of presidentialism with the adoption by referendum, in 1962, of the election of the president by direct universal suffrage--European countries seem in their various ways to have stood apart from the movement toward presidentialism that has swept the rest of the world. The French example supplied a universalizable model for a form of constitutional government that, in its American version, devised in a more distant past, had not been able to be reproduced in the twentieth century.⁵ Embraced by a majority of voters, while long remaining suspect in the eyes of the political class, the presidentialization of democracy in France had its formal basis in a constitution that was felt by some to be potentially dangerous for reviving memories of Caesarism. Those who criticized the Gaullist regime on this ground, though they failed to grasp why it was welcomed by a great many people as a step forward, nonetheless grudgingly admitted the lack of any viable alternative. The phrase “unavoidable but troubling” was often heard, suggesting that presidentialism was regarded as a sort of national disease for which a cure would have to be found, and not as a promising attempt to construct a new form of democratic government.

II

The Predominance of the Executive

Putting aside these differences in historical development, presidentialism can be seen to be the consequence of a more profound phenomenon: the growing influence of the executive

branch. Today, when one speaks of *government*, what is really meant is executive power. Directly and continually active, inseparable from the decisions it makes every single day, constantly expressing and asserting its will, it is this power that citizens expect to positively manage the conditions under which they live and work. They therefore require both that the executive give proof of an effectual will, that is, of being able actually to accomplish what it sets out to do, and that it be held accountable for its actions.⁶ This is the source of the tendency of executive power to polarization and personalization. While presidentialism in the formal or procedural sense--the practice of electing the head of the executive by popular vote--has not everywhere been adopted, the twin effects of polarization and personalization associated with the modern preeminence of the executive are themselves universal.⁷ It is therefore very much a global transformation of democratic life that has taken place, whatever differences there may be in constitutional expression.

A satisfactory account of this transformation will have to consider what may be called *governing organs*, as distinct from the presidency itself, even if it is this institution that unites the various agencies of government and guides their operation in the great majority of countries today. These organs are an indispensable part of the new presidential-governing form of democracy. The term “executive power,” though it is almost invariably used still today, does not really convey a sense of the initiative and the influence such agencies now enjoy, in large part because of the passively mechanical connotation that has clung to it for so long. The legislative branch itself, as we shall see shortly, has become effectively subordinate to the business of governing. It is therefore necessary to regard all these organs as forming an integrated whole. We are today so accustomed to taking for granted the supremacy of governing in relation to representation that the dramatic shift of power from the legislature to the

executive that has taken place over the last two centuries seems scarcely to be of any interest. Looking at the matter with the eye of a historian, however, one cannot help but see that it amounts to a complete reversal of perspective by comparison with the founding vision of modern democracy, particularly in the form given it by the American and the French Revolutions. If we fail to work out what this shift in perspective implies, we will be unable to understand the real reasons for the current mood of disenchantment--and therefore incapable of deciding what must be done if democracy is once more to flourish.

III

The Parliamentary-Representative Model

The parliamentary-representative model of democracy, as it was originally conceived by the authors of the American and French constitutions, rests on two principles: the rule of law and the idea of the people as its own legislator.⁸ Law was understood as the vehicle of impersonal rule, an essentially non-dominating kind of authority. Because impersonality was considered to be the highest political virtue, indissociably liberal and democratic, a government could be good only so long as it embodied this quality. The break with absolutism, which is to say the structurally arbitrary power of a single person, was motivated by exactly this assumption. One need not look any further to see how far the modern presidential-governing model, founded on personalization, differs from the eighteenth-century conception.

With the advent of the people as legislator, in accordance with the second principle, they were henceforth recognized as the generative source of all powers of government. In America the people were called the “fountain of power,” in France “sovereign.” Law could then be seen as “the expression of the

general will,” in the famous phrase of Article 6 of the Declaration of the Rights of Man and the Citizen of 1789, which stipulated furthermore that “[a]ll citizens have the right to take part, in person or through their representatives, in its formation.” The central power was therefore understood to reside in the legislature, whereas the executive was considered secondary, not only in view of this theoretical primacy but also because the practical opportunities for public action were limited by comparison with our own time. How the legislative branch should be organized therefore became the major question in debates about democratic institutions during the eighteenth and nineteenth centuries. At the heart of this question was the nature of representation itself.

Public attention was concentrated on three main issues. First, the *democratization of election*, which was recommended as a way of reducing partisan influence on popular opinion. In France, both in 1848 and under the Second Empire, workers’ groups vigorously opposed the domination of electoral committees by lawyers and journalists. A generation later, at the turn of the twentieth century in America, the same impulse led to an ultimately victorious campaign by progressives to create a system of primaries aimed at curbing the power of party bosses over political life. Battles were also fought, though much less often crowned with success, to limit the concurrent holding of public offices and the duration of terms of office. There was much talk in the nineteenth century, too, of instituting a system of imperative mandates.⁹ Although incompatible with the classical doctrine of parliamentarism, which was based on the principle of the independence of the representative in relation to his constituents,¹⁰ the idea gained indirect support with the drafting of programs and platforms that, even if they lacked the force of law, nonetheless implied a recognition that elected officials were in some sense constrained by the will of voters.

The second issue involved a search for ways of *improving the representative character* of elected bodies, chiefly with regard to the representation of various social groups. This was to be the driving force behind the formation of class-based parties; indeed, the call for “special representation of the proletarians” had first been heard in Europe as early as the 1830s. In the decades immediately following, a campaign on behalf of proportional representation mobilized support for strengthening the “expressive function” of Parliament, as it was called in Great Britain, where the movement had first been given a theoretical foundation and where it was to become the object of intense political rivalry.

There was a great debate, finally, about the introduction of referendum procedures in both Europe and the United States in the last decades of the nineteenth century, especially in connection with the idea of *direct legislation by the people*, championed by American progressives, German and French socialists, and the heirs of Bonapartism. Even some conservative figures, notably in Great Britain, expressed their approval, reasoning that under certain circumstances granting the people a veto power might usefully serve as a safety valve.

The inspiration for these various proposals for strengthening parliamentary-representative democracy may be traced back to the time of the French Revolution, when bitter complaints about “representative aristocracy” first began to be heard in the autumn of 1789. Two centuries later, it is striking to observe that fits of impatience and disappointed expectations of democratic progress very often continue to crystallize around the same three issues. Some things have changed, of course. Demands for greater minority representation and for gender equality, for example, have supplanted the cause of class representation. In other respects, however, the degree of continuity is remarkable. The

only real innovation has been the idea of a *lottery*. Nonetheless, because at bottom it amounts to substituting for voting a procedure thought likelier to improve the representative quality of political institutions, a lottery does not depart in any fundamental way from the parliamentary-representative paradigm.¹¹ Similarly, the notion of *participatory democracy* is inspired in large part by a desire to remedy the defects of representative democracy, by going beyond the status quo. In all these cases, it is the nature and the quality of the relationship of representatives to constituents, as well as the possibility of direct citizen involvement, that are seen as cornerstones of the democratic ideal.

IV

The Relationship between Governed and Governing

In an age when the power of the executive branch is predominant, the success of a democracy depends on society's ability to exert some measure of control the executive. The crucial issue, in other words, is the relationship between those who govern and those who are governed. The aim cannot be an unattainable ideal of complete self-government (as against some more feasible arrangement, such as the people as legislator), inasmuch as the very notion of government presupposes a functional distinction between governed and governing.¹² The aim must be to preserve the strictly functional character of this relationship, by setting forth the conditions of legitimate governmental action, that is, the conditions under which government will be government of, for, and by the people, and not an instrument of domination, an expression of oligarchic power cut off from society. The problem is that the only way of doing this that so far has been devised is direct popular election of the head of the executive. But this amounts merely to

establishing a *democracy of authorization*, a democracy that grants permission to govern--nothing more, nothing less. One has only to look around and see how many of world's elected presidents behave undemocratically to realize that this cannot be regarded as a satisfactory solution.

While election may be considered an adequate means, under certain circumstances, of determining the relationship between representatives and constituents,¹³ the same cannot be said of the relationship between governors and governed. The point is essential. Historically, the designation of a representative has consisted in principle in expressing an identity and in transmitting a mandate--precisely the two things that one wants an election to accomplish. Election, it was held, establishes a representative's intrinsic status *and* his functional role, together with the sense of permanence that the notion of holding a public office implies. The election of a governor, by contrast, serves only to legitimize his institutional position, without conferring any distinctive status or quality on him. The democratic value of electing a governor is in this sense inferior to that of electing a representative.¹⁴

Hence the urgent necessity of extending a democracy of authorization by means of a *democracy of civic duty* (*démocratie d'exercise*), that is, a responsibility exercised by citizens themselves for the purpose of reaching agreement about the qualities that are to be insisted upon in those who govern and about the rules that ought to order their relations with the governed. It is the very absence of such a democracy that permits the election of the head of the executive to open the way for an illiberal, and indeed in certain cases a dictatorial, regime. In the nineteenth century, the French tradition of Caesarism inaugurated by Napoléon Bonaparte furnished the outstanding example. The murderous and destructive pathologies of democracy that gave rise to totalitarian regimes in the twentieth century were, at bottom,

pathologies of representation. Here what one saw were governments claiming to be able to break through the impasses inherent in the representative system, and to overcome its inevitable incompleteness, by perfectly embodying society. Their absolutism was justified on just this ground, as a consequence of the need to make the governed identical with the governor. While it is quite true that pathologies of representation are with us still, the new pathologies of the twenty-first century are of a different kind. Now they arise from the identification of democratic governance with the simple procedure of authorization. If presidentialism is diseased today, it is owing to a sort of atrophy.¹⁵

My chief purpose in this book is to describe the mechanisms of vigilance and oversight on which a democracy of civic duty relies. These mechanisms are what in an uncertain and very general way community activists and people in many areas of civil society are trying to create today, whether they call for greater *transparency*, or for the construction of a *networked democracy*, or for the practice of *open government*, to mention just a few of the most common catchphrases. My aim is to organize these aspirations and ideas by identifying the qualities that those who seek to govern must display and the principles that sustain a healthy relationship between governors and governed in a democracy. Taken together, these things form the basis of *good government*.

Among the principles that ought to regulate the behavior of those who govern toward those who are governed, three are paramount: *legibility*, *responsibility*, *responsiveness*. They mark out the contours of what elsewhere I have called a *democracy of appropriation*,¹⁶ in which citizens are able more directly to exercise democratic functions and duties that have long been monopolized by parliamentary power. Implementing these principles will also make it clear that power is not a thing, but a relation, and that it is therefore the characteristics of this relation

that separate a situation of pathological domination from one in which a properly functional distinction between governors and governed makes the civic appropriation of power possible.

With regard to the personal qualities that a good governor must have, I am not interested in drawing up a list of traits from which a composite portrait of an ideal ruler could be assembled, a sort of *IdentiKit* superposition of all talents and all virtues, but to consider in a practical way which ones are necessary for creating the bond of mutual confidence between governors and governed that a *democracy of trust* requires. Trust is one of a number of “invisible institutions” whose vitality has assumed a decisive importance in the present age of personalized democracy. I shall examine two such institutions: *integrity* and *plain speaking*.

Democratic progress in an era of presidential government depends on constructing both a democracy of trust and a democracy of appropriation. The principles of good government they embody must be applied not only to the various agencies of the executive branch, but also to all persons and institutions having a regulatory function, including non-elected officers of independent authorities, magistrates appointed to the courts and other bodies of the judiciary, and indeed everyone holding an office of public administration. These are persons and institutions that in one manner or another exercise a command over others and, in this capacity, serve to direct the organs of government.

V

Decline and Redefinition of Parties

Political parties have historically played a major role in the functioning of parliamentary-representative democracy. With the advent of universal suffrage (male, to begin with), they helped to shape the expression of public opinion once it had been

channeled in a preferred direction. They were an instrument for organizing and rallying the “many,” as the masses used to be called in the nineteenth century, particularly by regulating electoral competition through the selection of candidates. Alongside this function, they structured parliamentary life through the formation of disciplined groups whose interaction, either directly or in the form of alliances, allowed majorities to emerge. In both these respects they marked a break with the old interlocking circles of notables that dominated political and parliamentary life in an earlier age of property-based suffrage and two-round voting.

At the same time, and in a progressive sense, parties were mass organizations. Beyond their electoral and parliamentary functions, they promoted social representation by giving voice to classes and ideologies, which is to say to particular interests and competing visions of a better society. And yet, though they were an integral part of the parliamentary-representative system of the period, their bureaucratic and hierarchical character very quickly provoked sharp criticism. In France, beginning in 1848 with the first elections based on universal direct suffrage, the electoral committees that drew up lists of candidates came under withering attack from one of the leading political theorists of the day. “The first time that you exercise your public right,” Lamennais warned prospective working-class voters, “you are ordered to assemble, a list is put in your hand that you have never discussed or even read, and you are instructed in no uncertain terms: drop that in the ballot box. You are made into a voting machine.”¹⁷ The same case was made still more vigorously, and in harsher terms as well, by many authors at the turn of the twentieth century, most notably in two seminal works of political sociology: Moïseï Ostrogorski’s *La démocratie et les partis politiques* (1902), devoted to the United States and Great Britain, and Robert Michels’s *Zür Soziologie des Parteiwesens in der modernen Demokratie* (1911), treating

the Social Democratic Party in Germany. Both authors described the ways in which aristocratic tendencies were automatically recreated within parties. Ostrogorski stressed the conversion of parties into “machines” that in the hands of professionals could be made to operate in an almost autonomous fashion, while Michaels analyzed the success of party leaders in establishing themselves as a new type of oligarchy. It is scarcely surprising, then, that parties should have aroused highly ambivalent feelings. But in spite of institutional inertia, and notwithstanding a determination to impose their will on party members--variable in its extent, to be sure, depending on levels of education and training, but nowhere more extreme than in the case of the discipline enforced by Communist parties--it cannot be denied that parties gave a voice, a face, and access to a public forum to people who had previously been kept out of political life.

The traditional representative function of parties began to erode in the 1990s, before finally disappearing altogether. There were two reasons for this. The first, and the most obvious, has to do with the fact that society itself had become more opaque, to the point of illegibility in some respects, and therefore less easily represented than the old class society with its well-defined gradations and boundaries. We have entered into a new age that I call the individualism of singularity,¹⁸ marked not only by a growing complexity and heterogeneity of social relations, but also by the fact that the course of people’s lives is now determined as much by their personal history as by their social standing. Representing society in this sense means having to take into account new social conditions, in an age when capitalism itself, now shaped by the economics of permanent innovation, has gone beyond the highly organized industrial society described by Galbraith fifty years ago, and at the same time, having to take into account all the situations, all the trials, fears, and expectations that influence individual destinies. The social invisibility from which

so many people suffer in democracies today is the result of failing to do either of these things. The old parties had a representative capacity that might be called identitarian, owing to the very fact of their mass character. They no longer have this. Because the nature of society has changed, accurately mapping a new and far more complicated social landscape--honestly representing it, in other words--means that politics must henceforth have a “narrative” dimension that parties are not presently capable of imagining. Worse still, because parties have distanced themselves from the world of everyday experience, their highflown language, filled to overflowing with abstractions that have no point of contact with people’s daily lives, echoes into a void.

The sociological roots of this new age of malrepresentation, as it may well be called, are now better understood than they once were.¹⁹ But another factor, less noticed and more important for the purposes of the present work, has also powerfully contributed to the decline of parties, namely, their retreat from the responsibilities of good government. They no longer see themselves as intermediaries between society and political institutions. Two reasons stand out. The first is that parliaments themselves have ceased to be lawmaking bodies in any true sense. Once the motive force of legislation, now they are content to cede the prerogative for proposing and drafting new laws to the executive. But the main reason is that the principal function of parliamentary majorities today is to support the government, or, in the case of opposition parties, to criticize the government while waiting to take its place. As a consequence, parties have become auxiliary forces in the wars of executive action, whether they lead the charge in support of the government’s policies or prepare the way for its defeat in the next elections by demonstrating their harmful character.²⁰ In either case they are more concerned with the interests of governments than the interests of citizens. Parliamentary deputies, no matter that they

are always elected in their constituencies, represent these districts only as an afterthought, since their primary duty is to carry out the political tasks assigned to them by their party.²¹ They constitute the dominated, or at least the relatively passive, part of the governing oligarchy. It is this shift in orientation toward the executive that explains why elected officials are increasingly cut off from society, having become professionalized to the point that they are now purely political creatures.²² Their “reality” is the world of insiders, a product of the collision of policy agendas, party congresses, and bureaucratic in-fighting that determines the balance of power from which governments emerge.

In the meantime party activity has been reduced mainly to managing the election calendar, whose most important date, superseding all others in the nation’s political life, is the presidential election. The number of regular party members²³ is now in sharp decline almost everywhere, on account of this withdrawal into an auxiliary governing function, with the result that parties make an effort to attract them again only with a narrow view to controlling primary outcomes (where a primary system exists). Here their ability to get out the vote remains a decisive asset. In this and all other respects, one cannot help but conclude that parties’ democratic function is confined solely to assisting the smooth operation of an authorizing democracy of the sort I described earlier.

The representative dimension of democracy having effectively been abandoned by the parties, life must now be given to it through other channels. New forms of narrative representation, new ways of representing social problems, as it were, must be developed in cooperation with civic associations in all walks of social and cultural life in order to combat the debilitating sense of malrepresentation that gnaws away at democracies and weakens their will to resist the sirens of populism. In my last book,²⁴ which

served as a manifesto for the “Raconter la vie” project launched in 2014,²⁵ I proposed instruments of analysis and action for bringing about just such a “post-party” revitalization of representation.

VI

Toward New Democratic Organizations

Now that parties have become subsidiary structures of executive organs, they are no longer in a position to play an effective role in giving the governing-governed relation a properly democratic form. This is plain when they participate in a coalition government. But it is no less true when they find themselves in opposition, for in criticizing the government their interest is much more in regaining power than in improving the situation of the citizens for whom they are deputized to speak, however often they may call for the increased use of referendums.²⁶ Their attention is focused instead, and especially, on the relationship of the government to the parliament, while taking the side of the latter.²⁷

It is in this context that political entities quite different from the old party organizations have emerged. There are new-style parties that compete in elections while trying hard not to compromise their participatory character, such as Podemos in Spain, the most successful example of its kind (no doubt in part because it is headed by a highly charismatic leader); protest movements of a new style as well, such as the Indignant movement, which appeared in various countries in the early 2010s, or Occupy Wall Street, which described itself in 2011 as a “leaderless resistance movement” claiming to speak for the 99% of a population that is no longer willing to tolerate the greed and the corruption of the 1%; also spectacular mass demonstrations

in capitals across the world that have rocked the foundations of hated regimes. In combination they have had the effect of revitalizing the notion of representation, and with it the notion of a democratic forum. Alongside these spontaneous outbursts of activism, which have been widely covered in the media and commented upon at great length by political analysts, more deliberate and possibly more enduring citizen initiatives have taken shape, known in Anglo-American countries as good government organizations. The aim of these initiatives is not to take power, but to monitor and restrain it. Less well known than the others, they now work on five continents to hold governments accountable, to force them to tell the truth, to listen to citizens, to behave in a responsible fashion, to lift the veil of secrecy behind which they often dissemble. Doing these things, I maintain, will give still greater scope for citizen involvement. The present work is meant to clarify the role of organizations of this type, and to examine the initiatives they have so far sponsored and the expectations their work has aroused. It is meant also, and not less importantly, to situate these organizations in an enlarged theory of democracy that can account for governmental practices. By showing how a presidential-governing regime can be made more truly democratic, it will become possible to cast off the spell of ideas that would have exactly the opposite effect.

VII A Different Democratic Universalism

A democracy of civic duty is not something that only countries in the West can imagine being theirs one day. The same prospect inspires citizens to take action even in countries where they are still prevented from going to the polls. This is what is happening today in China, to take only the most prominent example. Ordinary people have rallied there against corruption,

governmental indifference, the lack of transparency in policy making, the irresponsibility of political leaders. What they are demanding, in a word, is accountability.²⁸ In countries under authoritarian rule, people are insisting that governments display at least certain minimal democratic qualities. Here one finds further evidence that the establishment of a system exhibiting the rudimentary features of a democracy of civic duty may precede the establishment of an electoral democracy. Historically, this is what occurred in the oldest democracies, particularly in Europe. But it need not happen again today. Many new democracies, alas, have gone no further than a mere democracy of authorization,²⁹ and some have installed illiberal, populist regimes (in the case of Belarus and Kazakhstan, ones with frankly totalitarian overtones). A democracy of authorization is a fragile thing: under presidential rule, its institutions are open to manipulation and may even be perverted by the corrosive dynamics of personalization and polarization. A democracy of civic duty, by contrast, owing to its decentralized and multiform character, is much less likely to be corrupted. This is why it represents the positive face of democratic universalism today.

VIII The Four Democracies

This book concludes a cycle of works that began to appear almost ten years ago on the transformations of contemporary democracy, considered in its four dimensions: civic activity, political regime, form of society, and form of government. Citizenship was constructed in stages, beginning with the achievement of universal suffrage, of which I made a preliminary study more than two decades ago.³⁰ In this first stage, suffrage at once defined a political right, which is to say a power, that of being an active citizen, and a social status, which allows each

person to be recognized as an autonomous individual participating on a basis of equality with fellow citizens. Suffrage then came to be expanded and supplemented, citizens no longer being content with voting as a way of affirming their sovereignty. Alongside the original electoral-representative sphere there gradually developed a whole set of practices of oversight, preventive action, and judgement through which society exercised powers of correction and coercion. In addition to the primary responsibility of the people as voter, these practices gave a voice and a face to a broader conception of the people as monitor, as gainsayer, and as judge. But with this crucial difference: whereas voting is a mechanism for instilling confidence, oversight and its companion forms of supervision entail a duty of distrust. I examined the history and the theory of this new way of thinking about citizenship, which played a major role in political developments in France and elsewhere during the 1980s, in the first book of the quartet, *La Contre-démocratie* (2006).³¹

Democracy as regime is defined by institutions and procedures designed to shape the general will. The institutions are of two types. On the one hand, there are institutions of representation. Again, I had first examined their history and the antinomies that structure them in an earlier book, published in 1998.³² On the other hand, there are institutions of sovereignty, whose problematic development I retraced in my next book, published two years later.³³ Then, in the second volume of the present tetralogy, *La légitimité démocratique* (2008),³⁴ I showed how a new understanding of the general will has sought to go beyond the limitations of strictly majoritarian expression. On this view, a government can be considered to be fully democratic only if it is submitted to procedures of formal review and control that are at once in conflict with and complementary to the will of the majority. It is expected to satisfy a three-fold requirement of neutrality with regard to partisan positions and special interests

(legitimacy of impartiality), tolerance in the face of rival conceptions of the common good (legitimacy of reflexivity), and recognition of particularities (legitimacy of proximity). This why independent public authorities and constitutional councils now occupy an increasingly large place in democracies. I have recently analyzed the contemporary crisis of representation, and considered what must be done to overcome it, in an essay on what I call the parliament of invisible people.³⁵

Democracy as a form of society constitutes its third dimension. Here again I had begun to study this topic more than twenty years ago, with the aim of showing that the modern revolution in politics was first and foremost a revolution of equality, where equality was now understood as a relation, a way of constituting a society of fellows; from the first it was seen as a democratic quality, a figure of communality, and not only as a mode of wealth distribution.³⁶ But it was not until I came to write the third volume of the quartet, *La société des égaux* (2011),³⁷ that I was able to consider this question more fully, and to demonstrate that the breakdown of this idea of equality was an essential cause of the explosion in inequality that today threatens to undermine democracy as a form of society, and in so doing to bring about a more general abandonment of democratic ideals.

With this fourth volume I turn finally to *democracy as a form of government*, reviewing the stages by which it acquired its current preeminence with the advent of the presidentialist system. No one should suppose that, having now completed the task I had set for myself, I have exhausted all the questions that led me to undertake so vast a project in the first place. Far from it. There are many more books yet to be written if we are to understand the history of democracy and how it has changed. But I may at least hope to have provided other scholars with a set of tools they will find useful in carrying on with the work that remains to be

done. History is now breathing down our necks. Perhaps never before has it been a more urgent necessity that we try to make sense of it. Rushing headlong into the future, the present is in danger of losing its balance. Beneath lies the abyss.