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Abstract

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Participation and Deliberation: Introduction to a Dossier on Cristina Lafont's *Democracy without Shortcuts*

René Gabriëls

Nowadays many citizens and scholars speak of a crisis of democracy. In doing so, they indicate various, partly related phenomena. One such phenomenon concerns the epistemic dimension of democracy: truth-finding as a necessary condition for good decision-making. Fake news, alternative facts and microtargeting for the purpose of political propaganda are, according to some, undermining this truth-finding and have led to post-truth politics (Ball 2017; Nieman 2017; McIntyre 2018). While the internet and its social media were initially expected to spark a new wave of democratization, they are now seen as a threat to democracy because of the disinformation they spread (Sunstein 2017; Bartlett 2018; Baldwin 2018). The concept of post-truth politics could also be applied to politicians like Bolsonaro and Trump who publicly ignore the knowledge of experts in connection with Covid-19 or climate change.

Distrust of experts can also be devastating for democracy (Oreskes and Conway 2010; Hirschi 2018; Nichols 2018). This increases the perceived gap between citizens and experts. This gap is also seen as a phenomenon of the crisis of democracy (Gabriëls 2015). In an increasingly complex society, democratic decision-making is impossible without either the knowledge of experts, or without the political legitimacy of decision-making by citizens. The tension between expertocracy (i.e. the rule of experts) and democracy (i.e. the rule of the people) plays an important role in decision-making around political issues such as Covid-19 or climate change. Someone such as Jason Brennan, for example, cannot resist the expertocratic temptation to make a case for the rule of the knowers (Brennan 2016).

In addition to post-truth politics and the gap between citizens and experts, populism is presented as a phenomenon that indicates a crisis of democracy (Eatwell and Goodwin 2018; Howell and Moe 2020; Navin and Nunan 2020). Populists claim that it is not the people that rule, but an elite. They articulate the unease of citizens who are not, or are insufficiently, represented by the political establishment. The way in which populists claim to represent the people - based on an us/them rhetoric – often implies the exclusion of minorities. The exclusion of some elements of the people in the supposed name of the people is incompatible with the commitment to inclusion inherent to democracy.

Populists have a point when they say that the people is not, or is insufficiently, represented, because empirical research shows that poor parts of the population lag far behind the richer parts in terms of political participation. There appears to be a misalignment between the actual political preferences of citizens and the perceptions of these preferences by politicians and the policies they are pursuing (Achen and Bartels 2017; Page and Giles 2017). Not infrequently, socio-economic inequality corresponds to inequality in political participation, which undermines the political equality of citizens (Stiglitz 2013; Schäfer 2015). This phenomenon is also perceived as an indicator of a crisis of democracy, because it excludes those who are subject to political decisions from decision-making. Various scholars make capitalism responsible for this. They suggest that the neoliberal form of capitalism is incompatible with democratic principles (Deppe 2013; Schäfer and Streeck 2013; Ketterer and Becker 2019). This is illustrated by the fact that the EU and the IMF flouted the will of the Greek people when they, contrary to the democratically decided economic policy, imposed their austerity policy on Greece. Colin Crouch's well-known thesis of post-democracy addresses the fact that in times of highly globalized capitalism some formal structures of democracy remain intact, but become more and more eroded from within (Crouch 2014). The interests of political and economic elites are well served by strong lobby groups advocating for them, public goods and spaces becoming increasingly privatized, and transnational institutions such as the IMF, the World Bank and the WTO taking decisions that are hardly influenced by those who are affected by them.

Against the background of the aforementioned phenomena that indicate a crisis of democracy, Cristina Lafont has written the interesting book *Democracy without Shortcuts. A Participatory Conception of Deliberative Democracy* (Lafont 2020). *Krisis* asked a wide variety of philosophers who are experts in issues surrounding democracy to shed a critical light on it. But first a few more words about the content of the book.

With regard to the question of who belongs to the demos, a participatory conception of deliberative democracy usually claims to address issues of external exclusions (of asylum seekers and potential immigrants) as well as internal exclusions (of dissidents and minorities). Lafont limits herself to internal exclusions and wonders what the existing conceptions of democracy contribute towards clarifying them. Her claim is that the deep pluralist, purely

epistemic and lottocratic conceptions of democracy fall short in this, because they do not do justice to the democratic commitment to inclusion in decision-making. In fact, she argues that existing concepts of democracy are partly based on anti-democratic assumptions that undermine the inclusion of the citizenry as a whole in political decision-making. Implicitly or explicitly, the aforementioned conceptions of democracy accept shortcuts, that is, ways of limiting the participation of citizens in making political decisions. With these shortcuts it is expected that citizens blindly defer to the political decisions made by others. Corresponding to the aforementioned conceptions of democracy, Lafont distinguishes three shortcuts.

Deep pluralist conceptions of democracy are responsible for a procedural shortcut. Because these conceptions assume that in pluralist societies political disagreements run so deep that citizens cannot reasonably overcome them, they propose democratic procedures. Instead of the rule of the people the deep pluralist conceptions endorse majoritarian rule by expecting citizens to blindly defer to the majority in the case of political disagreements. According to Lafont, such a majority can legitimately impose its will on minorities, so that there looms the danger of an internal exclusion advocated by populists.

While the deep pluralist conceptions of democracy claim to solve the allegedly insurmountable problem of political disagreements, the purely epistemic conceptions of democracy claim to solve the allegedly insurmountable problem of citizens' ignorance. In order to achieve in politics substantively better outcomes citizens are expected to blindly defer to experts. This expertocratic shortcut implies that it is not the people but the knowers who rule. As with populist views, in the view of Lafont the purely epistemic conceptions of democracy presume internal exclusions, albeit not of political elites or minorities, but of those who do not belong to the knowers.

To avoid elitism and internal exclusions, lottocratic conceptions of democracy propose randomly selecting citizens who represent the people instead of recruiting representatives from the political elite through elections. Transferring political decisional power to citizens' assemblies, deliberative polls and citizens' juries would solve the allegedly insurmountable problem of improving the quality of deliberation. According to Lafont, this proposal leads to a lottocratic shortcut, because non-selected citizens are expected to blindly defer to a random group of other citizens. The deficit of lottocratic conceptions of democracy is that, like the

populist views, they provide a justification for the idea that in political decision-making it is not necessary to track the political opinions of all those subject to it.

Lafont points out that what deep pluralist, pure epistemic, andlottocratic conceptions of democracy all have in common is that they violate the democratic ideal of self-government, because “for none of them is it essential that *citizens be able to identify with the policies to which they are subject and endorse them as their own*” (Lafont 2020, 162 [italics in the original]). Neither the rule of the majority, nor the rule of the knowers, or the rule of the randomly selected citizens, meets the democratic ideal. One way or the other they bypass citizens who might participate in the political decision-making process, i.e. by shaping the law and policies to which they are subject. Lafont believes that the three conceptions of democracy fail to provide serious solutions to the crisis of democracy. To combat this crisis, a democracy without shortcuts must be defended.

The scholars *Krisis* has asked to respond to Lafont’s challenging book do so in different ways and from different angles. In his contribution, Pieter Pekelharing alludes to Wittgenstein’s statement that philosophy “leaves everything as it is” (Wittgenstein 2009, § 124) by suggesting that Lafont doesn’t want to change the institutional order (constitutional courts, practices of representation, voting, protesting, etc.). With regard to the crisis of democracy, should it not only be the understanding of citizens that must change, but also the institutional order? Dorothea Gädeke addresses the question of whether Lafont’s distinction between the substantive concern (with the proper content of laws and policies) and the interpersonal concern (with the proper relationship with others who are involved in the decision-making) neglects the fact that they are inextricably connected to each other. She also highlights the tension between two epistemic aims of democratic deliberation (truth-tracking and the mutual justification of the exercise of coercive power) and the issue of the macro-deliberative preconditions of judicial review. Justo Serrano arrogates to Lafont a rejection of the idea that truth-tracking should play any role in democratic decision-making, and criticizes this. Inspired by John Dewey, he presents an alternative to Lafont’s participatory conception of deliberative democracy that pretends to do concurrent justice both to the epistemic value of the outcomes of democratic procedures and to their intrinsic political value. Hauke Brunkhorst endorses Lafont’s participatory conception of deliberative democracy, but suggests that she does not

sufficiently recognise that the primacy given to the constitutionalization of competition law and market freedoms systematically undermines the constitutionalization of political and social rights. He points out that the implementation of the form of democracy endorsed by both requires a radical change in the political and economic power structures of contemporary capitalism. Liesbeth Schoonheim criticizes Lafont's assertion concerning the legitimate and illegal use of the right to legal contestation, and her points regarding agonism. In addition, she asks what impact unequal power relations have on the process of constitutionalizing public opinion. The first of the two issues raised by Lisa Herzog is whether the problem of justification in the phase of expertise is not more complex than Lafont assumes. She also asks whether her vision can be realized if it is limited to the political realm and not extended to the economic realm (e.g. workplace democracy). Ronald Tinnevelt invites Lafont to reflect on the role that political parties might have in her participatory conception of deliberative democracy. By endorsing Jürgen Habermas's feedback-loop model of political deliberation he suggests that they can play a substantive role and asks her whether they can also mediate between micro- and macro-deliberative processes of opinion- and will-formation. William Talbott states his disagreements with Lafont's arguments against a lottocracy. He argues for a system of empowered minipublics, i.e. representative samples of the total population with legislative power.

In her detailed response to the challenging comments of her colleagues, Lafont clarifies and develops her own arguments and criticizes those of others. *Krisis* hopes that this dossier contributes to the further discussion of Lafont's thought-provoking ideas about democracy.

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Biography

René Gabriëls is affiliated to the University of Maastricht. He researches food banks and the anglicization of higher education. He is also an editor of *Krisis*.