

How Do Elections Contribute To The Working Of Democracy?

Elections In Media-Democracy

I Free and competitive elections as ultimate principle of democracy

Let us first make a note of generally known facts: It's a matter of common knowledge that the basic principle of liberal democracy is sovereignty of the people. All government, all kinds of political rule, have to be based on legitimation by the people. Elections are the essential means to realize this basic principle. So there is a close connection between democracy, elections and legitimate rule. This connection is put into words by the following legal principle from former times: "*Quod omnes tangit, ab omnibus approbetur.*"

During the Cold War the power of this definition was exceedingly observable. In contrast, the power of legitimation is becoming particularly apparent in times of crisis and transformation. The power of legitimation is the crucial demand in the start of regime change – just think about the GDR, Eastern Europe or, at present, the Arab World.

Competitive elections are "the distinctive feature of democracy and the one which allows us to distinguish the democracy from other political methods" (Verba / Nie / Kim 1978).

These demand turns against all kinds of exclusive power; what the people want is open and plural competition. In fall 1990 I gave a lecture in Dresden. The so-called social scientists I was talking to had a different thinking than the one I was just talking about. They told me not to overvalue free elections, because no one would know the outcomes. That's it. That exactly is the difference.

A voting decision is preceded by competition. Likewise, elections symbolize the formation of unity, of a political "community". More precisely: Plurality, open to competition, results capable of acting if it is based on a fundamentally accepted consensus. Anyway, national unity is embodied by legal parliamentary decision-making in a working assembly. Our Federal Constitutional Court (FCC / BVerfG) refers to this process as "integrative representation". If this "integrative representation" is to be the foundation of legitimate government, elections must be of the utmost integrity.

To ensure this integrity, in Germany there are basic principles of suffrage that obtain constitutional status: Universality, liberty, equality and immediateness – hence there is no "electoral college" for elitist ultimate decisions. Universality turns against barriers for admission, such as race, income or education. Freedom turns against coercion and disclosure of voting, such as the "folding of ballot papers" we have had in the GDR. Equality means that every vote counts the same, so it turns against rearrangement of electoral districts initiated by political parties, technically known as "gerrymandering".

The experience of the people in Eastern Germany is affected by the perversion of the so called “actually existing socialism”, which was not based on the people, but on the historical mission of the working class – that means: the party. Elections have been a device to consolidate the regime, not to legitimize it.

German constitutional history resulted in a deep-rooted preference for a representation of votes that has to be as equal as possible. This is a result of the fight against monarchic principles and the three-class system of voting, and is, for example, setting boundaries against the implementation of a consequent majority voting system. Proportional representation belongs as integral part to the political culture.

However, beyond voting rights, equality is increasingly interpreted as the principle of equivalent chances of competing parties. A ground making final judgment of the Federal Constitutional Court enjoined the executive (anyway under a party-government und the German circumstances) from spending taxpayers’ money to attract voters for re-election. Disclosure statements for political contributions finally answer the same purpose: transparency is supposed to uncover potential impacts and disparities. So much for the landmark fundamentals.

II Voter turnout and the state of democracy

These basic principles have been highly regarded and practically relevant in Germany especially after 1989 and already after 1945 – in a short period while the communists had not consolidated their power this applies to the Soviet occupation zone as well. For the time being, in this weakly developed civic culture, voting was considered a duty or at least as an expression of common support of the political system. Most people only participate politically the moment they vote. All other kinds of participation are associated with considerably more demanding time and effort. Besides, these other kinds of participation show a socio-economic bias in favor of the upper classes.

In Western Germany, the economic upswing paralleled an increase of voter turnout up to 91 per cent in the middle of the nineteen-seventies. Since then, voter turnout decreases continuously. Eastern Germany started at a relatively high level too, but soon joined the downward tendency. The crucial factor for this downward tendency is the economy as well: In the West there was the end of the so-called economical miracle, the “*Wirtschaftswunder*”, and growing uncertainties concerning social security; in the East, there was the crisis of the labor market and high expectations that failed to live up. In addition to other parameters, the German democracy’s strong dependency on output-legitimation is a reason for the increase or decrease of voter turnout.

[Charts: Voter turnout in Bundestag elections (since 1949) and in Landtag elections in the New Länder Mecklenburg-Vorpommern, Saxony and Thuringia (since 1990)]

We have a similar increasing abstinence in all countries that have undergone a process of system transformation such as the Czech Republic, Hungary, Poland etc. – the reasons for this abstinence are the same in all cases. Democracy might be expected to be the ideal form of government. But to be actively supported – for example by voter turnout – democracy has to show its effectiveness, its ability to meet challenges and solve problems.

[Charts: Satisfaction with democracy and its performance in Germany]

Output-deficits and frustrations resulting from them seem to cause a withdrawal of trust and distance to politics: A large number of citizens doesn't consider politics significant any more and actually comes up against it with increasing cynicism. The results of the trilateral commission regarding Western Europe, Japan and the United States (Pharr / Putnam, 2000) point at that. In contrast to the reports of electoral research of the 40ies of the last century low turnout is no longer an expression of general satisfaction, but a sign of dwindling legitimacy – as we have experienced in the political culture of Germany ever since.

In the U.S., the principle of participation through elections has historically been perfected by abolishing procedural barriers, which had excluded certain groups of the population from

voting. Until a few decades, there had partially been poll taxes and aptitude tests. However, in parallel to the expansion of the right to vote the turnout has decreased strenuously, with a few exceptions.

Colin Crouch introduces his theses on “post-democracy” with a similarly paradoxical international observation: The expansion of free and fair elections in the world, but at the same time a dwindling optimism regarding the state of democracy. For illustration he refers to the American presidential elections in 2000, where, he says, is now almost irrefutable evidence that the results in Florida were rigged gravely (Crouch, p. 7) – determining the voting decision in the U.S. on the whole. The outrage at the adulteration of the democratic process kept within a limit – aside from some demonstrating Afro-Americans. *Crouch* deems that most people felt for reaching any result at all, so as to restore trust in stock markets, rather than to determine how the majority of Americans actually had decided.

This interpretation may be exaggerated. Under in principle consolidated democratic conditions, however, the achievement of free voting seems not be so important to the citizens. The political system is becoming less important – a process, which has spread with great rapidity in the transition countries. Material well-being is at least of equal momentousness.

III Substantial changes in democratic governance

Further questions aim both in a principle and normative way at a substantial change of democracy and the matters of communication related to electoral decisions. They originate in the assumption of an allegedly classical ideal of democracy as a strictly rational form of government based on commandment of reason – on the one hand; on the other hand they center the opportunity of the mass of citizens to participate in the shaping of public life. Both are challenging assumptions that postulate some activity, expertise and focus on political events and issues.

This is probably an ideal, which can't be achieved in reality. But can this ideal still be a corrective, a benchmark? There is some evidence that such a benchmark of action is important to converge to the substance of the model, instead of complying with the normative power of the reality. The Political Sciences often tend to the latter, as already *Robert A. Dahl* in 1989 (*Democracy and its critics*) and *Philippe C. Schmitter* in 2002 have criticized: the satisfaction with a libertarian, normatively inane model of democracy, which – labeled as “post-democracy” – has become part of the discussion. But even its protagonists, such as *Crouch*, assess this model as exaggerated. They behold it a pragmatic ideal-type, as an alternative to the normative ideal-type. In their perception the current type of democracy is more and more approaching the “post democratic” ideal-type.

This type of democracy doesn't make any difference to the forming of government via elections. But the election campaigns are dominated by rivaling teams of professional public relations experts who control the public debate to such an extent that it only centers the problems marked by themselves: a spectacle. Citizens may just play a passive role, only reacting to the signals received. In the shadow of this orchestration, politics takes place behind closed doors as an elite discourse between governments and, in particular, business elites. Even Colin Crouch, who has described this type, regards it as exaggerated – more precisely: yet exaggerated, as the development is more and more converging to it.

There is some doubt to be objected to this ideal-type, because it obviously simplifies factors of the process of legitimation. For example, also interest groups and elites from the business community have a legitimate right to participate – but definitely not the claim to enjoying disproportional preference. Still, one can engage in this critical model and enquire for the substance of legitimacy through elections, without referring to “post-democracy”. One must even do so, taking the claim of “integrative representation” (FCC) seriously. The fact that the normative criteria of a liberal-pluralist conception of democracy have to be measured at the ballot-reality is postulated by the “non post-democratic” election theory, too.

1. Integrative representation

“Integrative representation” does not only postulate equal opportunities in electoral competition. It requires just as much the chance of voters to participate in the discussion about the politically relevant matters. Therefore, the question of the political and social content of communication in election campaigns arises. In fact, this substantive political function is frequently neglected. Especially the “catch-all parties” have often avoided putting social and political problems onto the agenda of electoral debate. The elaboration of alternatives is subject to considerations motivated by opportunity: What is adequate to the voters? What is too risky? *Joachim Raschke* speaks of mock battles between organizations in a bounded formal competition. The voters’ interests may be diffuse, as the veto powers of particular interests strong. To critics of post-democracy it has to be opposed that also the electorate doesn’t widely meet the normative criteria of democracy; that opportunities to participate and for reasonable arguments generally are not realized, and that political parties are continually addressing an apathetic and irrational public, seeking its support. But if a party, as happened in Germany in 2009, is applying an “asymmetric mobilization” – what actually and really is meant was a demobilization to avoid certain discussions –, at the same moment it consciously torpedoes transparency and participation chances, which are inalienable for the attainment of that “integrative representation”.

2. Media democracy

The most accurate one is the criticism on the role professional PR-experts play in the election campaign communication as well as on their submission to the rules of media democracy. The latter was characterized to the point especially by American authors such as *Joshua Meyrowitz, Thomas Patterson, Roderick P. Hart, Kathleen Jamieson-Hall, Jeffrey Tulis, Hedrick Smith, Dick Morris* and others – including the focus of election campaigns as advertising offensives rather than rational discourse. But if in media democracy images are preferentially staged rather than content, symbolism rather than substance, and presentation styles rather than concrete policies, there can't be expected any priority of rationality just when political power is at stake. In mass democracy the priority of emotions, staged by all available means of communication, has always prevailed in this special situation – be it the mere rhetoric or billboard advertising. Thus, democracy and post-democracy differ with regard to still existing, respectively no longer existing mandatory political content and alternatives.

In Germany, this tendency has first become visible in the dramaturgically perfect electoral party congress of the SPD in 1998 – a complete artwork of lighting consoles, tonal sound, play of colors, gestures and postures: almost every second arranged along script and stage direction, a perfect show. The other day, newspapers came up with extracts from the stage direction in which the “waving gestures” of the heroes, the “decay of music” and the “clapping” of the party people had

been managed meticulously in advance. The *Frankfurter Allgemeine Zeitung* commented on it, that we've never before seen a social democratic party convention submitted so willingly to the rules of media democracy, and the *Süddeutsche Zeitung* wrote: "The Leipzig SPD-party convention was not a party congress, but a show, an art-production of media heroes (...). No one knows the rules according which *Gerhard Schröder* is going to shape policies, and with which partners he is going to work together; probably he even doesn't know it himself, however, he masters the rules of the media world."

However, the SPD-election campaign was not only characterized by this highlight, but by a comprehensive, systematic and coordinated communication management of high professionalism, following the patterns of the last *Clinton* and *Blair*-campaigns. Actually, the SPD asked their teams for advice. The entirely new thing regarding the transfer of the Anglo-Saxon model to Germany is the tendency that substantial messages are no longer the crucial factor. In fact, this election was a plebiscite for the preservation of the welfare state in its accustomed shape, against the political reforms by the long-serving government.

When *Willy Brandt* had adopted elements of the previous campaign by *John F. Kennedy* in 1961 the critical notion of "Americanized election campaigns" emerged in Germany for the first time. What it means is a new quality of election campaigns, which is determined by media and social changes. First, there is the question to which extent the entire political system is

being altered by the influence of media, and the interpretation of politics by the influence of political actors; unlike Germany, in the United States media indeed have taken over the role originally ascribed to political parties as to make up public discourse and promote political will. Second, the natural party milieus are increasingly eroding, as traditional ideological and organizational ties lose their strength, and as voters are more and more primarily focusing services and benefits provided by political institutions; therefore the reservoir of swing voters increased and new short-term opportunities to influence voters' behavior emerged. For both reasons, the method of political communication gains in importance. In parallel, the influence of marketing concepts swells. Media are no longer only accompanying actions of politicians. It is the fact that they actually report and the manner of reporting itself which becomes an essential precondition of the success of political actions. Those, who want to reach the public successfully, must adapt to this idiosyncrasy. Therefore, traditional partisan logic of political strategies recedes behind a new logic imposed by media.

At large this phenomenon is characterized by six criteria:

- a. Personalization: The focus is the leading candidate and not the party.
- b. Election campaign as contestation: The campaign concentrates on the question of who will win, on the so called *horse race*; public opinion research is therefore of great importance;

- c. Negative campaigning: Denouncing and discrediting the opponent are more important than promotion of own goals;
- d. Professionalization: Planning and realization of the campaign are in the hands of communication professionals;
- e. Marketing-approach: The campaign is based on proven models of advertising campaigns;
- f. Event- and issues-management: Pseudo-events and media-based arrangements of political action are utilized to influence media content.

There is no evidence that the internet should mark a turning point back to political content; *Barack Obama* has exerted it bottom-up with the result of mobilizing but scarcely discursive effects. In Germany, however, there was pursued a top-down strategy, which eventually has fallen short of both objectives – the discourse as well as mobilization. The development takes place under the auspices of media priority: It is irreversible and cannot be stalled by the post-democratic criticism.

3. Post-parliamentary democracy

Parliaments are legitimizing governance. Are they really doing so? Hence: Do Parliaments matter? If they don't, elections lose their legitimating function. *Crouch* has spoken about discourse between political and economic elites in the back room. Others (*Andersen / Burns*) speak on this very line about "post-parliamentary democracy". What it is meant is the growing

power of private actors in political process, and the emergence of new extra-parliamentary forms of political control, e. g. neocorporatist structures. The result is a system of post-parliamentary governance, thus a system shaped by interest organizations, experts, informal groups and networks. Parliaments wouldn't have the competence to provide the necessary performance – why? “Western societies have become highly differentiated and far too complex for a parliament or its government to monitor, acquire sufficient knowledge and competence, and to deliberate on.” What is in particular lacking is the capability of the Members. They would retain responsibility – at least as a “public mythology”; their monitoring and control function, however, is minimal. “Associative democracy” is getting the new model: Communities could be better represented and organized by their associations themselves. In fact, this means an undermining of representative democracy. The role of parliaments would be restraint to mythological work regarding the integration of the society by their symbolism and rituals. And, as well, they should discuss long-term problems. That means: Parliaments are varying from decision makers to intellectual debating societies, a Council of the Wise. As a result, the election itself would be relegated to the realm of symbolism and myth.

Thus, “representative integration” is reduced to absurdity, at least as it has been traditionally and normatively understood. The emphasis of this approach is based on the effectiveness of problem-solving, not on legitimizing.

The German discussion is registering similar trends with criticism. But it does not accentuate those trends as a model for the future. It additionally refers to the European multi-level system, to which “gray areas of democratic legitimacy” has long been ascribed: parliamentary involvement in decision-making is reduced, and the role of privileged interests all the stronger.

What is prominent is the overstatement by *Dieter Grimm* (former constitutional judge and professor of constitutional law) deeming the Federal Republic a “negotiating democracy” and a “bargaining state”. Reached arrangements wouldn’t, in contrast to the classical process of legislation, originate in “general discussion and participation”. The parliament faces them in a “situation of ratification”. Otherwise, negotiation results seemed obsolete and problem-solving moved far back.

Whether “associative democracy” as a new model, or “consensus or negotiating democracy” as a critical development: Two out of the three pillars of parliamentary democracy defined by *Winfried Steffani* – efficiency, transparency and participation – drop out: transparency and participation. These are the two pillars characterizing the democratic process, which culminates in election, and which as well takes its origin from the latter.

What decision-making power, what legitimacy power do parliaments still have? Do parliaments really matter; or only on a symbolic level? And, if they are mainly representing the sym-

bolic dimension – do then also elections have essentially a symbolic, and at the heart no longer a legitimizing function?

IV Conclusion: Do elections still matter?

Conclusion: The key issue for us is how elections contribute to the functioning of democracy?

One answer is: quite considerably; as elections decide on governmental power, politics in its short winded form is more and more geared to them in Germany. There are hardly substantive perspectives developed beyond the limits of the legislative period of the Bundestag. Parliamentary elections in 16 German states – in 2011 actually seven – act in the same direction. Voting results even lead to policy course decisions, such as the omission of necessary reforms of the welfare state. That is, politics tends to follow the citizens; however it holds back with political leadership.

Leadership ought to rely more on substantive arguments, and should accordingly be an auxiliary means against the dramatic criteria of media democracy. The dilemma: Citizens are not approachable by rational reasoning from the outset – on the one hand; on the other hand, they criticize the forms of political discourse, and question the competence of parliamentarians. Therefore conditions for election campaign communication, which were appropriate to the ideals of democracy, are weak. At the same time the thesis of deparlamentari-

zation is gaining ground, especially the view that politics is fastened to the reins of economy.

Three factors have been discussed here to be responsible for the loss of importance of politics and elections among citizens: alleged or actual output deficits, shallowness of media communication, and the “negotiating democracy” with its power shifts away from parliament.

If expectations of legitimacy fall into the symbolic and mythical sphere – why to vote?

That’s one perspective. Otherwise, the development is not as clear as it is assumed in post-democratic, media-democratic or consensus-democratic concepts. Even if it is not “the” parliament, which is significantly involved in processes of decision-preparation and decision-making, there are MPs in various positions part of these procedures, most clearly in the government. Democracy is a system of open influence and communication. Elections are still a heyday of positive communication, in which even the acceptance of parties and institutions increases. They’re still allocating political power, and have not fundamentally lost their natural legitimizing function. Doubtlessly, they cannot decide to which extent elected representatives and other actors in the political system are performing their duties.