

Facing Political Transformations in a Time of Vacillating Certainties

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

The democratic tenor of political representation

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

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

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

1 Waldron, J., *The Dignity of Legislation*. Cambridge, Cambridge University Press 1999.

2 Beitz, C. R., *Political Equality: An Essay in Democratic Theory*. Princeton, Princeton University Press 1989.

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

The Populist Transformation of Democracy

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rhetoric and Political Partisanship

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

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

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

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

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

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

Aesthetics and Politics of Passivity

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

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

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

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

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