

# THE PARLIAMENTARISATION OF ELECTIONS A REDESCRIPTION OF THE RELATIONSHIPS BETWEEN TWO CONCEPTS

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## **A thought experiment**

In this article I will present a thought experiment that inverts the relationship between the concepts of parliament and elections by bringing the parliament, its agenda and debates (back) to the election process. I shall explore the possibilities of the 'parliamentarisation' of elections in the sense of both including them in the self-organisation of the parliament and re-connecting them to the political questions on the agenda of the parliament.

The reference to a thought experiment indicates that my discussion moves on the level of ideal types of political understanding. The very idea of conducting thought experiments is indebted to the thought of Max Weber and his ideal-typical approach to the construction of unrealised possibilities as a precondition for the proper understanding of realised ones.<sup>1</sup> More specifically, in his 1917 essay on suffrage and democracy, Max Weber invites his readers to carry out a thought experiment by pondering the possible consequences of a democracy without a parliament.<sup>2</sup>

Indeed, according to Weber, the parliament as a deliberative assembly is much more effective than any direct democracy in controlling the government and bureaucracy. His speculations about the consequences of a non- or anti-parliamentary democracy have a value

orientation (*Wertbeziehung*) that favours the parliamentary style of politics. I agree with this orientation and aim here to both extend and actualise Weber's discussion from the time of World War I. I do not, however, offer any suggestions about changing the voting and electoral process, but, rather, illustrate certain possible modes of reorganising them from the parliamentary perspective.

My redescription of the relationship between voting and parliamentary politics is motivated by Quentin Skinner's discussion of the rhetorical redescription of concepts (see Skinner 1996, 1999, 2002, 2007). The practice of rhetorical redescription allows us to alter the range of reference of the act of voting by closely reconnecting it to parliamentary politics and reappraising the political role of voting in parliamentary political cultures. My point of departure in revising the relationships between parliament and voting in comparison with their current understanding in public and academic debates will be the procedures and practices of the parliament, which, as analysed by Skinner (see Skinner 2008), are strongly indebted to the Renaissance rhetorical culture.

## **Parliament and elections**

Today, the parliament is generally perceived as little more than the ratifying organ of the will of the majority of the electorate, and its objective is restricted to the realisation of the governmental programme of the winning party or coalition. This view devalues the historical singularity of the parliament, i.e. its character as a deliberative assembly that debates the pros and cons of every item on the agenda. The distinct character of the parliament as a debating assembly will be lost if its power is reduced to the expression of the electoral majority that enables the formation of a government supported by this majority. In such a parliament, not only is the agenda completely determined by the governmental majority but also the debates over items on the agenda are limited to either obstruction or the minor revisions of the governmental programme. Such a parliament also violates the principle of the free mandate of the members of parliament as an indispensable condition of deliberation and debate in any parliament. There is no *Spielraum* for debate when all that matters is counting the votes.

We can begin our thought experiment by discussing some of the more radical deviations from the ideal type of the debating parlia-

ment. The parliament's dependence on the electorate is frequently idealised, and some academic debates are conducted according to the classical private law model, in the current jargon called the principal-agent-model. Calls for the de-powerment of the parliament are also common in the current popular debate. The reduction of the number of MPs, the shortening of the electoral term and the lowering of MPs' salaries are popular *topoi* in tabloids, blogs and electoral campaigns. A strictly bound or imperative mandate combined with revocation of the MPs would require the abandonment of the secret ballot, which is also on the agenda in debates surrounding online voting (see the discussion in Buchstein 2009b). Nonetheless, there have been calls for a quasi-imperative mandate that would increase parliamentarians' dependence on their constituencies and parties.

We can imagine further means of decreasing the 'high costs' of the parliament. Proposals to abolish the post-war recognition of the full-time character of membership in the parliament and to abolish parliamentarians' monthly salaries, travel costs, pensions and so on are once again the subject of often heated debate. The reduction of the duration of parliamentary sessions as well as the number and weight of the items on the parliamentary agenda are examples of additional moves aimed at transferring power from the parliament to the government and bureaucracy. It is certainly possible to think that an effective populist campaign could one day gain majority support for such proposals. The result would be a return to the Bismarckian ideal of summoning parliaments for a couple of weeks per year to inform the government about local opinions and to ratify the government's budget (see for example Butzer 1998).

Indeed, the practices of the Soviet-style façade 'parliaments' also closely followed this ideal of a powerless and depoliticised assembly operating via acclamation as opposed to deliberation. Their distinction from debating parliaments is related to the classical distinction between epideictic and deliberative rhetoric: the former does not acknowledge a choice between alternative courses of action but considers only one alternative given to the audience, which either affirms it by acclamation or rejects it by refusing to acclaim (see Aristotle, *Rhetoric*, 1358b, 1359b).

Max Weber explicitly distinguishes acclamation from elections.<sup>3</sup> We can also ask whether a merely acclamative and ratifying assembly even needs to elect permanent members. The 'elections' held in the

Soviet-style regimes were acclamations aimed at selecting to the façade assembly a sample of party activists or regional notabilities who did not debate with party or governmental leaders. If the actual composition of the 'parliament' is insignificant, the replacement of permanent members by those chosen by lottery among citizens for a short period of sessions would be more appropriate than the elections (cp. Buchstein 2009a).

In order to understand the empowerment of the parliament, I shall discuss the political point of the parliamentarisation of elections and of the act of voting. Following the aim of thought experiment, I shall not make an actual proposal as to how it should be realised.

What is the political meaning of the act of voting? The English concept of 'voting' refers to two different acts, to the choice of persons and the decision on an issue, not distinguishing strictly between the German concepts of *Wahl* and *Abstimmung*. My discussion is limited to the former concept, to the vote as a method of choosing between persons in elections, and my central thesis is that such a vote is an entirely different speech act than an *Abstimmung* in a referendum or popular initiative.

The act of voting in "free and fair elections"<sup>4</sup> is radically contingent in the elementary sense that the individual voter can always vote differently, independently of the fact that the difference between individual votes do not always carry much weight. The political significance of voting is to render contingency comprehensible; it does not make sense to arrange a vote if there are no alternatives for the voters to choose from.

As a political move, the act of voting in free and fair elections cannot be understood separately from the deliberative and representative institution of the parliament that is elected by the acts of voting. This characterisation allows us to reconsider the character and political value of voting in relation to the parliament as a deliberating and representative assembly. The universality and equality of suffrage and the secret ballot can be included among the conditions necessary for defining elections as free and fair.

The political point of voting is determined primarily by what is at stake in the election. The election of members of an assembly is an entirely different speech act than the election of a president, a mayor or a sheriff. The latter types of elections do, however, have rhetorical similarities with referenda. Here we encounter the ideal typical dis-

inction between deliberative and epideictic rhetoric, between debating between alternative courses of action and affirming or refusing to consent to a proposal or candidate. In a referendum, voters should only have the choice to vote yes or no. The cases with three or more alternatives, such as the Swedish referendum on nuclear power in 1980, tend to yield ambiguous results, thus undermining the point of a referendum.

The main point of elections of the parliamentary type is to elect people who are expected to debate with each other and to deliberate *pro et contra* on the issues on the agenda. A president or a mayor, for example, does not have peers to debate with, only colleagues to negotiate with and citizens to present speeches to.

Furthermore, both the character and power of the assembly to be elected shape the act of voting. Voting in parliamentary elections is a different act than voting in municipal or regional assembly elections. Even farther from free and fair elections is the selection of a feudal estate or corporative assembly, not to mention that of a merely consultative or decorative assembly. The character of voting depends directly on the different powers or procedures and practices of the assembly to be elected. Moreover, voting in the parliamentary elections of a parliamentary regime can also be opposed to voting in the parliamentary elections of a presidential or semi-presidential regime.

The opposition between the parliament and a feudal or corporative assembly corresponds to what Edmund Burke classically referred to as the opposition between the parliament as a "deliberative assembly" and a "congress of ambassadors".<sup>5</sup> This distinction is based on the opposition between two rhetorical genres – deliberation and negotiation – of debating between alternative courses of action and bargaining over an appropriate compromise between given standpoints. In Burke's time, in late eighteenth-century Westminster, parliamentary debates had become a new paradigm for the deliberative genre of rhetoric, as opposed to the diplomatic paradigm of negotiations.

The vote as the method of electing the parliament only becomes political via the parliament itself, and it can only be understood politically as part of the parliamentary processes. My point here is thus to analyse voting in parliamentary elections as inherently connected to the deliberations, debates and votes conducted inside the parliament itself. In the parliament, the discussion of the items on the agenda

from opposite perspectives serves, as was well understood in the nineteenth century rhetorical literature,<sup>6</sup> as a methodological principle of the rhetorical insight that an issue can only be properly understood when debated from different points of view.

### **The freedom of the voter**

This inversion of the predominant view of the relationship between elections and parliamentary politics also enables us to take a fresh look at the relationship between voting and political liberty. Jean-Jacques Rousseau famously declared in *Du contrat social* that the English are free only on election day.<sup>7</sup> The point of discussing elections from a parliamentary perspective – which was not yet known to Rousseau in the sense of a distinct parliamentary form of government or representative democracy (see for example Rosanvallon 1993) – also provokes us to invert Rousseau's declaration.

In what sense are English voters 'free' on the election day? Although the majority of British elections were far from competitive in Rousseau's time, the point of being free on election day is only understandable when considered in conjunction with the principle that voters are free not only to choose between candidates but also to debate the pros and cons of the candidates in their own constituency. In other words, for Rousseau,<sup>8</sup> voters' freedom on election day refers to the possibility to intervene in parliamentary deliberations and decisions by means of voting in parliamentary elections. Although this type of freedom of intervention cannot be as frequent as it was in the popular assemblies of the ancient or Geneva type, this does not diminish its importance. Even if voting is restricted to election day, the very right to vote makes it possible and legitimate for ordinary citizen-voters to intervene in the parliamentary process at one of its most decisive stages, namely the election of the members of parliament.

This interpretation of Rousseau's concept of freedom is, nonetheless, compatible with the thesis that the members of parliament are free, at least during the parliamentary session. If the voters give up their freedom in elections – in the old sense of a *Wahlkapitulation*, a term that was used among the princely 'electors' (*Kurfürsten*) in the choice of the Emperor in the old German Empire until 1806 – those elected as members of an assembly remain free. This idea corresponds

to the republican or neo-Roman concept of liberty: the freedom to debate and to vote as the last step in the deliberation process in the parliament can be considered as a major expression of the freedom from dependence (see for example Skinner 2006).

There is also a distinct historical link between the parliament and this concept of liberty. The idea of the free mandate of the members of parliament, as developed in England as early as the late Middle Ages (see Post 1943, Müller 1966), is key to distinguishing the parliament from both feudal estates and corporate city assemblies. The point of the free mandate, in other words, is the 'capitulation' of voters on election day as a necessary correlate of the freedom of parliamentarians in their deliberations. Additionally, we can insist on the indispensability of free elections, free speech and freedom from arrest (for parliamentarians' role in the struggle with the Stuart kings in England see Hexter (ed.) 1992, Yerby 2008).

If we admit that the members of parliament are free, their freedom can, in accordance with Rousseau's dictum, be transferred back to all citizen-voters on election day. We can support this view with Max Weber's concept of the occasional politician (*Gelegenheitspolitiker*), in which voting is the first example of acting politically.<sup>9</sup> Weber's point is to insist that there is no categorical opposition between citizens and politicians, the represented and the representatives, but, on the contrary, the citizen as an occasional politician is a special kind of politician (see Palonen 2002, esp. 49-50). By voting, an occasional politician can directly intervene in the parliamentary process.

In other words, the voting citizen becomes a politician on election day. Or, we can even go so far as to claim that on election day the voter acts as her<sup>10</sup> own representative in the parliament. Conversely, membership in the parliament is extended to the entire electorate on election day, or at least to every voting citizen. It is precisely this point of view that I take here as my point of departure in comparing the status of the parliamentarian and the citizen-voter, as well as the procedure of parliaments and electoral campaigns.

In a parliamentary regime it is the parliament itself that sets the political agenda, not only for its members but also for all other citizens. The paradigmatic act of the citizen as a politician is to vote in the parliamentary elections. But unlike the princely electors in the German Empire prior to 1806, modern voters do not, of course, ca-

pitulate from intervening in politics beyond accepting the free mandate of the parliamentarians, regardless of whether the voting right is actually used in parliamentary elections. Weber's other examples of acting as an occasional politician, such as taking a stand on an actual issue in the press or a local party or constituency organisation meeting, refer to items on the parliamentary agenda. The Weberian distinction between the professional and occasional politician thus also clearly expresses the distinction between full-time and election day parliamentarians.

### **Representation, citizens and parliament**

My vision of the parliament as a political institution opposes a commonly held view on the relationship between the electorate or the citizenry - i.e. 'the people' - and the parliament. This view is related to the ancient ideal of the priority of direct democracy and the merely practical necessity of accepting the principle of representation. This view has also remained strong in the mirror concept of parliamentary representation, in the attempts to replace parliaments with various semi-direct assemblies, as well in the presence of plebiscitarian elements in a representative system, such as the referendum and the popular initiative.

The common element of such views lies in regarding parliamentary representation as a mere *Ersatz* for the 'will of the people', something impure in contrast to the pure form of the popular will. Correspondingly, the point of many anti- or semi-parliamentary ideas has been not only to minimise the power of the parliament but also to dispute or downplay the role of internal procedures and parliamentary practices in debating the issues on the agenda. They are regarded as measures that quite easily cause representatives to deviate from their original standpoints.

This widespread view assumes the existence of an entity called 'the people' as the origin of all political action. Andreas Kalyvas has recently emphasised (2008) how authors as different as Carl Schmitt and Hannah Arendt share this view of the priority of popular action over political representation. In correspondence to such a view, many normative theories of democracy also take the opinions - or 'preferences', as the jargon goes - of voters as authoritative units which can

ideally be transferred to the parliament via appropriate principles of representation and voting.

The assumption is that 'the people' as the constitutive element of the polity precedes both the act of voting and parliamentary procedures. For Carl Schmitt, the "political existence of a people" precedes all procedural decisions.<sup>11</sup> In Kalyvas's wording, "Schmitt attempted to protect the democratic constitution from contingent power politics and group interests with a reconceptualization of the notion of political representation" (Kalyvas 2008, 146). Kalyvas recognises that not only Schmitt's connection of democracy with identity<sup>12</sup> but also Arendt's promise-based contractarianism share the idea that the unity of the people precedes the plurality of its opinions (Kalyvas 2008, 236-240, 266-277). This priority of the 'people' serves as the basis for downplaying the parliamentary and electoral procedures as instruments dealing with political disputes (see my Arendt-Weber comparison in Palonen 2008a).

A corollary of such a view is to regard voting as the mere registration of the already existing opinions of the citizens. In such a view, all institutions and procedures appear as suspicious mechanisms that tend to cause the election results to deviate from the pure opinion of the citizens, and the ideal would be a system that minimises this deviation. Adherents of the constitutive role of the 'people' also view the parliament as a deliberating assembly with suspicion, as it subjects its members' standpoints to opposing arguments, which increases the risk of deviation from the 'pure' standpoints of the citizens even more radically. In accordance with this critique, Schmitt regards acclamation as the only mode in which 'the people' (*das Volk*) can act politically.<sup>13</sup>

Among the contemporary theorists of political representation, Frank Ankersmit has perhaps best formulated the opposite point of view. In his *Political Representation*, Ankersmit puts the point succinctly: "Without representation there is no represented" (Ankersmit 2002, 115). For him, the act of representation conceptually precedes the creation of the represented and the representatives because of the indispensable selectivity of the act of representation.<sup>14</sup> He blames the plebiscitary tendency to reduce elections "to the status of official inquiries into citizen's happiness and well-being" (Ankersmit 2002, 123). His most crucial insight is that citizens do not dispose ready-made political opinions that are independent of the political regime, its pro-

cedures and institutions, or of the current political constellation. Only the election of a representative assembly challenges citizens to take a political stand on the issues on the parliamentary agenda. The right to vote is the right to intervene in questions of the polity, and this right can only be realised in a form specific to both the assembly to be elected and the mode of its election.

The major advantage of this view is to dispense with the assumption of a 'natural' availability of opinions, which are best expressed in the elections of the constituent assembly. The notion of free and fair elections does not refer to the ideal of the perfect transfer of opinions from the electorate to the assembly prior to the electoral campaign. As such, we cannot regard electoral systems and parliamentary procedures as secondary matters that are decided by the constituent assembly and that do not concern the election of the constituent assembly itself. All parliamentary elections include at least some procedural principles and regulations. The formulation of the opinions according to the requirements of the parliamentary procedure and dealing with the issues present in the electoral campaign are bound to modify the stands of the voters. The freedom and fairness of the election depends on how this formation of standpoints takes place in the phases of the selection of the candidates, in the relationship between citizens to the campaign, as well as regarding the chances of the candidates to become elected.

Historically speaking, parliamentary procedures are much older and much more finely tuned than electoral procedures. Indeed, one of the main political advantages of parliamentary politics lies in its well-established procedure: if we cannot rely on certain existing procedures, we must engage in eternal debates about procedure (see Pierre 1887, 2-3). My thesis is that parliamentary procedure offers a good approximation of the dissensual rhetorical ideal of fair play<sup>15</sup> in the treatment of opposing perspectives and their adherents in a debate. When the parliamentary procedure of debating serves as a model for other assemblies, meetings, associations and so on (see for example Brewer 1916), it seems appropriate to apply it, *mutatis mutandis*, also to the organisation of elections and the regulation of the electoral campaign.

This priority of the parliament over elections and representation over the represented and the representatives allows us to adopt a strictly nominalistic view on the electorate. Similarly to the members of parliament, citizens can only express their political opinions to the

parliament in elections in a procedurally institutionalised manner. Or, viewed from the opposite angle, elections can be regarded as a qualified extension of the procedures and practices of parliamentary debate and decision-making to the entire citizenry on specific regular and recurrent occasions.

In *Politik als Beruf*, Max Weber accepts the fact that the division of the electorate according to its degree of interest in politics is an indispensable characteristic of parliamentary democracies.<sup>16</sup> By no means, however, does Weber intend to devalue the political interest of simple citizens. His point, rather, is to reevaluate professional politicians, parliamentarians in particular, as the main defenders of the freedom of individual citizens against the overwhelming tendency toward bureaucratism and the corresponding dilettantish rule of officialdom (see in particular Weber 1918, 222-248).

The point of regarding voters as parliamentarians on election day helps us to distinguish between debating parliamentarians, state officials, party functionaries and business leaders. Unlike parliamentarians, none of them are expected to debate. The goal of officials is to incarnate in their own person the impartiality of the *raison d'état* as something to be found on the basis of 'things themselves' and not in the deliberations between opposing perspectives and their representatives. Party functionaries and business managers resemble each other in that both have a given and non-debatable measure of success, namely the maximisation of votes/seats or profits.

The comparison of voters to parliamentarians also illustrates that it might be sufficient for citizens to intervene in parliamentary politics occasionally – only on election day – while leaving the continuous process of disputing the items on the parliamentary agenda to professional parliamentarians. The regular and recurrent election of the parliament on a specific day elevates the voters beyond their everyday life and thereby sets their status of citizens as occasional politicians above the narrow horizons of their 'social being'.<sup>17</sup>

For Ankersmit, the point of the priority of representation over the represented and representatives lies in the insistence that the deliberative character of the parliament both transcends and transforms the views of the representatives and the represented (see Ankersmit 2002, 111-112). The parliamentary link between representation and deliberation illustrates the opposition between bound delegates and deliberating representatives, as also expressed in the Burkean opposition of

the congress of ambassadors to the parliament. For Courtenay Ilbert, a Clerk of the House of Commons, the distinction between representatives and mere delegates was a principle that prevailed independently of the practical responsibilities of the parliamentarians in relation to their party and constituency.<sup>18</sup>

The distinctive moment of the parliament as the paradigmatic modern institution for deliberative rhetoric, however, deserves as much attention as its role as a representative institution. The historical link between parliament and Renaissance rhetoric has been explored in several recent studies (Mack 2002, Colglough 2005, Peltonen 2007), inspired by Quentin Skinner's *Reason and Rhetoric in the Philosophy of Hobbes* (Skinner 1996, see also Skinner 2008). They all share the position that disputing *in utramque partem* is the main characteristic of Renaissance rhetoric.

In no other institution than the parliament is the confrontation of opposing judgments the *raison d'être* of its own procedures and practices. Many nineteenth and early twentieth century rhetorical studies understood that the dissensual mode of speaking shapes not only the procedural documents of parliaments but also the application of these procedures *mutatis mutandis* in debating societies, associations and public meetings in general (see the quote from de Mille in footnote 4 or Brewer 1916). Josef Redlich, the Austrian lawyer and author of a famous study on British parliamentary procedure, similarly gives speaking *pro et contra* a decisive role in the understanding of the distinct parliamentary style of politics.<sup>19</sup>

The link between the free mandate and speaking *pro et contra* is also manifested in contemporary parliamentary procedure. Individual members of parliament remain the key unit of both deliberation and voting. In other words, parliamentary procedure is based on the principle that the 'divisions' of the parliament are constantly revisable through the speeches and votes of its members. It is this very procedure of deliberations that constitutes parliamentary parties. Elections are, of course, the first stage in the political constellation of the parliament, but the deliberative procedure of the parliament allows for a re-constellation of the political situation on the basis of the debate on items on the agenda at every stage of debate (see Roussellier 1997 on the practices in the French Third Republic).

The rhetorical principles of the parliamentary procedure form a *longue durée* of parliamentary history and politics. They are not always

actualised in everyday politics, but they are still necessary in order to render parliamentary practices intelligible by manifesting the political value of the free mandate of individual parliamentarians as a procedural resource to be used against their own parties and voters. In terms of parliamentary procedure, the vote (*Abstimmung*) can be interpreted as the last rhetorical move in the deliberations, an act referring to the preceding debates. The vote is taken when the debate ceases to address new aspects of the controversy in question.<sup>20</sup>

### The parliamentarisation of the election process

Today elections are a major commercial and media event, an example of a 'cultural industry'. The struggle for candidature, Gallup polls, talk shows, the appearance of candidates on entertainment programmes, the subcultures of the campaign teams, and most recently in blogs and social media all tend to make the by-products of the elections more-important than the debates over political alternatives and the choice between the candidates. The presidential elections in the United States tend to be the most conspicuous example of such tendencies.

Such campaign practices indicate the return of older anti-parliamentary forms of dissociating the campaign from the vote. There is a long tradition of voting without prior debate and without candidates. The Napoleonic constitutions in the Consulat of 1800 and Empire of 1804 were based on two assemblies, the debating *Tribunat* and the silent, merely voting *Corps législatif* (see Garrigues dir. 2007). Similarly, Carl Schmitt defines public opinion as the modern form of acclamation and defends plebiscitary elements within his identitarian concept of democracy corresponding to the perspective of acclamation (Schmitt 1928, esp. 238-282).

The inclusion of voting in the parliamentary process of deliberations and decisions is an old ideal that has long since been abandoned due to the plebiscitary tendencies in contemporary elections. In the 1960s, Ernst Fraenkel, for example, defended parliamentary elections as a continuation of parliamentary debates by other means, as he paraphrases Clausewitz, although he viewed voting as a plebiscitary element and not as a complement to the parliamentary process itself.<sup>21</sup>

In defence of the parliamentarisation of the electoral process, I shall emphasise the ideal typical character of the parliamentary procedure

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for the regulation of debates and meetings. Parliamentary procedures and practices are often only partially realised in concrete cases, but, nonetheless, they provide us a well-established example of the ideal type of deliberations, which can be transferred, *mutatis mutandis*, to the process of elections if it is subjected to parliamentary scrutiny. The parliament is a dissensual assembly *par excellence*, and its procedure provides an historical approximation of the principle of *fair play* between the members of parliament and their proposals.

The conceptual priority parliament as a representative and deliberative assembly enjoys over the electoral process can be extended to the organisation of parliamentary elections. The selection of candidates, the conduct of the campaign, and the organisation of the voting itself can be transferred to the jurisdiction of the parliament and subjected to the rules of parliamentary procedure. Indeed, the transfer of the organisation of election from government officials to the parliament itself can be seen as a final step in removing the old monarchical prerogatives, a step that still remains to be taken. The resources of the parliament staff could, accordingly, be strengthened in order to enable it to both organise and supervise the entire electoral process. A condition of free and fair elections would then obviously be that measures would have to be taken to remove the unfair advantages of incumbent members over other candidates.

The extension of parliamentary procedure to the electoral process allows us to rethink the concept of the electoral campaign in parliamentary terms, despite the fact that, for example, the committee stage is missing. The fact that votes are also cast for candidates in parliamentary elections does not alter the situation.<sup>22</sup> The parliament elects individuals too, from the speaker and the prime minister to the chairs and members of the committees and other parliamentary organs. The selection of candidates in elections can thus be analysed following the intra-parliamentary paradigm of the deliberations and decisions between persons, the candidates serving as personal incarnations of various political alternatives. This applies not only to the direction of policy but also to the relationship between styles of politicking and the political competences and profiles of the candidates. Campaign rhetoric, correspondingly, serves as an extension of the parliamentary debates, even though the target of the persuasion is not an opposing candidate but the voter choosing between candidates.

One consequence of the extension of parliamentary powers to the election of the parliament would be the extension of the rules that regulate the conduct of the MPs – *mutatis mutandis* – to the electoral process, to both the candidates and the voters. From the parliamentary perspective, we can understand the candidates as parliamentarians *in spe*, to whom the parliamentary rules of conduct, based on the principle of *fair play*, can be extended. In other words, once there is a publicly recognised list of the candidates, the validity of the parliamentary procedures and practices regulating the fair conduct of the members can be extended to the candidates during the election campaign period. The idea of free and fair elections itself can be understood as following the parliamentary paradigm.

The regulating powers of the parliament over its members can be extended to the candidates' conduct both towards each other and the parliament itself. This can be done, for example, through the formation of a specific parliamentary election committee (for instance consisting of members not standing for election to the next parliament).

In particular, today, the parliamentary *decorum* regulations related to contempt of Parliament and the use of unparliamentary language are broken or (intentionally or unintentionally) neglected in electoral campaigns. I can see no reason why, at least in well-established European parliamentary regimes, the parliament itself could not be empowered to monitor the campaign documents and speeches of the candidates and issue, if needed, warnings of misconduct. In cases of repeated misconduct, candidates could even face exclusion from the elections. Or, to use a football analogy, yellow and red cards could be given to the candidates for using unparliamentary language towards parliamentarians or competing candidates during electoral campaigns. Votes cast for the disqualified candidates would then simply be considered invalid.

Even more interesting is the possibility of regulating the campaign according to a candidate's relationship to the parliament. Many candidates consciously use the *ad hominem* criticism of incumbent parliamentarians or contemptuous expressions of the parliament as means of winning votes. Denouncing 'politicians' *tout court*, regarding parliamentary debates as bavardage, or demanding that the members of parliament report their hours on a time card<sup>23</sup> just as other employees do, are all examples that could at least potentially be seen as insulting to the parliament as a deliberating assembly.

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The parliamentarisation of elections would demand that the electorate, and candidates in particular, engage in a discussion of the issues on the parliamentary agenda. The candidates might then feel obliged to explicate the criteria influencing their policy, their style of parliamentary politicking, as well as their political competence to deal with changing and unpredictable situations.

### **Voting as an extension of parliamentary deliberations**

The parliamentarisation of elections must not be limited to the candidates and their campaigns, but it can be extended to the situation of voting and the voters themselves. There are many ways of familiarising voters with parliamentary politics, although one might, for example, question whether making voting obligatory would actually increase its parliamentary character or, on the contrary, further depoliticize it by facilitating the mere registration of existing opinions or even the instrumentalisation of the vote for some clientele. Election procedures and campaign conduct can also be altered so that they encourage voters to take a greater interest in the issues on the parliamentary agenda, as well as in parliamentary procedures and practices.

I will now return to the extension of parliamentary membership to all voters on election. The ideal type of deliberative electoral rhetoric encourages voters able to imagine that they are members of parliament and to vote as such. In other words, the parliamentarisation of elections presupposes a certain degree of parliamentary imagination and judgment among voters.

Such a claim runs against current tendencies in electoral practices. The presidentialisation of even parliamentary elections, most conspicuously in the recently adopted Israeli practice in which the voters directly, and not the parliament, elect the prime minister, accentuates the epideictic rhetoric of acclamation, forcing voters to choose between yes or no in the ballot box. The difference between yes and no in a referendum are generally significant, as both alternatives follow the conditions of acclamatory rhetoric, in which the difference between alternatives is secondary to the mode of campaigning.

The parliamentarisation of elections would, on the contrary, introduce deliberative features to the electoral campaign. The rhetorical literature on parliamentary eloquence highlights the opposition

between the deliberating parliament and the acclamative features in platform oratory (see Power 1906; Curzon 1913). The parliamentary audience is comprised of adversaries, whereas in platform meetings parties and candidates speak mainly before supporters. In addition, parliamentary speaking is highly procedural while the platform oratory is not.

Unlike parliamentarians, candidates do not and cannot aim at persuading each other, but must instead focus on swaying the opinions of voters (for more on the rhetoric of candidates see Palonen 2008b, 217-220). The point of parliamentarisation is to get voters to compare the candidates' parliamentary agendas and parliamentary competences instead of tending to identify oneself with a particular a candidate or party.

The first step here is to abolish the clientele-type of mutual identification of voters and parties, which tends reduce elections to a mere registration of voters' identities. Compared to the situation 100 or even 50 years ago, fixed clienteles based on religion, class, ethnicity and regional traditions have largely been broken down in West European politics. It is obvious that the high number of public debates and quasi-debates (talk-shows, candidate questionnaires etc.) prior to an election make it unavoidable that the electorate will be exposed to opposing messages during a campaign.

The voters of today base their decisions on the comparative judgment of candidates and parties to a much higher degree than they have in past decades. The question is, how can this comparative judgment become more deliberative and more directly oriented towards the debates of the parliaments themselves?

The dissolution of clienteles also provokes reactions and the depoliticising revivals of identities, communities and clienteles by strengthening the epideictic and acclamative elements of campaigns. In an increasingly uncertain, contingent and ambiguous world, playing the "nostalgia card" by simply refusing to confront alternatives is sometimes successful in elections.

More interesting is the often-lamented personalisation of elections, which includes the presidential tendency to identify with strong leaders. An election is, however, not a beauty contest – a simile that already Fraenkel (1968, 65) used – but a procedure for selecting the members of parliament. At the same time, the personalisation of elections also leads to the tendency to relinquish fixed ideological and

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partisan slogans and construct a more personal political and parliamentary agenda. Individuals are no longer subordinated to the programme, but form an inherent part of politics: competence in politicking, particularly in unexpected situations, has become more important than electoral promises.

In the comparative deliberation between the candidates, not only policies but also the assessment of candidates as politicians must be considered. In this sense, the electoral simulation of parliamentary debates between candidates on the local level is crucial to the parliamentarisation of electoral campaigns. The achievement of at least some level of deliberation among voters would require that the organisation of such debates not serve media interests but be one aspect of the parliamentary control of electoral process.

One of the advantages of shifting the responsibility for the organisation of parliamentary elections from the government to the parliament itself could be the improved preparation of the voters for the elections. For example, in Finland, 'postcards' are sent to the entire electorate informing them of their right to vote and providing information on polling stations and electoral procedure. In the age of the electronic availability of parliamentary debates, publications and other information on the parliament's website, the information package sent to voters could be extended to include both references to the debates of the incumbent parliament and the programmes for the next parliament. It could also encourage people to send questions to the MPs and the parliamentary staff.

It is important to remember, however, that an informed comparative judgment on the issues on the parliamentary agenda is not yet a parliamentary judgment. The procedural culture of a debating parliament is far removed from the 'bourgeois' life and work of vast majority of the electorate, and ever fewer of them are interested in participating in the traditional meetings, associations and organisations that utilise shorthand versions of the parliamentary procedure. Nor are speech competitions and debating societies appealing to many citizens. The only feasible mode of teaching citizens the parliamentary style of procedural judgment would be to create occasions for them to engage in political debates with each other – if needed on an obligatory or lottery basis. Experiments of this kind have been conducted in different parts of the world, although in some cases with rather anti-parliamentary overtones. Nonetheless, such experiments do still

contribute to the extension of the parliamentary style of politics (see for example Hansen 2008, Buchstein 2009a,b).

How the parliamentarisation of elections can be achieved remains a matter of dispute. The main point is the very idea of a conceptual shift. A shift towards seeing voting as an intervention in the items on the parliamentary agenda as opposed to the registration of already existing political opinions, politicises the act of voting itself. The definition of the voter as an election day parliamentarian enables us to rethinking the act of voting and the procedures and practices of electoral campaigns. The key point of the call to parliamentarise elections is to rehabilitate the value of the debate *pro et contra* as a situation in which parliamentarians serve as a model for us as voters.

## NOTES

1. "Um die wirklichen Kausalzusammenhänge zu durchschauen, *konstruieren* wir *unwirkliche*." (Weber 1906, 287)
2. "Denn 1. Welches Organ hat, wenn man sich die Parlamentsmacht fortdenkt, die Demokratie, um die Verwaltung der Beamten ihrerseits zu kontrollieren? Hierauf gibt es überhaupt keine Antwort. Ferner: 2. Was tauscht sie für die Herrschaft der parlamentarischen »Kliquen« ein? Die Herrschaft noch weit verborgenerer und – meist – noch weit kleinerer, vor allem unentrinnbarerer Kliquen. Das System der sogenannten unmittelbaren Demokratie ist technisch nur in einem Kleinstaate (Kanton) möglich. In jedem Massenstaate führt Demokratie zur bürokratischen Verwaltung, und, ohne Parlamentarisierung, zur reinen Beamtenherrschaft." (Weber 1917, 187, see Weber 1994, 126-127)
3. "Designation durch die nächsten und mächtigsten Gefolgsleute, Akklamation durch die Beherrschten ist die normale Form, in welche diese Art der Nachfolgerkreierung ausläuft. Im patrimonialen und feudalen Alltagsstaate findet sich jenes, charismatischen Wurzeln entspringende, Designationsrecht der Gefolgsleute als 'Vorwahlrecht' der bedeutendsten Patrimonialbeamten oder Lehensträger. Die deutschen Königswahlen sind darin den Bischofswahlen nachgebildet. Die 'Wahl' eines Königs, welche ganz ebenso wie die eines Papstes, Bischofs, Predigers mittels 1. Bezeichnung durch Jünger und Gefolgsleute (Kurfürsten, Kardinale, Diozösenpriester, Kapitel, Aelteste) und 2. nachfolgender Akklamation durch das Volk erfolgte, war also keine 'Wahl' im Sinne moderner Präsidents- oder Abgeordnetenwahlen, sondern wenigstens dem genuinen Sinn nach etwas durchaus Heterogenes: Erkennung oder Anerkennung des Vorhandenseins der durch die Wahl nicht erst entstandenen, sondern vorher vorhandenen Qualifikationen, eines Charisma also, auf dessen Anerkennung umgekehrt der zu Wählende als sein Träger einen *Anspruch* hat." (Weber 1922, 664-665)
4. See the Inter-Parliamentary Union's *Declaration of Free and Fair Elections* from 1994, <http://www.ipu.org/cnl-e/154-free.htm>, and the commentary also published by the IPU, Goodwin-Gill 2006, <http://www.ipu.org/PDF/publications/Free&Fair06-e.pdf>
5. "Parliament is not a Congress of Ambassadors from different and hostile interests; which interests each must maintain, as an Agent and Advocate, against other Agents and Advocates; but Parliament is a deliberative Assembly of one Nation, with one Interest, that of the whole." (Burke 1774)

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6. See for example this view of the Canadian rhetoric professor James De Mille: "The aim of parliamentary debate is to investigate the subject from many points of view which are presented from two contrary sides. In no other way can a subject be so exhaustively considered." (De Mille 1882, 473)
7. "Le peuple anglais pense être libre; il se trompe fort, il ne l'est que durant l'élection des membres du parlement." (Rousseau 1762, III.XV)
8. For Rousseau the dispute over suffrage was not yet a key political issue. From the French Revolution to the aftermath of World War I, however, the right to vote, or the enfranchisement of citizens, was the main item on the European political agenda (see esp. Rosanvallon 1992, 12).
9. "Man kann »Politik« treiben - also: die Machtverteilung zwischen und innerhalb politischer Gebilde zu beeinflussen trachten - sowohl als »Gelegenheits«politiker wie als nebenberuflicher oder hauptberuflicher Politiker, genau wie beim ökonomischen Erwerb. »Gelegenheits«politiker sind wir alle, wenn wir unseren Wahlzettel abgeben oder eine ähnliche Willensäußerung: etwa Beifall oder Protest in einer »politischen« Versammlung, vollziehen, eine »politische« Rede halten usw." (Weber 1919, 41)
10. I use the generic feminine pronoun except for those cases in which it is not historically applicable.
11. "Solange ein Volk den Willen einer politischen Existenz hat, ist es jeder Formierung und Normierung überlegen." (Schmitt 1928, 83)
12. "Demokratie (als Staatsform wie als Regierungs- und Gesetzgebungsform) ist die Identität von Herrschern und Beherrschten, Regierenden und Regierten, Befehlenden und Gehorchenden." (Schmitt 1928, 234)
13. "Erst das wirklich gesammelte Volk ist Volk und nur das wirklich gesammelte Volk kann das tun, was spezifisch zur Tätigkeit dieses Volkes gehört: es kann *akklamieren*, d. h. durch einfachen Zuruf seine Zustimmung oder Ablehnung ausdrücken, Hoch oder Nieder rufen, einem Führer oder einem Vorschlag jubeln, den König oder irgendeinen anderen hochleben lassen, oder durch Schweigen oder Murren die Akklamation verweigern." (Schmitt 1928, 243-244)
14. "In the case of the electorate or the persons to be represented in political representation, reality is, ... not a reality that is objectively given to us in one way or another. But we may argue that precisely this is what representation is for: because there is no objectively given proposal for political action on the part of the people represented, and because it would be a category mistake to expect the existence of such an objectively given proposal, we need representation in order to be able to define such proposals at all. Representation finds its purpose and meaning in the indeterminate and interpretable character of the "reality" that it is to be represented." (Ankersmit 1997, 47)
15. Josef Redlich also characterises the British parliamentary procedure in terms of fair play: "Auch im politischen Kampfe gilt die nationale Losung des Fair Play; und wenn es auch nicht selten dazu kommt, daß langweiliger Redner unzeitige Eloquenz zu unfreiwilligen Schlußrufen, zur Unruhe und Unaufmerksamkeit führt, so sind doch Geduld und ruhiges Gewährenlassen dem Gegner gegenüber auch heute rühmenswerte Eigenschaften des englischen Parlamentarismus." (Redlich 1905, 615)
16. "In allen irgendwie umfangreichen, das heißt über den Bereich und Aufgabenkreis kleiner ländlicher Kantone hinausgehenden politischen Verbänden mit periodischen Wahlen der Gewalthaber ist der politische Betrieb notwendig: *Interessentenbetrieb*. Das heißt, eine relativ kleine Zahl primär am politischen Leben, also an der Teilnahme an der politischen Macht, Interessierter schaffen sich Gefolgschaft durch freie Werbung, präsentieren sich oder ihre Schutzbefohlenen als Wahlkandidaten, sammeln die Geldmittel und gehen auf den Stimmenfang. Es ist unerfindlich, wie in großen Verbänden Wahlen ohne diesen Betrieb überhaupt sachgemäß zustande kommen sollten." (Weber 1919, 57)

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17. "Dem modernen Staat erst gehört der Begriff des '*Staatsbürgers*' an. Und das gleiche Wahlrecht bedeutet zunächst schlechterdings nichts anderes als: daß an diesem Punkt des sozialen Lebens der einzelne einmal nicht, wie sonst überall, nach seiner Besonderung in beruflichen und familienhaften Stellungen und nach den Verschiedenheiten seiner materiellen oder sozialen Lage in Betracht kommt, sondern eben nur: *als Staatsbürger*." (Weber 1917, 170)

18. "A member of parliament is elected by a local constituency, he has special duties towards it; but he is not a mere delegate or mouthpiece; he is a member of a body which is responsible for the interests of the country at large, and, though he is influenced by the wishes and views of his constituents and by the action of his party, he does not surrender his right of independent judgment." (Ilbert 1912, 160)

19. "Die Rede im Parlamente ist kein Monolog, sondern auf Rede und Gegenrede, auf dem Wettbewerb der rednerisch vorgebrachten Tatsachen und Anschauungen beruht die Klärung der Meinung der Einzelnen und der Versammlung als eines Ganzen. Aber erst durch bestimmte Regeln und Normen wird aus der Wechselrede das, was für alle parlamentarische Redetätigkeit die charakteristische Erscheinungsform vorstellt, nämlich die Debatte." (Redlich 1905, 589)

20. Here we can quote, for example, Jürgen Habermas, although he does not understand the rhetorical character of all parliamentary speaking: "[D]ie Stimmabgabe war der Idee nach nur der abschließende Akt eines öffentlich ausgetragenen Streites von Argument und Gegenargument." (Habermas 1962, 252)

21. "Denn eine Parlamentswahl, die nicht zuletzt eine Fortsetzung einer Parlamentsdebatte 'mit anderen Mitteln' ist, verfehlt ihren Zweck, die Repräsentationsverfassung mit jenem guten Schuß plebiszitären Öls zu salzen, ohne die sie rostig wird." (Fraenkel 1968, 65-66).

22. To simplify the problematics, I leave the question of electoral systems outside the discussion.

23. Thomas Mergel emphasises that such a "Tayloristic discourse of the parliament" had already gained ground during the Weimar Republic in Germany, see Mergel 2002, esp. 387.

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