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The Impact of 1989 on Theoretical Perceptions of Democracy

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Abstract

The revolutions of 1989 have predominantly been understood as the confirmation of Western, liberal democracy as the ultimate model of the modern polity. Here, it is however argued that there is more to 1989 than the mere collapse of the communist world as the direct alternative to Western modernity. 1989 has had subtle implications for rethinking democracy. 1989 should not be understood as merely marking the triumph of Western liberal democracy, but instead, it can be shown that the events of 1989 and dissident thought also entailed a variety of alternative democratic models, the retrieval of which can help reinvigorate (and in many cases has already done so) current debates on democracy. In the essay, I will first argue that the general interpretation of 1989 as a triumph of liberal democracy is problematic. I will then proceed by discussing four alternative understandings of democracy that have emerged with 1989, for analytical purposes represented as democratic models: radicalized liberal democracy, republican democracy, civil democracy, and cosmopolitan democracy. The alternative dimensions of democracy as articulated by East-Central European dissidents have been sensed, picked up, and re-elaborated in political theory since 1989, in this contributing to perceptive shifts in the democratic imaginary.

Keywords

1989; Cosmopolitanism; Dissent; Liberal Democracy; Republicanism

Introduction

The revolutions of 1989 have been predominantly understood as the confirmation of Western democracy - in its liberal-democratic guise - as the ultimate model of the modern polity. In this essay, it is however argued that there is more to 1989 than the mere collapse of the communist world as the direct alternative to Western modernity, and therefore the irrefutable triumph of the latter. 1989 has had subtle implications for thinking about democracy, providing a basis and an input for shifting perceptions of democracy. 1989 is taken here in a wider sense, i.e., as both a moment of the culmination of political ideas on democracy as endorsed by East-Central European dissidents throughout the 1980s (which, in part, differ in significant ways from the standard Western model of liberal individualist democracy), and, in a related way, as involving a distinct set of political practices that emerged most clearly in the 'revolutions' of 1989 (among others, in the form of the well-known Round Table negotiations as well as practices of democracy-building in its wake).

In this essay, it will thus be argued that 1989, as a set of *ideas* (in particular, dissident thought) as well as a set of *practices* (civic participation and deliberation, negotiation, regime change, constitutionalisation), can and has provided important inspirational input for the normative political theory of democracy. As such, 1989 should not be understood as marking merely the triumph of Western liberal democracy. Instead, the events of 1989 and dissident thought clearly engaged with a variety of democratic models, the retrieval of which can help reinvigorate (and in many cases has already done so) current debates on democracy. The focus here will be on visible reflections in political theory on the ideas and practices of 1989, and on the ways in which such ideas and practices have informed alternative proposals for democracy. In other words, the essay will pursue a kind of hermeneutical revisiting of the theoretical reflections on the historical event and ideas of 1989 as found in political theory, and the extent to which these have been elaborated in alternative ways of imagining democracy.

In the essay, I will first argue that the general interpretation of 1989 as a triumph of liberal democracy is problematic. It will then proceed by discussing four alternative understandings of democracy that have emerged with 1989, for analytical purposes represented as democratic models: radicalized liberal democracy, republican democracy, civil democracy, and cosmopolitan democracy. Each of these models represent different foci on democracy, and as such arguments referring to each of them were present in dissident thought as well as visible in political action. But perhaps more significant for the argument here is that these different foci or dimensions of democracy as articulated by East-Central European dissidents have been sensed, picked up, and re-elaborated in political theory since 1989, thereby contributing to perceptive shifts in the democratic imaginary.

1989 and Liberal Democracy

It seems fairly accurate to argue that the collapse of 'really existing socialism' in 1989 has been predominantly understood as the affirmation of the conventional perception of political modernity as liberal democracy. Indeed, the overall understanding of the political transformations in East-Central Europe has been one of 'banality' and as primarily about 'normalization' (Outhwaite and Ray 2005; Melegh 2006).

With regard to the predominant thinking about democracy in the West (understood here largely as Western Europe and the United States), in the liberal reading the impact of 1989

seems to be of limited import, in that 1989 has principally confirmed the superiority of liberal democracy as a political form, and showed the fundamental importance of constitutional democracy with its emphasis on rights and the rule of law as an antidote to totalitarianism (Garton Ash 1990; Habermas 1990). Rather than as presenting us with a profoundly unique situation of democratization in a post-totalitarian context that would require a context-specific approach, and, in this, could shed new light on possibilities of democracy as such, the events in the East have been greeted as confirmations of the liberalism-cum-human-rights prevalence in the West. What is more, the political discourses that sustained the Eastern European ‘revolutions’ are for the most part read as confirmations of the Western liberal discourse, and as without any innovative content (at least not beyond the communist or (post-)totalitarian context), and ultimately expressing the wish to repeat Western experiences, or as strongly grounded in Western ideas of liberal democracy to begin with (cf. Falk 2003). It might be argued then, that the earlier convergence thesis that postulated a rapprochement between East and West is now coming true. Not so much as in the emergence of a third way between capitalism and communism, but as a major flattening of the political (as well as economic) imaginary of modernity.

The significance of dissident thought and the alternative ideas on democracy emerging from the events of 1989 have, in this, been mostly overlooked, underestimated, or simply ignored¹ by a quite number of political thinkers, who in general tend to interpret the 1989 events from a predominantly liberal point of view. As has often been noted, one of the more prominent of such interpretations was Jürgen Habermas’s idea of the ‘catch-up revolution’ (*nachholende Revolution*). A further example of the ultimate negation of potential novelty of 1989 for democratic thought can be found in the reflections of Bruce Ackerman. While on the face of it, Ackerman, in his reflections on the ‘future of the liberal revolution’, seems to appreciate the impact of the events of 1989 more widely than Habermas, his point ultimately seems to be that, the 1989 revolutions underline, or reactivate, a liberal revolutionary tradition that is firmly grounded in the American constitutional tradition. In other words, Ackerman seems to suggest that the 1989 events might help Westerners remind them of a successful tradition of their own, indeed the ‘return of revolutionary democratic liberalism’ (1992: 1, emphasis added), rather than involve the generation of something possibly novel and innovative, and therefore of specific significance for renovating modern democracy.

The understanding of 1989 as either a mere rerun of, or fulfilling of, 1789, in terms of a catching-up of East-Central Europe with the achievements of the Enlightenment and the French Revolution, as in Habermas, or as a reminder of latent Western traditions, as in Ackerman, overlooks possible elements of uniqueness of the event of 1989 and the ideas that informed it, as well as its reposing of innate problématiques of political modernity (cf. Howard 1995; Wagner 2006). Even if the 1989 revolutions were clearly ‘rights revolutions’ (Sadurski and Priban 2006) and had a ‘liberal legalist character’, they cannot be reduced to this as they also pointed to the limitations of the rule of law and human rights, and the necessity of a rethinking of the liberal democratic project (Priban 2002: 55).

Relatively few political theorists dealing with the issue of contemporary democracy have attempted to challenge the predominant view of 1989 as an affirmation of liberal democracy, and argued for a more profound reassessment of democracy – and of political

¹ As Isaac argued in the mid-1990s, American political theorists basically ignored the events of 1989 (Isaac 1995).

theory for that matter - in the light of the collapse of Soviet totalitarianism. Possible innovative potential of dissident thought and the learning effects regarding the changes and political actions of 1989 have in reality significantly inspired innovative Western political theory and stimulated a kind of learning effect or lesson.² Below, at least four – interrelated - dimensions will be touched upon, as they can be found in the work of political and legal theorists reflecting on the experiences of 1989. These four dimensions pertain to what could be seen as four different models of democracy, which should not, however, be taken as mutually exclusive nor should the work of single authors be taken to be as exclusively situated in any one of these. The four models inspired by dissident thought and 1989 in a more general sense are radicalized liberal democracy, republican democracy, civil democracy, and cosmopolitan democracy.

Radicalized Liberal Democracy

As becomes clear above, it is too reductive to see 1989 as merely resulting in the confirmation of Western traditions of liberal democracy. It seems more fruitful to read the revolutions of 1989 as an invitation to critically rethink the foundations of liberal democracy as such. One of the implications of 1989 is that it indeed seems to have inspired a qualitative change in the conventional liberal theory of democracy in terms of the rise into prominence of the concept of civil society.³ The possible significance of 1989 - and the developments that led to its occurrence - for rethinking liberal democracy is especially clear in this renewed attention to the notion of ‘civil society’ as a mode of reinvigorating elitist-based liberal politics.

Here, the work of one prominent political theorist, Andrew Arato, can be taken as one important piece of evidence of the inspiration 1989 has provided for rethinking liberal democracy. Arato, currently professor of Social and Political Theory at the New School of Social Research, has from the early days of dissidence (see, e.g., Arato 1981) been an astute observer of the changes in Central and Eastern Europe, and much of his work on civil society is a direct reflection of Central and Eastern European developments. A good part of Arato’s works (1981; 1990; 1992, with Jean Cohen; 1993; 2000) can indeed be read as an important re-interpretation of 1989 from the point of view of liberal democracy.

In what is probably the most significant contribution to the debate on civil society in the 1990s, Jean Cohen and Andrew Arato’s *Civil Society and Political Theory*, East-Central European discourse forms an important source of inspiration for a redefinition of the notion of civil society, and for a radicalization of the whole project of liberal democracy. While taking into account more or less parallel debates in the West, including in Latin America, and in Eastern Europe, Cohen and Arato importantly show that in the case of the Polish experience with Solidarity, the self-organization of society was not only about pitting an autonomously organized civil society against the repressive state (as is often argued), but also, especially through the experience of the roundtable talks, about a learning experience of negotiation and compromise, and the partial politicisation of civil society.⁴ The

² See, in particular, Cohen & Arato 1992; Keane 1988; Lefort 2007; Mouffe 1993; Rosanvallon 2006; Walzer 1995.

³ The renewed focus on civil society has been seen as the ‘second renaissance’ of the concept, see Wagner 2006. See also Cohen & Arato 1992.

⁴ Falk (2003: 308-9) argues that in Hungarian dissident thought, and in Konrad’s work in particular, a more inclusive notion of politics, including both civil society and the state, was there all along.

experience of dissidence not only (re-)emphasized the importance of autonomous civil society as a sphere that is not dominated by political power, as has often been argued (cf. Hann & Dunn 1996), but also evidenced the significance of political society in modern democracy and its elaboration as a distinct category.

Thus, for instance, in his widely influential ‘Antipolitics’ Gyorgy Konrad did not just argue for a radically non-political anti-politics,⁵ but also, in a more accurate reading, for the democratisation of both civil society and the state: ‘[a]ntipolitics strives to put politics in its place and make sure it stays there, never overstepping its proper office of defending and refining the rules of the game of civil society’ (Konrad 1984: 92). Konrad perceived the role of civil society, and of intellectuals in particular, as one of pushing political society into the right direction: ‘[t]he intellectual aristocracy has no desire to bring down governments [...] [but] is content to push the state administration in the direction of more intelligent, more responsible strategies. Its members do this as part of the self-governing intellectual community, even though they act individually, independent of the state’ (Konrad 1984: 224-5). Also Adam Michnik, in his famous essay ‘A New Evolutionism’, acknowledges the importance of a political society and its reform, rather than its negligence or destruction:

The Polish example demonstrates that real concessions can be won applying steady public pressures on the government. To draw a parallel with events at the other end of our continent, one could say that the ideas of the Polish democratic opposition resemble the Spanish rather than the Portuguese model. This is based on gradual and piecemeal change, not violent upheaval and forceful destruction of the existing system (1985: 142-3).

This insight has importance not merely for totalitarian societies or the newly emerging democracies, but clearly also for more established ones. This dualistic understanding of politics can be understood as a way of revising and radicalizing liberal democracy by putting more emphasis on the civic, participatory side to politics rather than merely the representative one. In this regard, political society needs to be understood as distinct from, but at the same time open to demands and contributions from, civil society (Cohen & Arato 1992: 60, 65). In other words, the fear that a turn to civil society might add up to fully direct form of democratic politics that undermines liberal democracy, or, in other words, that an intractable polarization might result from an over-united, over-mobilized, and ‘anti-political’ civil society (as feared, for instance, by Linz and Stepan 1996) can be corrected by a ‘turn to political society’ (Cohen & Arato 1992: 67). One of the lessons drawn by Cohen and Arato is then the insight that a viable democracy (in both East and West) ultimately needs to be based on *both* a democratic political and a civil society, and should contain a fragile balance between a pluralised and relatively independent civil society and a sufficiently open and relatively autonomous political society (1992: 78-82):

Such ties [between political and civil society] would presuppose a programmatic openness of the political to the civil and a sufficient strengthening of the latter to allow it to function in institutionalised forms. What is needed, in other words, are programs that not only establish an ongoing process of political exchange with organizations and initiatives outside the party political sphere but also strengthen civil society with respect to the new economic society in

⁵ Walzer, among others, seems to understand Konrad’s ‘Antipolitics’ as only about an anti-statist anti-politics (1995: 21).

formation. Only such a program could offer something *genuinely new with respect to the present models of Western politics*, thereby transcending the bad choice of either economic liberalism and elite democracy or direct democratic fundamentalism (1992: 82; emphasis added).

In itself, such an interpretation - that emphasizes a reinvigoration of liberal democratic politics not only by a turn to civil society, but also by taking into account the importance of the role of the state, and to seek to carefully balance the two - is not entirely novel and has been equally observed by other political theorists (see Keane 1988; Walzer 1995). In general, the risk with this balanced or dualistic view of politics is that it could in itself be taken as ultimately a mere confirmation of a liberal democratic imaginary of the modern polity (cf. Terrier & Wagner 2006). In other words, the reduction of the participative idea of civil society to an informal and informative role involves the danger of collapsing civil society into a notion that indicates the mere external support for liberal democratic politics. Politics as such is then ultimately situated within the sphere of representative, professional politics (Baker 2002). The risk is thus that civil society becomes reduced to a form of dense associational life outside of the state without much of a well-developed political voice. In this, the reinvigoration of classical liberal democracy by taking recourse to the notion of civil society seems to have often resulted (even if unintentionally) in the 'taming of civil society' (Baker 2002) rather than in the imagination of radically new model of democracy that sees civil society as an end in itself.

And indeed, it has been argued that Arato's Habermasian understanding of civil society ultimately takes a liberal turn by relegating it to the status of one of three sub-systems in modern democracy, the others being political society and the economy, and by placing the political in the sphere of political rather than civil society. If a supportive role is what is finally implied by the idea of a participative civil society, then it can indeed be taken as one of the ways of 'taming' the more radical notion of civil society as it emerged from the ideas of dissidents such as Havel, Konrad, and Michnik (see Baker 2002: 100), and as such as abandoning the idea of a significant radicalization of liberal democracy. This loss of political momentum is exactly what, according to Baker, the taming of civil society has been about:

... the central change to the theory of civil society so understood is that civil society is now seen as external to democracy. This is because democracy itself is viewed exclusively as a political mechanism for representation in the state such that civil society, while it furthers such representation and is therefore indispensable to a democratic polity, is effectively not [part] of it' (Baker 2002: 92).

Thus, Baker argues further that

'... the liberal democratic vision of civil society appears to have fundamentally influenced even those more radical theorists who, though they no longer stand by their earlier models, are still concerned with civil society's radical potentialities. The evolution of Arato's work is instructive here. In his original analysis of the Polish model of civil society in 1981, Arato was optimistic about the possibilities for greater self-management in all spheres that the strategy of putting 'civil society first' held out. He was also convinced of the need for the Western liberal democracies to be transformed through an encounter with radical civil society. Yet in a 1994 analysis... Arato ends up in a not dissimilar place to [liberal, pb]

theorists of democratisation... That is, his focus is now limited to the question of what civil society can do for liberal democracy in terms of extending its legitimacy and deepening its democratic practices' (Baker 2002: 99-100).

If the radicalization of liberalism through the emphasis on civil society merely adds up to a confirmation of a dualistic understanding of civil and political society in which only the latter is involved in 'real politics', and this is what is left of a learning experience derived from East-Central European dissidence and 1989, then the challenge of the liberal model of democracy seems to have in the end been rather marginal (cf. Wagner 2006).

Republican Democracy

The legacy of dissident thought and the events of 1989 can, however, be interpreted in ways that are more radically challenging the liberal reading of democracy. One of the most convincing lenses of reading 1989 in terms of democratic renewal is through that of republicanism. While a liberal element and an 'ethic of rights' were without doubt prominent in dissident discourse (see for the idea of democratic ethics, Blokker 2008b), and while in some sense 'anti-politics' could be displayed as a predominantly anti-totalitarian strategy rather than as a way of reinvigorating democracy as such, it can also be argued that there were important republican aspects present that point to a distinct republican challenge of liberal notions of democracy. Such an acknowledgement has clearly wider implications for the theory of democracy, as recognized a number of political theorists (cf. Baker 2002; Canovan 1998; Falk 2003; Isaac 1992; Lukes 1991; Zolkos 2004). The more significant contributions are discussed below.

In a republican reading, the dissident discourse in East-Central Europe was clearly not only about the enforcement of rights, or a limited extension of formal rights of participation for civil society, but also endorsed the more radical notions of self-government, autonomy, and civic virtue. While the radical liberal model sketched above can be understood as proposing a model of formal democracy with more expanded forms of formal civic participation, ultimately leaving *la politique* or formal politics in the sphere of political society, in the republican reading politics is enlarged to actually incorporate civil society, and in its most radical understandings, republican discourse views authentic politics as being *only* possible in the civic sphere.

Against the liberal interpretation of representative democracy ultimately being about the protection of the individual from a potentially obtrusive state or fellow-citizens, with a concomitant strong separation between the political and the civic sphere, in the republican model the primary aspect is non-domination through political participation (Zolkos 2004: 63). Thus, as Magdalena Zolkos argues, Adam Michnik's proposal of a 'new evolutionism' and a form of 'anti-politics' included not only the idea of a distinct civic sphere, but also a 'novel conception of politics' including a 'belief in reformation of the individual as a necessary condition for social and political renewal' (Zolkos 2004: 67). Michnik strongly emphasised the importance of a political community outside of the state, a 'parallel polis', that constituted a community with a strong sense of the common good (i.e., non-domination and an attachment to the public rather than merely the private good), and a perception of politics as a 'moral imperative'. Also Havel, as underlined by, for instance, Stephen Lukes, strongly emphasised the importance of a citizen's responsibility 'outside the sphere of their own personal well-being' (1991: 267, fn 5). As Havel argued, '[I]iving within the truth, as

humanity's revolt against an enforced position is... an attempt to regain control over one's own sense of responsibility' (1992: 153) and '[t]he point where living within the truth ceases to be a mere negation of living with a lie and becomes articulate in a particular way is the point at which something is born that might be called the "independent spiritual, social, and political life of society"' (1992: 176). The increased self-reflexivity and sense of society leads to a form of responsibility that is not just 'the expression of an introverted, self-contained responsibility that individuals have to and for themselves alone, but responsibility to and for the world' (1992: 194).

This public, republican dimension of dissident thought is equally picked up by Jeffrey Isaac, who in his book *Arendt, Camus, and Modern Rebellion* sees the dissidents working in the line of the republican ideas of Arendt and Camus, and speaks about the 'new model of behavior' of the East-Central European dissidents, based on a form of moral resistance to oppression and the autonomous political praxis of civil society (Isaac 1992: 248, 251). In discussing the possibility of Arendtian, republican politics in practice, Isaac identifies one of its instances in the dissident movements of Central and Eastern Europe. Discussing Charter 77, he argues:

[T]he Czech democrats viewed politics in nonstrategic, though not antistrategic, terms. While they always sought particular objectives – indeed, in their revulsion against grandiose ideologies they turned particularity into virtue – they had little aspiration to influence public policy directly. For them politics was primarily a way of being and acting so as palpably to experience one's power and affirm one's dignity... (Isaac 1998: 115).

The emphasis is here clearly on civic virtue and civic autonomy, and much less, as in radicalized liberal democracy, on civil society as a partner of political society. Also Gideon Baker picks up on the republican thread in dissident thought, and characterizes as its main features: first, 'a concern with the preservation of private autonomy for the sake of a larger sphere of freedom in those public spaces in which individuals come together non-instrumentally...; [s]econd, republican civil society requires active citizenship, but not in the sense of explicit calls for high levels of participation, but in the more existential terms of calling individuals out of the desert of depoliticised mass society to pursue self-rule...; [t]hird, republic civil society looks away from the modern state as the focus of political action and towards a more decentralised model of self-government...' (2002: 154-5).

Civil Democracy: Dissidence as Democratic Politics

If the republican dimension of Eastern European dissidence and the events of 1989 points us to the insufficiency of liberal democracy for civic legitimation, and the indispensable nature of civic virtue and civic engagement with politics for a durable legitimation of democratic politics, it can be argued that dissident thought reveals an additional dimension that puts an even more critical attitude to liberal democracy in clear relief and points to the invigorating effects of political action on the margins of instituted democratic society. Civic disobedience operates at the outer edges of existing society and thereby radicalizes republican notions of democracy. The radicality of this dimension consists indeed in its endorsement of a form of civic political action that is always on the borderline of what is legal, permissible, as well as imaginable. The importance of this dimension - that emerged with some of the expressions of dissidence thought and clearly as a fundamental aspect of

the action of dissidence itself - is its potential translation into a language of a more general relevance for democratic regimes, in other words, into a language of democratic dissent. In my view, it is this particular thread in dissident thought that is the most original one and that has most potential for an effectively alternative imagination of democratic politics.

This radical dimension of dissent has indeed be sensed by a number of observers. Rather than endorsing any thesis of the incompatibility of dissidence with 'normal' democracy, i.e., by pointing out the superfluous, compromised and even anti-democratic nature of dissidence in the post-1989 era, theorists such Arato (whose work can clearly not be reduced to a radical liberal reading), Isaac, and Priban argue for the importance of the continuation of a 'politics of civil disobedience', 'rebellious politics' or an 'ethic of dissent' in the enduring democratization of any democracy. The experience of dissidence in East-Central Europe not only provides us with a confirmation of the importance of a legal language of human rights and the rule of law as antidotes against forms of repression and totalitarianism and as a primary means to cut out a space of civil interaction. Rather, as Arato and Priban show most clearly, the legality of the constitutional state is not sufficient for the establishment of democracy. The latter needs extensive public participation, the communication between legality and discourses of extra-legal legitimation emerging from civil society, and in particular continuous public scrutiny and dissent in order to be able to function as a legitimate democratic regime. Both Arato and Priban point to an approach that attempts to enshrine a revolutionary spirit in modern democratic regimes and recognises the significance of dissenting voices (even if illegal dissent itself can obviously never be institutionalized, see Cohen & Arato 1992: 587), offering in my reading a possibility for a radical alternative to liberal democracy, which could be labelled 'civil democracy' (cf. Rosanvallon 2006).

The most important dimension of democratizing democracy consists of those civic strategies that do not merely confirm legality and the constitutional status quo, but that seek to deepen democracy from a peripheral position. It is in particular through such acts of civil disobedience - which Cohen and Arato label 'examples of self-limiting radicalism per excellence' (1992: 567) - that civil society transcends a defensive strategy of correcting democracy and can play an offensive and creative role in the democratization of democracy. Thus, in order to fully realize its emancipatory potential, the project of democratizing democracy needs to go beyond an exclusive focus on the defence of existing rights by means of civic politics (Cohen & Arato 1988: 56), and needs to tap into sources of civic creativity that scrutinize the outer limits of predominant understandings of politics and potentially elaborate novel discourses of democratic legitimation.

Here, Priban's work sheds important light on what he calls 'the 'strategy of dissent', which he derives directly from the East-Central European dissident experience. In Priban's view, democracy cannot consist merely of a procedural-legal structure, as '[h]umanity reduced to human rights and freedoms, that is, humanity as a category of the system of positive law, is a parody of the human condition' (2002: 173). Legality in liberal democracies seeks to portray itself as the exclusive legitimation strategy, as a sovereign and universal language of democratic rights, and tends in this regard to discursive closure and to contradict 'ideas of democracy, freedom and political plurality' (2002: 150). The anti-foundationalist spirit of East-Central European dissidence becomes important here in that it points to a plurality of democratic discourses and the multi-interpretability of rights and freedoms, the impossibility of fully institutionalizing democracy once and for all, and the

continuous ‘challenge of any systemic language claiming sovereignty’ (2002: 170) in order to prevent disenchantment with democracy.

The role of civil society is crucial in its cultivation of alternative voices and of dissent as an ‘ironical struggle against systemic formalism’ and pointing out of ‘possible alternatives to existing legal normativity’ (2002: 162). Acts of dissidence play a critical role in reinvigorating a second dimension of constitutional democracy, that is, beyond a universally understood legal order institutionalizing individual rights, democracy is also always about emancipation and civic autonomy or self-rule (cf. Castoriadis 1997; Canovan 1999; Meny and Surel 2000). As also Cohen and Arato (1992: 587) argue, ‘[d]isobedience in the defense of individual rights does follow from the idea of fundamental rights, but civil disobedience proper, especially if it involves the creation of new rights, follows from the second normative underpinning of constitutional democracies, the other basis of constitutionalism forgotten by the liberal, namely, the idea of democratic legitimacy’. In Priban’s view, the ‘dissident strategy of legal legitimation goes beyond legalist discourse and is entrenched in a moral and existential vocabulary which does not perceive morality as some sphere of rules, prescriptions and governance, but as that sphere which opens up the possibility to experience human authenticity and independence’ (2002: 169).

In this, Priban suggests the broader significance of a dissident ethic or, to put it differently, ‘a need for a radical version of liberalism’ (Priban 2002: 55), beyond the immediate context of the anti-totalitarian struggle. In his view, ‘the experience of anti-communist dissent may be generalised to apply to all to modern societies (for communist totalitarianism is a product of modernity as is liberal democracy) as a challenge of any systemic language claiming sovereignty’ (Priban 2002: 170). He further argues:

The strategy of dissidence is applicable to the liberal democratic conditions of the rule of law because legality seeks to declare itself the sovereign legitimation framework there as well although this is done with the help of the moral vocabulary of human rights and democracy. Dissent is not only a political position and action. It is first of all an expression of the social requirement of understanding and comprehending every structure and normative system in order to make them legitimate.

East-Central European dissidence was, in his opinion, not only about the claim that the rights stipulated in the communist constitutions should be actually observed in political reality (legalism), but also entailed the insight that the observance of the law could only be the starting point, the necessary but not sufficient condition, for people to be able to ‘live in truth’, to lead authentic lives. Priban thus returns to Havel’s insistence of ‘living in truth’ and authenticity, and argues therefore that ‘dissent is indispensable to all modern democratic regimes’ in that it does not allow for any legitimating discourse to claim full sovereignty (2002: 170). Crucial is his insistence on the critical role of civil society, which does not merely consist of a denunciation of dysfunctional elements and a call for the strict application of the law, i.e., the defensive approach mentioned earlier. Rather, Priban’s ‘ethic of dissent’ reveals the insufficient nature of liberal-democratic law (2002: 171) and suggests a mode of ‘permanent communication between the legal system and its environment’ instead. Such a communication prevents legal language from turning into a *langue de bois* or what Priban calls *ptydepe* (following Havel), an atrophied language incomprehensible for the rest of society. What is more, such a continuous dialogue between

centre and periphery culturally embeds legal language into the discursive structures and political cultures of civil society itself.

The 'ethic of dissent' understood as an intrinsic part of democracy offers a way of challenging the democratic system without fundamentally destroying it, being in this faithful to the idea of 'radical self-limitation'. Crucial is the insistence on 'the limited validity of every social system without attributing universal validity and binding force to itself. Dissent as a legitimation strategy means the end of all attempts at a universal legitimation' (Priban 2002: 172). The role of civil society is to challenge the dominant logic of an 'ethic of rights', and to articulate alternative ways of justifying the democratic regime in a pursuit of an 'ethic of dissent'. The fundamental purpose of this ethic of dissent is to show that democracy is never entirely reducible to a singular justification of proceduralism and legalism, but, in order to enjoy legitimacy rather than just legality, needs social comprehension and continuous reformulation by civil society. In this, the experience of dissidence and the 'double language' of the various dissidents and dissident groupings show not only an appreciation of legality, the rule of law, and the indispensable nature of the protection of human rights (as argued by those that see 1989 as mostly or even exclusively a moment of 'rights revolutions'), but also a sensibility for the fact that the rule of law can never be sufficient, and cannot stand on itself. Modern democracy cannot be reduced to the rule of law, and legal systems need a continuous correction by 'dissenting' citizens in order to prevent the rule of law from becoming a herbarium of 'ice flowers' (Priban 2002: 143).

Cosmopolitan Democracy

The idea of a 'civil democracy' grounded in an ethic of dissent can arguably be seen as the most important and radical idea that has emerged from the experiences of 1989. As duly recognized by the dissidents themselves, such a radical understanding of a form of democracy grounded in the idea of 'radical self-limitation' and a critical attitude would, however, be rather ineffective if thought to be confined to the boundaries of the modern nation-state. In various ways, modern democracies are part of, and subject to, phenomena that transcend the confines of a formally distinct, national democratic regime. In terms of rights, a foundational aspect of any democracy, it can be argued that there is an increasingly dominant global political culture of human rights as well as of constitutionalism. And what is more, it is clear that the formal adherence of governments to rights catalogues enshrined in national constitutions is not sufficient to safeguard such rights. Regarding cultural and collective identity, democratic regimes are increasingly exposed to cultural diversity and minorities as a result of migration. And in the European context, there is clearly a significant influence of the process of European integration on national democratic regimes.

It can be argued that there was a certain sensibility for a dimension beyond the Westphalian nation-state in the dissident ideas of the 1980s, and a clear understanding that democracy could not be confined to the classical, liberal and representative form of democracy, but would need to be based on some kind of cosmopolitan understanding. Forms of civic debate would contribute to the construction of a new, civic culture beyond the narrow political communities of the nation-state and action on the transnational level would confront national governments with demands for further democratization and the application of rights. The significance of this dimension can be found in its diffusion of an democratic dialogue and an 'ethic of dissent' on a transnational level. This cosmopolitan

dimension has been recognized and picked up by a number of theorists, who have interpreted 1989 as part of a more qualitative change of modern democracy (cf. Falk 2003: 352-3). In other words, the event of 1989 and its aftermath bring in relief more sharply today's disentanglement of the state, nation, and society, or, in the words of Ulf Hedetoft, the dissolution of the triangular relation between politics, identity and culture (Hedetoft 1999). On the basis of this insight, such theorists argue that democracy cannot be confined anymore to the self-determination of a distinct people in the closed context of the nation-state, but needs to transcend national boundaries by means of the construction of an 'international civil society' or 'European civil society' and the awareness of a transnational dimension of rights.

The relation between a disappearing bipolar world and the emergence of a transnational public sphere has been perceived most clearly by Mary Kaldor in her work on, and involvement in, 'global civil society' (e.g., Kaldor 1991; 2003). The emergence of a transnational dialogue and forms of civic interaction in the 1980s had a dual origin in political action, in that these derived from the experience of new social movements in the West and dissident groups in the East, and their interaction in a 'European East-West dialogue' during the 1980s. There was, however, also an important normative and discursive dimension in that such transnational forms of interaction were grounded in the more theoretical elaboration of notions such as 'European civil society', an 'international public sphere', a 'world forum', and a 'parallel cosmopolis' (Kaldor 2003). It can be argued that dissident thinking proposed 'new definitions of European civil society that are still being worked today' and that the ruptures of 1989 facilitated the possibility of a transnational civil society as well as the emergence of a cosmopolitan understanding of European citizenship (Stevenson 2005: 46-7). In this, Jeffrey Isaac has hinted at, although not explicitly recognized, an affinity between the transnationalism of dissidents and Arendtian forms of civic action and associational politics beyond borders (Isaac 1998). What is significant in this is that dissidents recognized the anachronism and limitations of democratic politics confined to the national level and the importance of civic action not only within nationally confined public spheres and political communities, but increasingly also on a cross-national and transnational level, diffusing in this a new democratic political culture.

A clear example of ideas on transnational civil society in dissident thought is Konrad's argument for a cosmopolitan global culture in *Antipolitics*. He argues that a 'global culture with its own institutions is growing up today' and that '[w]e may describe as transnational those intellectuals who are at home in the cultures of other peoples as well as their own', while the 'nation is a transitional state of integration; in the nineteenth century it was wide and spacious, but today it is narrow' (1984: 209, 10).⁶ Similarly, in Vaclav Havel's work one can find a dimension of cosmopolitanism in his ideas of dissidence as including an 'interest in all those who do not speak up' (Havel 1992: 170) and 'living in truth' as about a 'concern for others' (1992: 195), while 'living in truth' cannot in fact mean an 'introverted, self contained responsibility', a care merely for self-interest, but 'responsibility to and for the world' (1992: 194; cf. Findlay 1999).

Such cosmopolitan features were particularly evident in (some dimensions of) the cultural idea of Central Europe as invoked by Konrad and Havel (Blokker 2008; Delanty

⁶ Konrad's view of a global culture particularly endorsed by intellectuals has, for instance, been picked up by Ulf Hannerz (1990) in his famous essay 'Cosmopolitans and Locals in World Culture'.

1996; Delanty and Vidmar-Horvat 2008). This understanding of civil society in a transnational, pan-European sense emerged in relation to a cultural, multi- and transnational understanding of Central Europe that appeared in the 1980s as a form of counter-identity of East-Central Europe to Soviet domination, but also as an inspiring myth as how to construct an alternative to the heteronomous societies in the Soviet empire. The emphasis in the idea of Central Europe was on overcoming the limitations of essentialistic, nationalistic ideas, the recognition of cultural diversity, and intercultural dialogue across borders. Havel's 'living in truth' can indeed only be imagined in a public sphere extends beyond an individual's immediate societal context, and includes an awareness of humanity beyond his/her national community. While clearly not all narratives of Central Europe can be understood as inclusive, diversity-sensitive, and transnational (see Blokker 2008; Delanty 1996) – some of them are indeed mutually exclusive - the distinct 'emancipatory' dimension of the Central European myth did contain a critical attitude towards both capitalist, mass-consuming Western and communist Eastern Europe.

In this, 'Central Europe as a task' (Konrad 1986: 87) points to a 'cosmopolitan' mindset that is reflexive of both the self and the other, and endorses a European identity on the basis of dialogue and mutual recognition. In this sense, it can be argued that Central Europe as an emancipatory notion had relevance not only for communist Europe, but also as a 'post-modern European identity encompassing the whole of the European continent', proposing a form of anti-totalitarian identity for post-1989 Europe that rejects singular truths and includes a 'new pluralism' (Betz 1990: 183ff). The emancipatory narrative of Central Europe, with its notions of multi-cultural co-habitation, autonomy, the decentralization of power, horizontal interaction and dialogue, and the self-conscious engagement with cultural diversity as key dimensions of democratic societies, can have immediate significance in the context of European political integration (Blokker 2008). In this regard, it is significant that someone like Adam Michnik still relates to himself as a 'cosmo-Pole' or a cosmopolite of a 'Central and Eastern European variety', one that accepts the importance of both Europeanness and national originality (Michnik 2003: 62). In such forms of embedded cosmopolitan ideas of identity, the Central European idea comes full circle with the anti-politics of civil society, in that Central Europe is understood as the historical birth-ground of civil society and civil practices (Delanty 1996: 100-1). This is also what lends the notion a critical edge within the post-1989 European context by combining an anti-totalitarian, an anti-nationalist, and an anti-materialist critique.

Conclusions: 1989, Models of Democracy, and the Future of Democracy

The predominant trend in the theorization of democracy has clearly understood 1989 as a reconfirmation of the salience and viability of liberal democracy. However, the event – both as a culmination of normative ideas and as a set of political practices – should be taken to mean more than that. As discussed in this paper, the radical democratic dimension of 1989 has indeed been taken up by a number of theorists and has involved different ways of imagining such a radical view of democracy.

I have argued in the paper that one can distinguish at least four models of democracy that were invoked in dissident thought and that have in the post-1989 era been further elaborated upon by political theorists, in this way contributing to a shift – even if relatively marginal so far - in imaginaries of modern democracy. This is not to say that the work of those theorists can be confined to any of such analytical models (Arato is a case in point in

that he seems to invoke most, if not all, of the models elaborated here in various parts of his works). The brief reconstruction of these democratic models clearly shows that first of all, dissidents went in their ideas and actions much further than the mere invocation of a liberal democratic idea grounded in an ethic of rights against the oppression of totalitarianism. Second, it shows that important aspects of radical thinking about democracy have been taken up, reflected upon, and further elaborated by political theorists in an attempt to reconceptualise our understanding of modern democracy.

1989 has in this clearly inspired different, alternative ways of imagining democracy. The analytical challenges that must remain open for now are attempts to assess to what extent such inspiration has indeed visibly strengthened alternative visions of democracy (also beyond theoretical elaborations in institutional and policy forms), has had a wider influence on, for instance, the theorization of agonistic, participatory, and deliberative understandings of democracy, how older visions of industrial and participatory democracy relate to current understandings of radical democracy, and how the changes in the East have stimulated the democratic imagination beyond the nation-state, as in notions of European civil society and democracy.

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