The Serving Government

Politics, Policymaking and Governance From A Christian Perspective

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Preface

When the ChristenUnie was constituted, the party's Research Institute was directed to carry out two fundamental studies. There was a conviction that a thorough and motivated view of society and government was indispensable for a political party. After this, two study projects were launched, *The Serving Society* and *The Serving Government.*

The autumn of 2001 saw the publication of *The Serving Society*. In your hands is now its follow-up publication: *The Serving Government*.

This publication is an attempt to express the ChristenUnie's view of government and governance in the light of our times. The ChristenUnie, the result of a merger between the Christian parties of GPV and RPF, has been built on the foundations of these parties, and in that quality it represents a Christian political tradition in the Netherlands. The purpose of this publication is to set out this tradition in a contemporary way, marking at the same time the position of the ChristenUnie as a new political entity within the Dutch political landscape.

INTRODUCTION

Feeble states, responsible governments

'The end of the era that was based on the state is drawing nigh.'[1] This remark, made by a German scholar in constitutional law, was first chronicled in the 1930s. There was nothing then to corroborate his view, but he would be proved right more and more after World War II. In themselves, states are nothing more than units sunk into themselves, sovereign towards the outside world, protecting and pacifying towards the inside. The state borders of the countries of western Europe are no longer controlled, and domestic political issues are becoming more and more alike, while the significance of the various forms of government is mainly a historical one. The Netherlands has been a constitutional monarchy since 1813. When, in that same year, king William I of the Netherlands was offered to be the country's sovereign, he insisted on a 'wise constitution', which regulated the rights and liberties of the sovereign and the people. His wish was complied with, giving the Netherlands the form of government which it has had up till this present day. This being the case, does it mean that the Netherlands is still a sovereign state? Much of this sovereignty has since leaked away through indefinable channels. The issue of sovereignty was even evaded in the revised constitution of the Netherlands of 1983; the formal concept of it even went unmentioned, though not to everyone's delight.[2]

States may have lost much of their sharp demarcation lines, but this does not suggest that there cannot be strong governments that are aware of their unique position. Governments remain utterly important, especially in a changing political environment. Within the now somewhat diffuse political borders, governments are dealing with populations demanding good governance. No different from the past, people want safety, security of existence, social harmony and perspectives for the future. It seems that in our days those expectations are on the rise rather than on the decline. Governments are expected to demonstrate authority, to act with strength and to show leadership. It is beyond doubt that there is a paradox of modern politics: the more the contours of states are fading, the more governments are expected to manifest themselves in a more powerful way. Citizens, witnessing the disappearance of the make-up of the state, turn to their governments saying: please help us! Government is swamped by demanding and pestering citizens. Its trials and tribulations today are manifold

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[1] Carl Schmitt, *Het begrip politiek* (Amsterdam, 2001), 46.
[2] Cf. F.A.J.Th. Kalberg, *De staatsrechtelijke positie van de Oranje-monarchie in de herziene Grondwet* (Kampen, 1991).

and it is constantly being assessed on the basis of its results. Its weakness or strength is a decisive factor in the unity and vitality of societies. Government responsibility must always find new ways of being and be affirmed in changed situations. In today's complex world, this presents an urgent and monumental task.

What is the situation?

This publication undertakes to provide a contemporary view of government that is founded in Christian principles, in order to reach a *Christian political view*. Lending one's ear to today's debates about government authority, about the maintenance of the law and about justice, while government is being criticised for being too permissive, one will note similarities with such a Christian political view. Our time is one in which major issues about the aim and the essence of politics are once more simmering underneath the surface of considerable political indifference. Throughout society there is a longing for peaceful relations within society to be perceived, a search for better relations between government and citizens, and a craving for justice. The reflections contained in this book therefore pertain to a much wider context, in which at least three general tendencies or movements play a significant role. We will give a brief rundown of them.

1. Firstly, the public sphere has experienced disagreeable measures in the past decades. From the 1980s onwards, the welfare states erected after World War II have been through drastic restructuring programmes. Governments, in France, in the UK, in the Netherlands, no longer wish to guarantee the high level of public services they used to afford, devolving responsibilities to citizens instead. Detangling state and society proved a onerous exercise. Citizens were given back responsibilities for which they were unprepared and with which they had not reckoned. New 'social issues' emerged: poverty, high disability rates, young people, disabled people and elderly people with no relief, social segregation instead of integration. It can hardly be said that restructuring the welfare state, however much needed, created new and healthy relations between government and society in the process.

2. The general debate about the role and the significance of (national) governments follows naturally from the above developments. Our era of globalisation has seen terms such as the 'relocation of politics' and 'evaporating governments' being coined. Would it not be correct to believe that companies and multilateral institutions (e.g. the European Union or the World Bank) have become the real political powers? What do national governments still count for? At the same time, it becomes clear that national governments continue to

3. Thirdly, there is a growing trend of citizens trying to gain access to the real centres of political power. In our Western society, political processes have undergone a considerable degree of institutionalisation and bureaucratisation. Only after a long march through the institutions may a citizen have some hope of making his contribution to political processes. Power being monopolised by party elites has become a very conspicuous phenomenon. Protests by citizens, who feel disempowered and suspect that they are not being heard, are getting bigger and louder. In the Netherlands, this discontent has come to the surface in the massive support for right-wing populism and its rebellion against the political elite. The British social scientist Anthony Giddens remarks that we have ended up in the phase that he calls 'the democratisation of democracy'. It has become necessary to re-democratise democratic institutions. Citizens are not interested in a political carrot, but demand real influence. Even though this trend may be at variance with the call for an authoritative government that makes the choices and calls the shots, there is a common interest involved: the actual solution of the problems experienced by citizens.

These trends and movements in society give momentum to a reflection on government and governance. Governments – nationally or locally – will have to address some serious questions and demands. It is also necessary to make one's own choices and take one's own position. The purpose of this publication is to show that Christian principles are elementary in making these choices and taking positions. There are ample reasons to reassume efforts to explain and set out these Christian principles.

View of government: GPV, RPF and ChristenUnie

This book appears three years after the ChristenUnie was founded and is a sequel to the book *The Serving Society*. It is important for a newly founded party such as the ChristenUnie to submit a publication in which it gives account of its view of government. More so than in *The Serving Society*, *The Serving Government* touches the core of the political existence of the ChristenUnie. Christian political party formation and activity, in the tradition that had its beginnings with Guillaume Groen van Prinsterer, has always distinguished itself by its

specific view of the mission of government as well as the task of citizens. The Union's foundation document mentions three core elements of the biblical message: recognising God's sovereignty, recognising government as a special institution ordained by God and recognising the Christian's duty to participate actively in society. These core elements will be treated in greater detail in this publication. These three elements form the ChristenUnie's reason for existence. This view of government builds on publications issued previously by GPV and RPF – the parties that merged into the ChristenUnie – independently. Even before the parties had merged into one, these parties at some point had to account for their reason of existence. The GPV put its own view of the nature and mission of government into words in its Programme of Guidelines published in 1966. Between 1980 and 1985, the author of the Guidelines, dr. Bart Verbrugh, wrote the three-volume *Universeel en Antirevolutionair* (Universal and Anti-revolutionary) as a further explanation of this programme of guidelines. In 1970, the party's last political leader Gert Schutte published *Nationaal Gereformeerde Gemeentepolitiek* (National Reformed Municipal Politics), providing a translation of GPV principles for local government, followed seventeen years later by *De dienst van de overheid* (The service of government) by Kars Veling. This concise book clearly brought to light that the mission of government was a topic of some discussion within the party. Where Verbrugh placed great emphasis on the government paying tribute to God, Veling shifted the emphasis to the application of the law and the administration of justice as the government's core mission. This difference of emphasis has since persisted without really being resolved.

The RPF began to feel the need for a detailed view of government as well. This task was taken up after the establishment of the RPF Study Centre in 1987, and in 1992 it published *Reformatorische Staatsvisie. De RPF en het ambt van de overheid.* (Reformed view of State. The RPF and the Office of Government) by André Rouvoet. This book designated the promotion of 'public justice' as the government's core mission. It did not omit to point out that this 'public justice' had to be interpreted in the light of the biblical concept of justice. Although this view was embraced by the party in general (and was met with approval by the GPV), the debate continued. In his book *Geloof en politiek* (Faith and politics), published in 1994, A. Kadijk submitted a view of government in which he placed theocratic accents. The government, as God's servant, will have to demonstrate society that it holds the Bible in high esteem. It must therefore nail its religious colours to the mast. It cannot be in favour of unlimited freedom of religion.

These positions and nuances unveil to some degree the ongoing debate about government in GPV and RPF circles, although waged separately from each other. It is important for the

ChristenUnie to relate past formulations to each other, to rephrase them and to present this merger of ideas. It was agreed when the ChristenUnie was forged, that both views had much in common in terms of their biblical foundation. Indeed, such an observation alone is not enough. It needs to be defined more closely and worked out in greater detail. This publication is an effort towards a coherent view of government that formulates in clear terms the Christian principle, which is the source of inspiration for the ChristenUnie. Not every effort made in the past needs to be repeated again. Therefore, this publication will be a combined treatment of old and new issues. On the one hand, an attempt will be made to expound the biblical principle basic thoughts with regard to the purpose, the nature and the task of government, linking up with the traditions of GPV and RPF. On the other hand, it will also deal with issues around democracy, political power and the role of government in a continually changing society, while taking new circumstances into account.

The serving government

Government is a very special institution, invested with a very specific authority. In addition, government can dispose of the means of violence: coercive measures, army, police. Authority and power are considered the *structure characteristics* of government. However, these characteristics do not give any information about the *quality* of governments nor about which direction they are headed for. Power and authority can be destructive forces. Dictatorships, too, wield authority and, above all, power. St. Augustine once made the famous comment that governments can turn into large-scale bands of robbers. Everyone who is familiar with political reality and observes the corrupted ways of megalomaniacs in power all over the world, will agree that the truth of this observation stands unchallenged even today. The world needs governments that do not regard themselves as the centre of their attention, but that take pains to encourage the development and prospering of the societies that they administer. This publication will therefore speak of a 'serving government'.

This term is multi-dimensional. First of all, 'serving government' refers to the 'service to God'. As becomes clear from numerous passages in the Bible, God has certain expectations from governments. In their own specific way, they reveal something of God's government on earth. Governments do not exist without a reason; they fulfil an essential service in the overall government of this world. Whether they are conscious of this or not: governments are instruments in God's hands. It is the mission of Christian politics to impress on governments that they take a knowingly serving attitude in this divine reign and to be sensitive to God's will in the public sphere. Governments are expected to serve by making God's

Commandments applicable in the political sphere. Secondly, this serving mission of government has equally much a bearing on its dealings with their subjects. Government helps citizens realise their own responsibilities in the various sections of society. The government's *raison d'être* is to serve society, not itself. The grand purpose of governments is to develop society.

Thirdly, the word 'serving' can also be applied to those in government. One could say that this is a reference to the concept of 'servant leadership', which is currently receiving much attention. The common impression of politics today is determined by personal styles of leadership. People today want a style of leadership that is marked by empathy and modesty, and they want leaders who do not entrench themselves in a hierarchical command structure, but whose focus is on the progress and responsibilities of citizens. The mission not to rule, but to serve, which Jesus impresses upon his disciples (Matthew 20:25 – 28), appears to deliver a clear message in a world that is revolted by abuse of power, corruption and machismo. In the way that they perform, politicians and government officials need to demonstrate that they are not interested in exercising power or expanding power, but in serving God and, as a result, serving God's creatures.

The actual quality of government and those working in government therefore lies in this ability to serve. However necessary it may be that governments exercise their power and put their influence to use, their true sense is nonetheless given in just that word: 'to serve'. This word conveys a very liberating notion; one that will prevent government from going corrupt by a craving for power. Nothing is further removed from a genuinely serving government than a politics of brute force that represses all freedoms and responsibilities. We see this happen unabated in our modern times, as a contemporary form of the kind of absolutism against which the Calvinists rose in the sixteenth and seventeenth centuries. It is the mission of Christians in politics to bring this different political and governmental quality, i.e. the quality of servanthood, into the limelight.

Set-up of the publication

In the next two chapters we undertake to set out which grounds of principle prompt the view of government submitted here. The first chapter will discuss the biblical testimony about the origins and purpose of governments. It will join the lines of thinking that were always dominant in the reflections of GPV and RPF. The second chapter will deal more specifically with the mission of government. This chapter will also draw a comparison with the views of government prevalent in the two other Christian parties in Dutch politics, SGP and CDA. The

third chapter affords a moral evaluation of the concepts that take a central position in our political reality: power, democracy and tolerance.

Chapters 4 and 5 provide a detailed specification of the basic political principles. Chapter 4 is about the role of government in relation to society. Society bears a specific responsibility for public life, which the government is to respect, encourage and gratefully use. Which duties is government to take upon itself and what is it to leave for society to take care of? In the final chapter, we will discuss the gap between citizens and government. Ample discussion has been going on about institutional reforms and democratic renewal in order to strengthen the relations between the electorate and politicians. An assessment of these developments will be given in chapter 5.

CHAPTER 1 GOVERNMENT IN GOD'S SERVICE

1.1 Introduction

State and Government

A government is hard to imagine without a state. But how exactly do these relate to each other? To answer this question, it is necessary to define them. Three elements are commonly identified in the concept of *State*: a territory, a population living in that territory, and a government. This allows us to speak of a state territory, a people and a state government or state authorities. In these relations, the one between the government and its subjects is essential. The Christian political theorist Jonathan Chaplin has defined the state as 'a political community of government and citizens empowered to promote public justice within its territory by means of law'.[3] So, the state is an institutionalised political community, in the sense of a community of nation and government. This community has evolved historically, with many generations taking part in that evolution. Language, morals and customs reinforce the common rule under which the citizens within the state live their lives. State and nation have become intertwined by the activity of governmental authorities.[4]

There is a well-defined place and function for the *government* within each state. The government is the authoritative body that has a specific mandate to govern and administer the state. To carry out this mandate, the government makes laws (the formation of law) and sees to whether people abide by them (the application of law). For this purpose it has the state's monopoly over the means of violence at its disposal. Governments are the actual bearers of state authority in a given historical context. The Bible refers to 'authorities' that have been placed over us. Rulers, members of government have been placed over us and they bear authority in that quality. The essence of this observation is that there is something called authority that has supremacy over subjects in a variety of forms. 'Submit yourselves for the Lord's sake to every authority instituted among men', says the apostle Peter (1 Peter 2:13). The central point made here is not about the form of government – as a human institution – but about the presence of government authority that commands obedience. 'Fear God, honour the emperor' is what Jesus Christ told his disciples to do. These disciples must be aware of the words of Romans 13:1 and what this passage has to say about the government being a God-ordained authority instituted among men. As such, the government is called 'God's servant'.

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3 J. Chaplin, Faith in the State. *The Peril and Promise of Christian Politics* (Toronto, 1999), 17.
4 More technically speaking: 'state-formation' and 'nation-building' went hand in hand.

Source and Norm

Christians who sincerely wish to be followers of Christ in every aspect of life, will turn to God's Word, which has come to us through the Bible, also to find guidance in matters concerning politics. They will do so because the Bible contains the expression of God's will. Christians wish to be obedient to His will. Christian political engagement is rooted in a tradition that has always taken the Bible very seriously. Let us listen to what some major Christian political leaders have said concerning this matter. Mr. Meindert Leerling, the political leader of the RPF in the 1980, observed: 'The Christian faith is illustrated by obedience to the Word of God... It is through this compliance to His Word that the Christian faith culminates in a Christian conviction. After all, the Bible is crystal clear about who man is, what his position is and what his task is. Faith and politics cannot be separated. ...'[5] This is the very reason why RPF and GPV, the two parties that have merged into the CU, have devoted much effort in studying the Bible in order to relate what they read to political issues. So, what is a Christian supposed to do in the political scene? The answer to this question, Mr. G.J. Schutte says, "has been provided by God in His Word, not as a user's guide, that just needs to be opened up to find the answer. We receive it through faith. It rules out a passive, lean-back attitude, calling for a diligent and studious approach instead. [6]

It becomes apparent from the two above quotes that taking the Bible seriously in the business of politics results in two ways of applying the Bible. These two ways can be made more explicit using the notions of *source* and *norm*. The biblical data are a source of knowledge in those instances where the Bible contains a direct revelation about government, legislation and ordinances. God's Law is said to be good; it is a support for man in finding his way to life. Marriage is said to be wanted by God as a healthy ambience for man to find happiness. Governments are said to be God-ordained institutions. Christians are eager to embrace this basic principle in faith and base their political ideas and activities on that principle. Furthermore, the Bible also provides a *norm* by which to appraise current political events and developments. Do political choices fit within the context of God's plans with humankind and society? The Ten Commandments afford Christian politicians with a helpful context within which a critical assessment of laws and regulations can be made. In *The Serving Society* - the book that was preceded the publication of *The Serving State* - special attention was given to the question of how to apply God's Law in political life. This chapter will principally focus on

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5 Quoted in: A. Rouvoet, *Reformatorische Staatsvisie*, 19.
6 Schutte, *Nationaal-Gereformeerde Gemeentepolitiek* (1970), 9.

the Bible in the former sense, *i.e.* as our source of knowledge on which to ground our views of government and governmental authority.

Religion and politics

Prior to this, however, we need to discuss the relationship between religion and politics. Some would argue that it is a bit over the top to establish the kind of direct link between the Bible and the business of politics that we have presented in the previous section. Can orthodox believers, without turning a hair, bring a biblical message into the political debate? Would it not mean that they are ramming a message down people's throats that is out of touch with our modern world? Indeed, many people in today's secularised world would rather see a strict separation between religion and politics. Religion should preferably be left out of it. After all, is religion not part of a completely different dimension? Besides, since we have agreed on a separation between church and state, should we not admit as well that politics and religion must be equally separated? This, however, is nothing short of a fallacy. The fact that there is a distinction between the *institutions* of church and state, which has been formalised in constitutional provisions, does not mean that religion and politics should no longer be on speaking terms. Religion has a bearing on the political dimension as well. In the public sphere, people carry certain responsibilities towards each other. They do so from a moral persuasion, from a deeper motive. For Christians, the political domain belongs to the service to God and to their fellow humans. They will want to enact their responsibility referring to biblical values, while those of other persuasions will do similarly from their values. After all, when has the separation between church and state ever prevented a liberal from acting on the basis of his liberal values?

The inevitable connection between religion and politics can be demonstrated in another way. People – whether subconsciously or knowingly – tend to attribute a certain degree of religious quality to the political order. There is something about the dealings of politics that refers to a higher authority.[7] In the past, kings and emperors were not only political figures, but they would also guarantee a link with the divine world. Heaven and earth converged on the highest plane of political power. One may believe these times to be long gone. Even in our modern times, however, political leaders tend to be credited with redemptive qualities. In the late nineteenth and early twentieth centuries, Dutch political leaders such as the radical socialist Domela Nieuwenhuis and the anti-revolutionary Abraham Kuyper, could gather an audience

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7 G. Hoogers has studied this more in-depth in his doctoral thesis *De verbeelding van het souvereine. Een onderzoek naar de theoretische grondslagen van politieke representatie (* (Deventer, 1999).

that revered them almost as if they were religious leaders. More recently, the Dutch politician Pim Fortuyn, assassinated on the eve of the 2002 general elections, evoked similar sentiments. These phenomena make it clear that people's expectations of the political business are larger than life. Apparently, the political sphere is considered capable of realising salvation, happiness and justice. The power and the authority of the political sphere intimate aspects of divinity. Even in a secularised society, where the call for the return of spiritual meaning is getting louder and louder, there is a link between religion and politics that cannot be ignored. Taking the Bible seriously helps us identify and appreciate this phenomenon, because the authority of governments comes from God and leads to God. Ultimately, this authority refers back to Him.[8]

But why is it inevitable that the political sphere has a religious dimension? The reason is the singular power vested in it; the power that we call authority. Genuine authority summons up a sense of omnipotence. A government that manages to live up to its promises deserves respect. When a government fails to do what it promised to do, it loses respect. Essentially, omnipotence is a divine attribute. Therefore, governments will always bear the signs of imperfection. Hence, the art of government consists to a major extent of *maintaining* authority. A government gaining in authority and integrity will summon up the suggestion of omnipotence among its citizens. In that sense, the authority of governments holds a reference to God's sovereignty. The Bible tells governments to acknowledge this reference and to pay tribute to God for it. If not, they put themselves to the fore, turning themselves or their politics into an object of veneration. The Bible puts these matters in their true perspective: government and the powers vested in it are divine institutions. To acknowledge this is to safeguard all authority as well as the spiritual well-being of society. There is real political significance in recognising unambiguously the divine source and function of governments.

1.2 Biblical and theological reflection

Christ and Governments

Over the years, the source and the function of the government as a divine institution has been a well-published subject area. Among those who have published their theological reflections on this topic are Dutch authors of prominence, such as A. Kuyper, K. Schilder, A.A. van Ruler, G.G. de Kruijff, J. Douma and W.H. Velema. This is by no means an exhaustive list of

8 Cf. G.J. Buijs, *Tussen God en duivel. Totalitarisme, politiek en transcendentie bij Eric Voegelin* (Amsterdam, 1998).

names; in fact, it is a rather limited one. However, it provides a sufficient impression of the tradition that we feel connected with. What is interesting here is the common viewpoint held by all these theologians that transcends all differences. Undoubtedly it is this one: Christ's supremacy over powers, governments and humans. This supremacy of Christ is the key perspective of the history of our world. All things were created in Him, by Him and unto Him (Col. 1:16). The world's history is headed for the moment when everything in heaven and on earth will be brought together under one Head, which is Christ (Ephesians 1: 10).

Christ should therefore be our starting-point for our reflections on the nature and function of government. We might be able to say that Christian politics is characterised by a Christ-centred motive. In the words of the American political theorist and Christian James Skillen: 'According to biblical testimony, the person, the work and the authority of Jesus Christ relates to everyone and everything in Creation. As a result, Jesus Christ has everything to do with government and public policy, just as He has everything to do with families and parenthood, for education, for the arts and the sciences, and for everything else that is part of our human experience. The question that we should be asking ourselves is not whether the Christian faith is relevant for public policies, but how it is connected'.[9] We will now make an effort to show how the recognition of Christ's supremacy bears upon a Christian view of government and governance.

Not only individuals are summoned to acknowledge Christ as their Head; so are governments. Governments as well should relate their specific responsibilities to the supremacy of Christ. They are in His service: *pro Rege*, for the King, who is the ruler of the kings of the earth (Revelation 1:5). They are also required to acknowledge Christ's supremacy and to regard the power that they have as something borrowed, something for which they carry responsibility towards God. The Bible states clearly that the day will come for governments to be judged from a higher perspective. Their doings will not escape Christ's final judgement (Psalm 58, Psalm 82, Acts 24:25).

Then, what *function* do governments have, being God's servants? What is their task? Governments are indispensable. Without them, man's innate corruption would go unbridled. Without governments, societies will go adrift. Without governments, man would stand up to his fellow human, disputes would no longer be settled otherwise than through violence and it would be impossible to uphold mutual agreements. It is for this reason that an old creed of the Church says that governments exist because of God's grace. God 'wants the world to be

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[9] James W. Skillen, 'Christian faith and public policy. A reformed perspective', in: David P. Gushee, *Christians and Politics beyond the culture wars. An agenda for engagement* (Grand Rapids, 2000), 45.

governed by laws and policies so that human lawlessness may be restrained and that everything may be conducted in good order among human beings.'[10] This, then, is what governments are supposed to do: counteract evil, injustice, violence and unlawfulness whilst ensuring good order in human society. We shall elaborate on the responsibilities of government in greater detail in a later chapter. However, it would not be premature to state in this chapter that governments themselves are equally part of the 'corruption' of the human race. There are governments that fail to carry out their responsibilities; some governments are even downright malevolent. Members of government should themselves be reminded continuously of the biblical norm. The Bible also tells us that those holding a government office are common people, without messianic properties. They will not bring paradise to earth. The office of government has its focus on this world's transient order rather than on a utopia. Political measures will never lead to a perfect society. Being aware that the imperfection of political efforts brings up (the necessity of) Christ's absolute supremacy is of paramount importance.

It also goes to show that governments are themselves in the centre of the spiritual battle. Christ's reign becomes manifest in the turbulent dynamics of this world, in war and peace, in times of distress and in times of prosperity. The governments of this world are in the hub of these dynamics and have their own responsibilities in it. More often than not, this is quite an unfriendly business, just because there is so much at stake. Tough battles are being fought over the direction that political, cultural and societal life should take. It touches on fundamental issues about God and the world, even though the newspapers refer to them in terms of welfare growth, world trade problems, or medical ethical issues. However, no less in the suffering of the millions of refugees, the AIDS-victims, the hungry than in the wealth of the rich is the question about this reign of Christ raised. Governments are challenged to make clear whose side they are on. A government that practises injustice is an outrage to God (Ezekiel 45:9). Governments that refuse to distinguish between good and evil, that make the foundations of the earth shake (Psalm 82:5), are acting in downright opposition to what God expects from them.

The source of authority

Governments are the bearers of power. They need this authority in order to be able to *act* with authority. The existence of authority provides security and trust between those who govern

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10 Belgic Confession, art. 36.

and those who are governed. [11] Governments cannot function if they are without authority. This notion of authority is the most constitutive property of the state.[12] What are the origins of this authority and what exactly is authority? Also, in what quality does authority differ from power? These issues take us back to the first chapters of the Bible. On these first pages of Scripture, we do not read about states or governments. The relationship between God and man is an authority relation and so are the relationships among humans. In order to know what the service to God involves, we should make an effort to understand what God had in mind when He created mankind and the world. Paradise is to be our starting-point, even when we are to view the political business from an eschatological, and above all, christological perspective. Although the Word (*i.e.* Christ) had not become incarnate yet (John 1), the Word existed even then, rejoicing in God's presence (Proverbs 8:30) The beginning foretells the climax. The question that we ask ourselves is what this implies for governments in relation to God's plans with humankind and the world.

We have to start from the very beginning: authority structures are part and parcel of the created world. Authority is related to *power of decision* and *obedience*. There are two parties involved, the one that decides and the one that obeys. First and foremost, the word 'authority' refers to God, the Author of Creation. All authority stems from God. The Creator authored Creation through His word; God spoke, and it came into being; He ordered, and it was there. After His work of Creation, God made promises to, and gave orders for this created world. God communicated His Law of Life as early as to Adam. Speaking thus, God expressed His authority over Creation and man. Man, in his turn, was given authority over Creation. Man was created in God's own image, in which this authority is included. And even this absolute authority was untarnished power of decision. It was exercised in loving involvement, in a similar way as God exercised His authority. Man gave the animals their names, walked with God in the coolness of the evening, and managed and governed the world without a trace of force or violence. This authority was completely 'natural' and there was no need for it to be enforced consciously. Man served God in perfect obedience.

All this changed after the Fall of man into sin. Man stood up to God's authority, struggling his way out of it. This image of God within man changed when man refused to be told by God any longer what to do. Man's obedience and his loving commitment to nature were largely lost. Even after this change, man continued to have some traits that betrayed his exalted

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[11] Cf. H.J. van Zuthem, *Gezag en zeggenschap. Vragen over de toekomst van het christelijk sociaal denken* (Kampen, 1968), 31.
12 W.K. Aalders*, Handboek der ethiek* (Amsterdam, 1947)*,* 321.

origins and original destination. However, the talents given to man as the image of God were corrupted. This also impacted on the authority structures in which man lived. Formally, these structures were still intact, but the authoritative power could not be maintained without the use of force and violence. The history of Cain's murder of Abel perfectly illustrates the change in inter-human relations. He who no more reflects God's image, poses a threat to the life of his fellow-man. Violence gives rise to counter-violence. In order to keep human society an environment where people can live and breathe, authority will have to be able to resort to means of power and violence to curb evil among men. Instead of authority being a matter of course, it had now become something mechanical and organised. It had become something that had to enforce and maintain itself. A world in which violence and the power of force have become necessary means, is not the kind of world that God had in mind. However, given the circumstances that arose after man had broken the bonds with God, there was apparently no alternative way. Natural authority in loving commitment from one person towards another had turned into authority enforced by 'the sword'.

The question is whether there was a political side to this authority in its original form. Was there a government in paradise? This question is hard to answer. The quality of this original authority was explicitly personal and relational; authority was restricted to the family circle. It is precisely this power of the sword that was alien to patriarchal authority. It always seems somewhat artificial to identify any degree of political authority in the first family that ever lived, and we will therefore not attempt to do so. This did not, however, remove the task of managing and developing the earth from the hands of the first man, and in doing that, to honour God. That task involved some element of power, not in the sense of violence, but in terms of the ability to carry out work. The mission that was given to man to cultivate the earth has been fully maintained and in part defines the responsibility of governments.[13] They are called upon to afford man with the opportunity to carry out this cultural mandate.

Governments in the sense that we know them and in the sense that we read about them in certain passages of Scripture did not receive their defining properties until after the Fall of man. Under the circumstances of fallen mankind, the government's power, with its distinctive authoritative qualities, evolved as a differentiated form from the authority of the first man, which was originally undivided. This authority is supposed to punish the 'wrongdoers' and protect the people. 'Peaceful and quiet lives' were cited by the apostle Paul as an end of the business of governments. (1 Timothy 2:2). With good reason, governments have been

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[13] Cf. G.J. Schutte, *Er zit meer achter dan je denkt. Enkele achtergronden van hedendaags politiek denken* (Uitgeverij Woord en Wereld, 2002), 23.

considered as a divine gift of common grace to fallen humanity, so that at least some order and rule can be maintained among the people. This is a precondition to enable people to live their lives in dignity and to devote themselves to the service to their Creator. It is therefore correct to hold that governments are not merely institutions born out of emergency. For the same reason, it is correct to ascribe to states a more elaborate package of responsibilities than is covered by the concept of the minimal state.[14]

1.3 The Biblical Mission of Government

Servanthood

We will not learn about the mission of government immediately from the first pages of the Bible. We *do* learn from these first pages about the reason why man no longer accepts God's authority and why the power of the sword was needed to keep society away from complete moral decline. It is apparent that governments are indispensable institutions, although the Bible takes on an ambivalent approach to them throughout. Rather, God would have continued to govern mankind in an unmediated fashion, in accordance with His original intention. There is a risk for governments to evolve into autonomous powers and as such they may even pose a barrier between God and mankind. The Bible passes a severe judgement on those governments and rulers that have a high opinion of themselves and that do not acknowledge God's supremacy over them. Earthly power is one of the most formidable temptations for humans who want to exalt themselves. It is for this reason that biblical prophecies are levelled at governments that arrogate this autonomy to themselves. The Bible presents that a government that is everything but a 'servant of God' also falls short of its mission to be a servant for its subjects. Corruption is manifest in the administration of government and law, subjects are served with injustice, the earth is being destroyed and society does not flourish under their reign. The absence of respect for God is bound to result in disrespect for humanity and the created world as well.

This ambivalent attitude towards the institution of the civil government remains present throughout the Old and the New Testament, even in the context of the history of salvation. In fact, the only reign that meets God's expectations of true kingship is the messianic one. But even the messianic kingship that we read about in the Old Testament is a gift from God. Also, it foreshadows the reign of Christ, which is the dominant perspective in the New Testament.

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[14] Ibidem, 23.

When God entered into a covenant with Abraham to make a new beginning with humanity, it was obvious that there was no civil government involved in the original plans. On the contrary, the new order implied that God Himself would govern over His people. Such was the situation during the times of the patriarchs, such was the situation when God revealed His law to Moses and such was the initial situation in the land of Israel. When the people made it clear that they desired a king and in that respect wished to be on equal footing with all other people of the inhabited world, God was greatly offended. And he did not keep it a secret. The people favoured public authority to be visible in earthy power. Israel was given the king that it so badly wanted, a strong man, someone that people would look up to: Saul. But someone, too, who was completely entangled in earthly power and whose kingship would eventually exhibit demonic characteristics.

In juxtaposition to this failed project of a king-from-the-people came the messianic kingship. This was the reign that was promised to David and his house. This was a blessed reign that came to an earthly climax of prosperity under Solomon's reign, though it would never reach those tops again. The criteria for this reign are summed up in Psalm 72. This rule is typified by the presence of peace and justice, it allows ample space for the righteousness of man to flourish, whilst the government is a support for the poor and the suppressed. There is affluence and abundance; the people feel privileged to live under this reign. However, even in Israel these criteria failed to be met. The reign by the House of David ended in failure, too, and Israel, after a period of religious degeneration and exile, fell into the hands of foreign rulers who were used to have their way by using violence. Once again came the gift of messianic kingship, this time in the advent of Jesus Christ, who is the living Word. And this biblical concept brings us all the way back to the very beginning, when God's authority was still an absolute authority. Essential to what Jesus did was that he restored God's immediate authority among men.

The life of Jesus turned out to be one of great suffering. However, this time the mission proved successful. Overcoming suffering, cross, death and resurrection, Christ receives the royal crown to reign from heaven forever. His reign encompasses all earthly governments and powers. He is the 'ruler of the kings of the earth' (Revelation 1:5). Christ's reign is the leading motif throughout the history of humankind, the lifeline of all ages. Christ's dominion is about the liberation of men from the power of sin. The same power is present in the business of politics and administration. Also in these aspects of life does Christ want to exercise his reign and restore disturbed relations. The Kingdom of Christ is about the restoration of God's original intention with men. Christ rules over His Kingdom, not by force

or violence, but through His Word and Spirit. This will also have a changing impact on governments, administrators and politicians. And Christ's dominion poses the same requirements upon governments as those listed in Psalm 72: to rejoice in justice and righteousness, to give people fair treatment and to see all of this in the light of God's reign through Jesus Christ. This is the challenge to all governments, not only to Christian ones. For instance, the apostle Paul requires this from the Roman governor Felix and points him to his responsibility towards God. (Acts 24:25).

Office or Service?

Let us try to summarise what we have said in the previous section. Although Romans 13 refers to the civil government as an institution of God, it does not by definition do so with reference to Creation. The relevant passages of Scripture would rather suggest that it concerns a gift of common grace that God has bestowed on fallen humankind. It may also be linked to God's providence, in which He binds governments to people. The institution of the civil government, unlike the concept of authority, is not part of the story of Creation. The authority wielded by states and governments, rather than these states or governments themselves, are part of the order of Creation. This authority was neither institutionalised nor organised, but it was easygoing communication between God, man and Creation; it was obedience in freedom. Everything changed as soon as man took advantage of this freedom. It became necessary that an enforcing power was established, which was to keep human existence on the right track. Authority had now assumed an earthly form, in that one man had authority over another while it became increasingly institutionalised and organised.

In this respect, the civil government has much in common with the church as an institution. The church was no part of the order of Creation either. Only after the Fall, when the unimpeded communication between God and man was broken, did man begin to call on the name of the Lord (Genesis 4:26b). And it was not before that moment that the worship of God came to be institutionalised and organised. The church as an institution was still alien to the situation in Paradise. It was only made possible by God's grace and providence. He brings fallen men and women together by the power of His Word. He forges mutual bonds between them and preserves them throughout the ages. In Dooyeweerd's description, church and state are 'institutional communities' with a historical basis. They came into being at a given point in the history of humankind. This is not the case with the family community. The family community is a natural community whose existence can be traced back to the very beginning. Church and state alike are regarded as communities that are grounded in God's will. Because

of their singular nature as a given institutional community, it should not surprise that they are part of the creed of all ages. Christians hold church and state to be divine institutions that serve special purposes.

This, however, was never without the risk of corruption and exaggeration. Throughout history, both church and state have been assigned special relations with the higher things and with God. In Roman Catholic thought, this sacralisation of church and state was sometimes carried to extremes. The concept of the 'divine right' of civil and church governments could culminate in absolutist rule, where the state or the church emerge as a mediating body between God and humans, making the emperor and the pope some kind of earthly representatives of God, who exact the kind of obedience from their subjects as if they themselves were God. It is unquestionably biblical to state that governments and spiritual leaders are in God's service. However, that does not make them representatives of God on earth. There is little reason to canonise the institutions of church and state to divine acts of salvation.

Protestants have always frowned upon the idea of church and state being mediators between God and men. Both Luther and Calvin wrote about church and state in terms of the two earthly 'regiments' by which humankind is governed. Still, the Reformed movement held ecclesiastical and political bearers of authority in high esteem. This may be clear from the usage of the term 'office' that they applied both to the church and to the state. High positions in church and government are also called 'offices'. Exercising an office is a special thing. However, before this term can be used, it should first be purged from everything that reminds of the sacralisation of offices. It is true that holding an office is nothing short of a divine calling. However, this does not turn those holding an office into God's proxies. The Bible speaks about the service to God by people tainted with weakness and sin. The word 'office' is seldom used in the Bible. The most commonly used word for offices in church and state is *diakonia*, *i.e.* service. The existing governing bodies (in church and in state) are merely rendering a service to the well-being of people, for which they are accountable to Christ. In that sense they are truly *diakonoi*, servants who help people to reach their destination. Therefore, it would be more correct to speak of the 'service of the government' rather than of the 'office of government'.

Serving leaders

This brings us automatically to our last point. If we regard government as a servant of God, we will also speak of responsibilities in a specific and personal sense. The Bible, whenever it

deals with government, avoids an abstract approach. The focus of attention is invariably on the persons involved in government. Both the Old and the New Testament call numerous persons of authority by their names. But who is and what makes a good leader? The Bible presents criteria for that as well. Thus, for instance, people in government should not be after 'dishonest gain' (Exodus 18:21). Corruption and pocket-filling are reckoned heavily against people in government. And, as much as there are rules that those in leading positions in the church must obey, there are also those by which people in leading positions of the political life must abide. Therefore, the person holding the office of leader or ruler is very important. What can, in conclusion, be said of this person?

Lately, there has been much interest in the leadership of biblical figures such as Moses, Nehemiah, Mordecai, Obadiah and Daniel. It is indeed important to see how these men in responsible positions performed their role as leaders. John White, in his widely read book *Excellence in leadership. The pattern of Nehemiah*, points to Nehemiah, who rebuilt the walls of Jerusalem after years of exile, as an archetype. He mentions the role of prayer in Nehemiah's life. He also mentions the 'test' that each leader will experience sooner or later: how to deal with setbacks. Had White taken Mordecai as an example, then he could have pointed out that the leader is after what is good for God's people. (Esther 10:3). The defining quality of those leaders, however, was ultimately that they had a desire to serve. 'The true leader serves. Serves *people*.'[15] They do not use their power to exalt themselves, but are aware that they are humans with their limitations and vulnerabilities, and know that their true greatness lies in serving (Mark 10: 42-43). They show this awareness by pointing away from themselves in a serving attitude and allow Christ's supremacy to be at the core of their personal lives as well.

SUMMARY

There is an inextricable link between religion and politics. Civil society is no neutral territory. Christian politics is making an effort to search for what is good for that society, thus serving God. The Bible makes it very clear that God wants there to be governments to maintain law and justice among people and to lead society towards *shalom*. Authority structures belong to the created world. Ever since the Fall, governments have been given the special task to resist evil and punish lawbreakers. The service of government is a responsibility before God carried by those working in government. There is always a personal dimension involved here:

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15 J. White, *Excellence in leadership* (Leicester, 1986), 83.

politicians must behave in a serving and responsible manner. The political order framed by humans is not incompatible with God's Kingdom. On the contrary, the principal aim of that political order is to establish justice and peace, as the fruits of the dominion of Christ. The service of governments embodies the pursuance of this high goal and to let man and society share in this.

CHAPTER 2 THE TASK OF GOVERNMENT

2.1 Political theoretical issues

Where the concern of the previous chapter was mainly with a biblical and theological reflection, this and the following chapter will take us to the domain of political theory. One of the major issues of political theory is the *task* of government. What is responsibility of government and what should it rather leave to the people's own responsibilities? The complexity of our modern world does not make this issue a particularly easy one. There is a multiplicity of issues for which society calls in the engagement of government. The issues concerned involve societal life, the safety of public space, macro-economic development, problems in the agricultural and healthcare sectors, problems of infrastructure and mobility. The government is continually exposed to a torrent of appeals from citizens and organisations. The government seems to be society's giant hoover: it is expected to clean up the litter that the people leave behind. However, the government cannot cater for every need and should not wish to do so either. That is why it needs to have a clear idea of what its proper duties are.

So, the question concerning the task of government is primarily not a *factual* but a *normative* question. What *belongs* to the government's responsibility in society and what does not? The replies given to this question are diverse. They differ according to the political ideology from which these replies stem. In a parliamentary democracy, these different views on the task of government are also brought into political debates, where they result in different outcomes. Further on, we will present some relevant examples. Of course, in this chapter we are concerned with the political theory that takes a Christian approach. In the previous chapter we have pointed out the biblical groundwork for this approach. The task that the Bible tells governments to do is to serve justice, counteract wrongdoing in society, relieve the poor, and honour God in doing that and by doing that (cf. Psalm 72). Yet, this alone is not a satisfactory answer. Indeed, this *normative* groundwork must be put into practice in our complex society. This practical implementation, therefore, is the theme of this chapter.

2.2 Notions of justice and righteousness

View on the task of government

In their political philosophies, GPV and RPF have never challenged the idea that it is the indisputable domain of government to concern itself with the formation and application of law. There is nothing specifically Christian about this idea, although we should add that it is God's will that governments devote themselves to the administration of justice in society. In our modern society, the government does so within the context of the so-called *trias politica*, or the separation of the legislative, judiciary and executive powers. The legislative power is in the joint hands of the national government and Parliament. The executive power is the domain of the government at large, whereas the judiciary power administers the law in cases of breach of law, and it does so independently, free from political manipulation. Most people would look upon this as something obvious. It is as obvious as it is for a school to provide education or for a company to concentrate on economical activities. Government has a legislative competence, which it applies to create justice in society. Government also supervises the execution of laws and measures, in which its responsibility is to maintain the law. This, however, only bears upon the *formal* activities of the constitutional state. Needless to say, law and justice also have a *material* content. This material content is the focus of political debate, in which the government has its specific responsibility as well. What are the guiding motives and objectives for the legislative power? Which developments in society urge it to act? What is to be seen as undesired citizens' conduct and what is beneficial for all members of society? What end does the formation and application of law serve? What is its use and purpose? We must conclude that it is impossible to discuss the task of government in a meaningful way whilst leaving the aim of politics unmentioned. Politics is no neutral territory, and therefore the reflection on the task of government is not a neutral activity either. Differences in political ideologies result in differences in political ideals, opinions and values.

Let us have a look at a few examples. Liberals have often portrayed society as a community of interests. Dutch liberals, for instance, betray their allegiance to this notion of an interest-oriented society by referring to their country as 'the Netherlands Ltd.', in which the world has been divided into the private interests of individuals and the common interests of all members of society. In this view, the government is the protector of that common interest. The government provides and applies these rules of law in order to secure order and safety, to facilitate mutual traffic (social and material infrastructure) and communal activities (work, trade, education). In serving the common interest, violation of private interests cannot be avoided at all cost. The government is the only body with that capacity. This view implies that justice serves as a tool for regulating the relations between the private and the common

interest. It may be obvious that this is a rather materialistic and, hence, one-sided representation. However, the pendulum can also make a swing to the other extreme. Whereas the liberal vision is very taken with the private interest, the socialist view is strongly biased in favour of the common interest. It assigns a powerful role to government in organising society. This role involves that the government is to redistribute goods and means (provisions, rights, money) across the community. The government is given the capacity to determine through legislation and regulation what is in the common interest and to enforce this as a public achievement. We only have to look at the recent history of the former Communist world to see the unambiguous evidence of the devastating potentiality that this view of unlimited government control inhibits.

These liberal and socialist representations of society as a community of interests have prompted the emergence of a conservative countermovement. In this conservative view, society is considered to be not merely a community of interests. It belongs to the task of government to bring order in society and to protect traditional norms and values. A battery of laws and sanctions is needed to keep people under control, restrain crime and teach society above all to take its own responsibility. This conservative countermovement correctly points to the significance of rights and values next to interests. It is true that society can be typified as a community of shared interests, rights and values. However, the share of responsibilities that these conservatives apportion to the government, is a rather minimal one, as is the case in classical liberalism.[16] In this conservative view, the task of government does not transcend the level of the government's formal toolkit. However, the task of government is not limited to establishing order and discipline. It must also try to direct and guide the development of society, for which government carries a specific responsibility.

The Christian political view

For this last reason, Christian political thought has always emphasised this directive and guiding responsibility of government, thus linking in with the biblical approach of government. The government is not a neutral body, but assumes its duties as a higher call. Governments must always live up to this high call in the process of law formation. Indeed, the government needs a criterion in order to know what is just in a given situation. It must have a notion of what is ultimately just and right in the relations between people. The Christian

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16 This – ultimately Kantian - view assigns to the government a responsibility that comprises mainly the technical formation of law. This view presupposes that the members of society themselves determine what is good for society. The flaw in this view is that it fails to recognise the normative quality of the formation of law, which allows for justice to be regarded as a material article

conviction finds this criterion in the biblical concept of justice. The Ten Commandments in the Old Testament are the revelation of what is just, and this notion of justness is intensified in the commandment of love given by Christ Himself. In it is expressed an understanding of justice from which governments should derive their criterion. (cf. Deuteronomy 16:18-20, Jeremiah 21:11, Isaiah 32:1, Psalm 96:13). In the words of André Rouvoet, the current political ChristenUnie leader: 'The government is not exempted from seeking God's justice, which it does by making laws, by enforcing those laws and by administering justice in accordance with set legislation. Therefore, the government, in God's service in the domain of the state, also applies itself to justice, which will have to be specified here as *public* justice'.[17] The task of government is not first and foremost a formal and regulating task, but a material and norm-setting task. In this, the government decides between right and wrong, and points society into a certain direction, also in religious respect.

It is the government's task to organise society on the basis of a concept of justice. This is the heart of the matter. But this alone insufficiently summarises the objective of the constitutional state. It does not sum up the high call of government to an exhaustive extent. The government is called upon to guide society with reference to its ideals and objectives. Vision and statesmanship are a sine qua non. When the government is trying to harmonise interests, it is in fact guiding the development of society. A.J. Verbrugh is one of the Christian voices who has continually pointed to these farther-reaching goals of political business. In the affluent societies of our Western world, this farther-reaching goal appears to consist of realising personal material prosperity. At the same time, however, this goal adds to global social injustice and will ultimately fail to serve as a satisfactory and rewarding goal of society.[18] Hence, Christian politics has always argued for society to develop so as to be brought in line with God's plan with the world and with humankind, and to advance his honour. Christian political thinking embraces a vision of how government should give guidance to the development of society.

2. 3 Realising the task of government

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17 Rouvoet, *Reformatorische Staatsvisie*, 87.
18 Cf. *Gelukkig is het land*

Legal norms

The principal purpose of government activity is the realisation, or positivisation, of the norm of public justice.[19] But what are the implications? Which principles of law should be effectuated? In order for us to answer this question, we must have a clearer idea of the task of government. The issues concerning the nature and significance of norms of law have never received much attention in the publications of GPV and RPF, and neither in those of SGP. However, all legal systems comprise norms of law that are also incorporated in the biblical concept of justice. The identifying quality of justice is related to the will of God. Justice restores the balance in matters and relations, where it had been disturbed by human actions. Justice and law present a gift and an opportunity – at least on the surface – to restore relations.[20] For this reason it is important that justice is indeed justice and that society can count on *legal security*. It is also reasonable for a penalty to be in due proportion to the crime (*principle of proportion*) In the case of agreements or contracts, the principle of *good faith* requires us to keep them. Finally, the *rule of proportion* applies in allotment issues among claimants.

These general principles of justice of legal security, proportionate retribution, good faith and proportional allotment also occur as such in the Bible. Justice must not be bent, but should be straight (legal security). In Israel's legislation, the eye-for-an-eye principle was applied and there were laws for the reparation of damage done (rule of proportion). At the basis of covenant thinking lies the conviction that agreements and promises should be kept (good faith). This principle should also be applied in socio-economical life: let your 'yes' be 'yes'. The rule that each should receive his due portion and that the strongest shoulders should carry the heaviest burdens, was apparent as early as in the social legislation in the Bible (proportional allotment). Yet, the Bible does not stop at these general principles of justice, but always gives them a deeper meaning. What matters in these issues is that man seeks God and serves Him. Justice and law are instruments to straighten out relations and to preserve a certain level of order in human interaction. However, deeper than justice does God's mercy reach. God is not merely concerned with the appearances of human behaviour, but with their very hearts and minds. For human society and human interaction it is equally so that loving God and trusting God's Word has a modifying influence on justice. It is evident from the

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19 'Justice is not a form that is filled with content, but a norm that needs to realised' . T.P. van der Kooy, *Maatschappij in beweging* (Kampen, z.j.), 111.
20 Aalders, *Handboek der Ethiek*, 326.

Bible itself that norms of justice assume a deeper meaning in being realised. A few examples support this point.

a. *Security of justice*. Justice must be right and needs to be maintained. On the other hand, the highest justice must never be allowed to become the highest injustice. If the growing impact of legislation and regulation on political life and society turns people into victims of the rich or the powerful, then something is terribly wrong. Security of justice must be realised from a material rather than from a formal perspective. It means that God's Creation and His creatures find protection under the law.

b. *Proportionality*. The Bible is familiar with the principle of retribution. In retribution, justice must be straight as well. The law, however, is sometimes merciless and blind to circumstances. Retribution and reparation may 'serve someone right' when he or she has been found guilty or has been negligent. However, Scripture also shows how much joy pardon, reduction of sentence and, eventually, redemption can give.

c. *Good faith*. Breach of contract or breach of faith do not only imply a unilateral cancellation of an agreement, but also undermine loyalty among people. For this reason, Scripture regards these as very serious matters. Loyalty, when absent, should be restored, because it keeps society healthy and strengthens inter-human relations.

d. *Rule of proportion*. In these matters, we should not take the formal distribution of goods and services as our starting-point, but the material meaning: whether no one has to suffer poverty and whether everyone is allotted his or her portion of justice. People must be given the opportunity to serve God using their talents with reference to their own responsibilities and relations.

So, justice is given a deeper meaning in man's service to God. This should be the focus of the realisation of general norms of justice. [21] The government plays a supervising role in this respect. But it can only perform this role if, in its efforts to realise public justice, its basic principle does not consist solely of these general norms of justice. It will also have to furnish them with a motive and an objective. The motive from a Christian perspective should be: seeking God's honour. The objective should be: binding society together to God's service. Only when this motive and objective are present can a constitutional state, based on justice, be further enhanced alongside a more profound understanding of justice. The government has a specific task in this. It assesses the social and societal situation, and upon this assessment it

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[21] This was also the basic principle assumed by H. Dooyeweerd. Cf. J. Zwarts, 'Staats- en rechtsfilosofie', in: R. van Woudenberg, *Kennis en werkelijkheid. Tweede inleiding tot een christelijke filosofie* (Amsterdam/Kampen, 1996).

determines by law what is just, so that everyone can be served with justice accordingly. In this respect, we may also speak of the principle of social justice as a guiding principle for the government in fulfilling its task. This principle has a pivotal function in organising and building society.

So, ultimately, four Biblical criteria can be distinguished that, from a Christian point of view, should operate in the formation of law:

a. The government is a 'shield for the weak' and watches over justice and, because of that, over the integrity of humans and of creation. Government measures may never produce or uphold injustice for humans, plants or animals, or for society at large.

b. The government is the protector of a fair administration of justice, which, apart from retribution, also allows for pardon and which, besides securing removal from society, also enables a return into society. A fair administration of justice will not allow itself to be manipulated by any interest.

c. The government shows itself to be reliable in meeting obligations concluded and promises made. Its integrity becomes apparent from a correct execution of its governmental authority. The government itself sets the example of good faith and loyalty.

d. With a view to the organisation, development and prospering of man and society, the government applies the principle of social justice in the formation of law.

Core tasks

The government has authority to steer society on the right track, thus fulfilling the demand of public justice. In the above section, we have described society as a community of rights, interests and values. Society is diverse and so are the ways in which the government relates to society. The government administers society and sets boundaries, while leaving room for personal initiatives. It applies laws and regulations, but also communicates about common values. In relating to society, the government not only forces and enforces, but appreciates at the same time that citizens have their own responsibilities to see to. This is compatible with a notion of society that accounts for 'distinctive responsibilities'. The government does not have to perform a solo act and neither should it have that aspiration. The government does not just apply the means of force, but negotiates with society and speaks with authority. Because society is multi-faceted, the responsibilities of government are as well.

We should therefore distinguish three dimensions of government activities: to create and enforce laws and regulations, to set contexts for citizens to experience their private responsibilities and to give direction to society at large. These three dimensions agree well

with the characterisation of society as a community of rights, interests and values. Laws and regulations are necessary to give a precise indication of what is and what is not permitted. Setting contexts for citizens to experience their private responsibilities within the public sphere accommodates needs and interests. Giving direction is necessary to indicate with which values society and the legal system should seek support. In these three dimensions, the government can refer to its responsibility to form and apply legislation, but with a decreasing degree of the use of force.

By way of concluding this section, let us deduce the core responsibilities of government from what we have just said. We will draw from what has been published on the matter previously by Rouvoet, Schutte, Veling, Verbrugh and Klink. We will follow the distinction that we have made between a community of rights, a community of interests and a community of values. The first is the most fundamental dimension. The second dimension allows for growth and prosperity, whereas the third dimension is in fact significant for enabling and steering the former two dimensions.

1. In the interest of society as a community of rights:

a. Giving protection to citizens

b. Counteracting and preventing violence and injustice in society

c. Upholding the rule of law and the constitutional state

d. Maintaining the regulations that encourage social interaction between people and communities

e. Developing such structures as to allow for other spheres to have their rightful space.

2. In the interest of society as a community of interests:

a. Safeguarding material conditions to allow for citizens to take up their responsibilities (within their spheres)

b. If necessary, acting temporarily as a deputy for other social spheres

c. Counteracting physical, social and economic deprivation (disease, poverty, exploitation)

d. Protecting the natural environment (environment, flora and fauna), also with a view to the future (sustainable development)

e. Regulating and evaluating social activities that might harm others.; harmonising conflicting justified interests

3. In the interest of society as a community of values:

a. Maintaining and encouraging values and norms with a unifying and guiding significance for society (for instance, the unimpeded preaching of the Gospel)

b. Maintaining and encouraging traditions, language and expressions of culture that exhibit the national identity.

2.4 Comparison with other Christian views

Views held by SGP (theocratic) and CDA (Christian Democratic)

In the following, we will draw a comparison of the view that we have expounded with the theocratic view, which in the Netherlands has been developed by the political party SGP, and with the Christian Democratic view, represented in the Netherlands by the CDA. We have good reason to draw such a comparison. Both SGP and CDA use the notion of 'public justice' to characterise their view of the task of government. The kinship in terminology betrays traces of a common approach. Yet, there are also differences between the views mentioned. It is relevant to point out exactly where the views agree and where they diverge. We will do so by drawing from some elementary publications on government and governance issued by both SGP and CDA.

The SGP view

In 1993, the SGP research centre published the report *Dienstbaar tot gerechtigheid. SGP-visie op de aard en omvang van de overheidstaak (Serving towards justice. SGP view on the nature and size of the task of government).* The report was in part prompted by previous publications on this topic by CDA, PvdA (Dutch Labour) and RPF. In part, too, there was an apparent need to make a study of the nature of the task of government. These efforts spawned a report that gives a clear idea of the SGP view on government.

The differences with the view proposed in the foregoing sections are not large in terms of how the report has been formulated. With regard to the origins, the nature and the task of government, biblical reflection yields the same results. It appreciates government as an institution that springs from the will of God, taking shape in this world after the Fall into sin. It does not deny that 'authority, taking care of Creation and leadership were aspects foreign to the pre-Fall world.' Nevertheless, 'we should be cautious in supposing the presence of a government task at this stage.' 'It is justifiable to recognise elements of the responsibilities of government in the task given to Adam and Eve in Paradise.' However, all of this changed drastically after the Fall. 'The Fall into sin has furnished this task with a very specific, *i.e.* its defining, meaning. Under the new circumstances, government has become a necessary entity prompted by sin and its consequences. The task of government is therefore typified by the

monopoly of violence that it wields to counteract and inhibit sin. The emergence of sin has caused disharmony among people on the one hand, and between people and the rest of Creation on the other. The government protects its citizens from the consequences of that disharmony in the public sphere by punishing evil'.[22]

Therefore, 'the administering of justice and righteousness' is the 'principal basis for the task of government'.[23] When considering various biblical motives ('cultural mandate', 'stewardship'), the authors mention justice as the 'key notion' for the activities of government. 'Defining the task of government as the promotion of the honour of God by serving *public justice* in accordance with God's commandments will prove to be an all-encompassing description...'.[24] This justice is brought in connection with its rooting in biblical norms. 'Justice is, as it were, a positivisation of justice as the norm behind it. The most compact elaboration of justice is that which, in accordance with the biblical norm, is called justice in the Ten Commandments. These Ten Commandments present a synopsis of God's will. The Bible is the source and norm for earthly justice. Thus, earthly justice emanates from divine justice.'[25] Subsequently, the government is seen to have a negative task ('curb injustice') and a positive task ('establish justice') Not only must it counteract evil, but it should also commit itself to creating conditions to make society a flourishing one. We may conclude that, with regard to the definition of the origins, the nature and the task of government, there is full agreement with the view that we have presented as ours.

On two points, however, there is an obvious and consequential difference with the SGP view. Firstly, there is a difference with regard to the effects that it has on the task of government in religious affairs. In those affairs, the SGP requires the government to act with resolution. In the SGP view, the government should commit itself to the true religion. If put into practice, this view would spell a limitation of the religious freedoms of those with different persuasions. In our view, and in that of the Christian Democrats, it is imperative that these freedoms should indeed be secured in a constitutional state. It would follow from the SGP view that the government exercises a degree of coercion in spiritual matters. We do not quite see how this spiritual task of the government can be related to the public justice that was championed as the core function of government. In any case, this obviously does not secure the 'public right of persuasions'.

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22 H.F. Massink (e.a.), *Dienstbaar tot gerechtigheid* (Houten, 1993), 81.
23 *Ibidem*, 77
24 *Dienstbaar tot gerechtigheid*, 16-17.
25 *Ibidem*, 77.

Secondly, there are differences in terms of the consequences proceeding from the reference to the Bible. On the basis of its 'theocratic ideal', the SGP holds it that the government should extend its responsibilities beyond protecting and guiding the public order of law. [26] Its appeal to the Bible makes it clear that the SGP believes that the government, in its singular position, is the keeper of shared morals. In this, it overrates the task of government. The government should not operate as the extended arm of the church. Besides, there should be recognition of citizens' private responsibilities as well as of the distinctive spheres within society. It has been argued in *The Serving Society* that this SGP view on the government has its roots in an undifferentiated idea of society, where the state and the church make up the spine of the whole society, with hardly any political life that involves citizens. This makes it difficult in this view to allow for citizens' 'own responsibility' within their own spheres.[27] We will explore the matters of tolerance and responsibility in greater detail in a following chapter.

The CDA view

The CDA has laid down its view of government in a bulky report published in 1990: *Publieke gerechtigheid. Een christen-democratische visie op de rol van de overheid in de samenleving. (Public justice. A Christian Democratic view of the role of government in society.)* An attempt has been made in this report to bring together the protestant and roman-catholic philosophical traditions regarding state and society. This has led to a new assessment of a myriad of biblical, legal and philosophical notions so as to formulate a view of government for the merger party CDA. Linking up with the party's programme of principles, this report views public justice as the 'identifying principle' of 'statal governments'.[28] So, how then does the CDA view government? The differences with the Reformed view come to the surface at the weighing of the biblical data. The task of government is limited to the legal core function: punish evil and reward good. That is the task of the 'powers that God has established in this world.' [29] It is not made clear which task these powers have with regard to the original intent of Creation, and it remains equally obscure which is the relation between these powers and Christ's supreme reign. In the Christian Democrats' report, governments emerge as autonomised earthly powers rather than as institutions responsible to a divine calling. The

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[26] In 1994, this 'theocratic', or as some would term it, 'bibliocratic' ideal, was thus described: 'Theocratic politics is the pursuance of a political order in which the government subjects itself to the Word of God'. . *Theocratische politiek. Principes, geschiedenis en praktijk* (Houten, 1994), 21. The question could be raised if there is a nuance of meaning between 'subject itself' and 'be in the service of'.
[27] As far as I know, after the publication of *Dienstbare Samenleving* not a single attempt on the part of the SGP has been made to respond to the discussion of the SGP ideology that was contained in the report.
28 *Publieke gerechtigheid* (October, 1990), 116.
29 *Ibidem*, 40.

result is that the principle of public justice cannot be related directly to the biblical concept of justice, the heart of which are the Ten Commandments.

The report makes the correct observation that the State – with its limited jurisdiction – cannot realise spiritual or ethical justice. However, no further attempts are made in the report to retain this justice as an ultimate perspective.[30] Public justice thus acquires a degree of autonomy, and becomes detached from the deeper layers of the biblical concept of justice. Yet, it does recognise that there is a necessity for public justice to be steered; it requires a 'focused interpretation' of this principle for 'the practice of politics'.[31] While at this point SGP and ChristenUnie wish to apply the Bible and the biblical principles, the Christian Democrats resort to a number of key concepts: shared responsibility, public justice, solidarity and stewardship. In that way, a 'Christian Democratic philosophy' – the outcome of believers searching together for the relevance of the revealed Word – acts as an orientation for the application of the principle of public justice in the regular formation of law. It is regrettable that the CDA, that claims to base itself on the Bible, puts its own philosophy ahead of the Bible. Besides, the generic terminology, in which this philosophy has been couched, is far less powerful and appealing than the specific and normative approach taken by the Bible.

It is owing to this absence of delineation that the political conviction of the CDA, which is supposed to steer the principle of public justice, remains rather undefined. Hence, the principle of public justice cannot but be applied in a somewhat legal manner. The main business then consists of the organisation of an order of law, in which justified interests are made to match and in which responsibilities of people and social spheres are respected and guaranteed.[32] We have already pointed out that such a view of government remains scanty, while it befits the high calling of government to present society with a motive and an objective. A government that testifies that man's ultimate goal in life is not material prosperity or convenience, but instead points man to higher goals, is quite compatible with a Christian view of government. Governments can also indicate that they wish to organise society in such a way that man is given the opportunity to serve God. Thus, public justice will not merely be significant in terms of organisation, but also in terms of inspiration.

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30 *Ibidem*, 51.
31 *Ibidem*, 116.
32 *Ibidem*, 134.

Limits to Government Activities

The final matter which we shall deal with concerns the delimitation of government authority. The three currents of Christian politics largely hold similar views on this. The background for this agreement is the idea of 'sphere sovereignty' that ChristenUnie and CDA have in common. The idea of sphere sovereignty is based on the Reformed notion that each individual is personally responsible to God. This idea appreciates the different, irreducible responsibilities to be fulfilled within the various spheres. Authority within the family circle has a specific meaning and has a quality that makes it different from authority within the church, the state or an organisation. These circles of authority are intertwined, although state or church authority are not supposed to dominate other spheres. This concept of sphere sovereignty is also appreciated by SGP representatives. It helps 'to allow for the diversity of the spheres of life'.[33] Therefore, it also helps to make a distinction between statal and non-statal spheres, and to demarcate the government's own domain. SGP, in spite of the proviso that it has made for the relationship between church and state, also embraces quite unanimously the idea of a government whose task is set within the limits of its own public domain.

Of course, exercising government authority in a highly developed and differentiated society has become a particularly labyrinthine venture. In such a society, government cannot limit itself to creating and maintaining order, justice, safety and security. On this point there is unanimity among the Christian parties as well. A secondary government task has been added to the primary one: attending to the public needs of society at large and distributing the goods and services to advance the development of society. Social fundamental rights have been added to the classic fundamental rights, ensuring access for the population to social provisions, good education and good healthcare. The twentieth century has seen the expansion of government tasks. The government is called upon to devise policies with regard to families, cultural minorities, labour relations, poverty issues, care provisions, relief of disadvantaged areas, etc. As the government is involved in the formation of law, its involvement in designing society increases correspondingly.[34] The constitutional state can no longer resemble the classic liberal minimal state, but should be a *social constitutional state.* This principle is shared by all Christian parties.

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33 *Dienstbaar tot gerechtigheid*, 85.
34 *Publieke gerechtigheid*, 137.

SUMMARY

The government is primarily concerned with the formation and application of law, thus creating the preconditions for the development of society. This society can be described as a community of law, but also as a community of interests and values. The community of interests is concerned with making the sources of prosperity available. Society as a community of values is concerned with opening up the community of law and interests in the light of shared principles. The government applies norms of justice in the public domain, though it never does so in a neutral mode. It steers the public order of law and points society to higher (public) objectives. Public justice must conform to the norm of divine justice. Taking that approach, governments can be the political, moral and spiritual leaders and motivators of society.

CHAPTER 3 POLITICAL POWER AND DEMOCRATIC CONTROL

3.1 Necessary reflection

This chapter will deal with power and democracy. These two concepts play a key role in the business of politics. Yet, they were never given much attention by Christian political theorists. The word 'power' had the reek of Machiavellianism and political suppression. However, power is an essential element of government authority. The term cannot be left out of a Christian political reflection. The word 'democracy' was met with equal distrust. When it was first used, it seemed impossible not to connect it with the idea of national sovereignty. There was scarcely room for it in the political vocabulary of the anti-revolutionaries - a major Dutch political movement, which emerged in the nineteenth century to counter the ideas of the Enlightenment and the French Revolution, that was the first to apply explicitly Christian values in the business of politics and on whose ideological heritage today's Christian parties in the Netherlands are based. It is true that, judging by what they had said about the matter, anti-revolutionary leaders such as Groen van Prinsterer, Kuyper and De Savornin Lohman were favourably inclined towards the right to vote, the electoral system, the power of co-decision and civic responsibilities. However, in their perception the word 'democracy' whispered an ideology – one that champions autonomy, freedom and equality – that they would hold themselves aloof from. The concept of democracy has since evolved and received a general meaning in our present-day political reality. It is about the way in which a political community administers itself, in which, as we will see, different values are involved. These values are made explicit as the subjects of discussion in the political process. There is no reason why the word 'democracy', which admits multiple interpretations, should be shunned in a Christian reflection on politics.

Conspicuously perhaps, a systematic approach of modern democracy by Christians has always been in extremely short supply, even though political science has produced numerous theories about the nature and functioning of the democratic system. The original idea of democracy as a social contract has been reproduced in various forms by liberal thinkers and appears to be the dominant paradigm of democracy. Christians, in particular those in the Netherlands and in other parts of Europe, have made but few efforts to submit an alternative to challenge this contract point of view. In the United States, on the other hand, some attempts

have been made to present such an alternative, for instance by Hallowell.[35] In this chapter we will discuss modern democracy as it has developed in the Western world and determine our position. Reflection is necessary, not least from the Dutch context. Various authors have called attention to shifts occurring in Dutch democracy, which are linked to developments within Dutch society, such as the processes of depillarisation and individualisation. Leaving issues of how to shape democracy and a discussion of new proposals made in this field (such as referendums and direct democracy) for a later stage, the purpose of this chapter is to present a principal approach.

3.2 Power and Democracy

The temptation of power

'But don't you understand at all that I want is power!?' These were not the words of Julius Caesar, Napoleon or Hitler; this was quoted from the mouth of the German social-democrat Willy Brandt, who uttered the exclamation to his wife on the eve of his career as a German politician.[36] His later fellow party member Gerhard Schröder is known as an ambitious politician to have been rattling at the gates of the *Kanzleramt* shouting: 'I want to get in there!' This yearning for power is definitely not limited to these two German politicians. The sheer attraction of politics lies in the power that it brings. Did not Nietzsche already refer to the *Wille zur Macht'* (Will to Power) as a hidden motive of people? People feel satisfaction when exerting power. For some this is the core of politics. It is a core that is both attractive and dangerous. Using power can make good things happen. Who would not wish to change a few things by being in power for a short while? However, power is also related to suppression and violence. The abuse of power has made the most horrific violations of human rights possible. Besides, power is an intoxicating drug: it has an addictive quality to those who use it. How difficult it sometimes proves for power figures to relinquish their power! Power makes them larger than they are in life. This supra-individual and universal aspect of power also has the potential to dominate people and to hold people in its grasp. In this chapter we will present our thoughts about the use and the control of political power.

In the previous chapter we have seen that it is impossible for authority to be maintained in society without the use of power. In a world where evil is settling in, the use of means of violence are indispensable to allow a society to function. Cocky, contrary and sometimes

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[35] J.H. Hallowell, *The moral foundation of democracy* (Chicago, 1954, 6th imprint 1965)
[36] Henk te Velde, *Stijlen van leiderschap. Persoon en politiek van Thorbecke tot Den Uyl* (Amsterdam, 2002), 234.

rebellious people will not automatically obey to a single word. The big stick is needed to make sure that people do what should be done and that people are stopped from doing what should not be done. Power can be defined as the possibility to influence people's doings with the use of force. It is about the possibility to make decisions and to wield authority. So, is power the real foundation of politics? It often seems so. Even though Christians are aware that governmental authority comes from God, yet authority is realised by the use of power. It is for this reason that Max Weber gave this well-known definition of authority: 'Authority is the legitimate use of power'. However, authority, being the capacity to influence the behaviour of people decisively, can be used for good and for evil. Like law and justice, power and authority are gifts and present opportunities for the benefit or to the disadvantage of people and society. Power can corrupt, though it can also set free. Therefore, power must be accounted for. It is not exempt from the criteria that give meaning to human life. The critical question is: in whose name or in accordance with which principle is power exercised?

Reflection

The New Testament does not qualify power simply as a negative concept. It speaks of both *exousia* (competence) and *dynamis*. The latter word refers to strength and power. It is a quality that is ascribed to a person, an institution or a process. It may have a clearly positive meaning as such. The Kingdom of God makes its way with *dynamis*. Persons in authority, who by persistence succeed in having their way, are said to have *dynamis* as well. It can also have a negative meaning: the power of evil has its own *dynamis* (cf. Revelation 17:13). It is a concept that refers to reigning in a powerful way, without an immediate legal qualification attached to it ('legitimate power'). The word has a specific and straightforward meaning: impactful things are happening, irresistibly, irrefutably, unrelentingly. Not just because of the *exousia*, but in particular because of this *dynamis*, events, developments and the ruling forces that bring them about require to be respected. It is this *dynamis*, this world-changing property, that gives power such a formidable appeal in they eyes of humans. Earthly power resembles this divine *dynamis* and sometimes makes those in power and government (and even sports heroes) feel like 'sons of the gods'. This *dynamis* brings the satisfaction that comes with virility and successful performance. In reality, this earthly power is always imperfect, shaky, transient and corruptible.

Nonetheless, earthly powers have always tended to inflate themselves, with varying success. Max Weber spoke of the many gods that rise up in the modern world. Griffioen says that

these gods include 'autonomised areas of reality': science, technology, economy.[37] Science can be a power, as can technology and economy. Their powers can unfold to such a potent degree that they gain overall authority and exercise a coercive influence on people's lives. They are powers acting as idols for people. In his book *Genoodzaakt goed te wezen* (Required to be good), Goudzwaard mentions the four characteristics of such idolatry: (1) one aspect of Creation is set apart as something sacred, and therefore as something autonomous, (2) subsequently, people make sacrifices for this special thing and fall on their knees for it, (3) people give up their own responsibilities, while the idol sets the law in the lives of people; and (4) the idol becomes a saviour, a force that brings happiness, affluence, health and prosperity.[38] Ultimately, these powers have spiritual qualities, in the form of ideologies that can have a hold on us. In a world of telecommunications, laboratories, stock markets, bio-industry, mobile capital, genetic manipulation, mass media, space travel, etc., these can acquire extremely palpable forms.

Apart from these forms of scientific, technological and economical power, there is the power of politics, which we will now focus on exclusively. Of old, political power has been one of the most manifest forms of power, because of its marriage with physical means of violence. Not only is political power most wanted, but it is also most contested. By its wrong use, political power has all too often allowed itself to be compromised and, in the eyes of those subjected to it, has thus come to be synonymous with corruption, violence, dishonest practices, exploitation, repression, etc. Political power also runs the risk of becoming 'autonomised', to the extent that it acquires demonic traits. For some Christians, this has been a reason to turn away from it: politics belongs to the world, not to the Kingdom of God.

However, this may also prompt a different conclusion: because the hearts of all men are evil, it is not a good thing that political power should be vested in just one person or in a group of individuals. After all, the most heinous manifestations of power abuse have occurred under the rule of tyrants, dictators and absolute monarchs. The Greek philosopher Plato still believed that a tyranny was the best form of government, as long as the monarch was a sage. However, this idea is now reckoned among one of Plato's fallacies. Throughout history, the temptation of power abuse has always proved particularly strong for individuals or a small clique of political power figures. Without exception, it is an aristocratic elite, a revolutionary vanguard, a ruling clique or a narrow group consisting of government officials, who have

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[37] Sander Griffioen, *Kleine typologie van pluraliteit*, in: Theo de Boer and Sander Griffioen (ed.), *Pluralisme. Cultuurfilosofische beschouwingen* (Amsterdam/Meppel, 1995), 206.
[38] B. Goudzwaard, *Genoodzaakt goed te wezen. Christelijke hoop in een bezeten wereld* (Kampen, 1981), 22.

succeeded in monopolising political power and subsequently use it to serve their own objectives. They turn power into private property, whereas it is typically public in connection with the state.

Power and democracy from a historical perspective

Hence, the outset of the modern age saw the introduction of the notion that society is a *res publica*, a matter concerning all, as a response to medieval autocracy and absolute monarchism. It was realised suddenly that society is a community of interests and law, which would have to allow a say to all of those who could be seen as having interests and rights in that society. In the days of the religious wars that raged during the sixteenth and seventeenth centuries, this concept focused more and more on the separation of political power. Calvinists, in their battle against the Catholic monarchs, played a key role in this development. Calvinist scholars in constitutional law were the first to consider the right to resist and the separation of political power. These so-called 'monarchomachs' (murderers of the king) laid the foundations of novel forms of political democracy. Absolutism, power expansion, political dominance, 'conquerism' and imperialism must be met with a countervailing power, within political societies as well as between nations. The aim was the preservation of freedom for Protestantism in Europe. In the Low Countries, the stadtholders William of Orange, Maurits of Nassau and William III of Orange (who later was also king of England) were all men who challenged Catholic absolutism in Europe. Notably William III was a statesman who tried carefully to maintain the balance of power in Europe.

In those early days, the commitment to democratic relations remained limited and was first and foremost concerned with political, though less with social relations, assuming a rather clear line separation between governors and subjects, each having their own part and responsibility to fulfil in society. The significance of the debate on tolerance, that was waged by early humanists and early Calvinists alike, remained limited. The strongest concern for political reflection was with issues regarding the separation of powers, although among an increasingly broadening social and governmental elite. Even Enlightenment philosophers such as Montesquieu were primarily interested in issues of power. His theory of the separation of powers (legislative, judiciary and executive) was a politico-administrative theory. Yet political thought was to be turned into a new direction. Where English political philosophers, in imitation of John Locke, had come to regard *property* as the basis for being considered an interested party in a public case, radical French Enlightenment thinkers started using the same theme to challenge the existing order. Why would the rich be better keepers of society than

the have-nots? Was not the main issue to see the people as the bearer of the public interest? Especially in the thinking of Jean-Jacques Rousseau, this resulted in the complete reversal of perspective: the people, rather than the monarch or the aristocrats, was the bearer of sovereignty. The next step in this process proved, if possible, even more radical. Why would sovereign people have to live in compliance with the norms and values that were traditionally imposed by a leading upper class? Was not the link between the throne and the altar, the close connection between ecclesiastical and political power an instrument in the hands of a ruling class to keep the people under the thumb with the help of religion? Was not legislation also imbued with ideas that reflected those of the ruling class? Was not the entire political system designed so as to keep the power of this class intact? If a society is not just a community of rights and interests, but as much a community of values, how then do these values evolve? This led to the conclusion that these values had to meet the same criterion of democratisation. A common will would need to be forged from the myriad of individual wills. Rousseau held the view that 'the will of the people' should have the ultimate say. Today, it is generally known how this Rousseauian view has plunged societies into disarray. At the time of the French Revolution, and more recently in the Communist world, the 'will of the people' was imposed in as absolutist a manner as the earlier 'will of the monarch'. Still, this could not dismiss the fundamental idea that common norms and values must be decided on democratically. The seventeenth and eighteenth centuries were the cradle for today's modern democracy.

Two variants emerged that can be recognised as powerful democratic traditions even today. One variant concerns the democratic process in a narrow sense. This process involves participation, the separation of powers, ensuring co-decision. At the heart of this lies the thought that those responsible for a public matter should also be given the opportunity to have a say in the public matter. This is an altogether defensible principle. It is only natural to add to this the notion that policies concerning the public matter should ideally meet with the agreement of the interested parties. The form that this should take (direct vs. indirect democracy) is a much debated issue, on which we shall comment more in-depth later on. This emphasis on the separation of powers and participation in the political process by interested parties has been the hallmark of the Anglo-American democratic system. It is a form of democracy that is centred on the rights of participation and co-decision. At the same time, it assumes a government that invades the individual sphere of life as little as possible. In the United States, the protection of individual rights takes a key position in democratic thinking.

Concurrently, a variant form of democracy emerged bearing clearer marks of the French Enlightenment philosophy, with greater prominence given to the people's government as such. Central to this continental variant is the question of how to reach common norms and values. A society is guided by common norms and values, which require to be legitimised in the democratic process. They need to be laid down in the Constitution, which is said to contain the will of the people. This mode of thought makes allowances for mass democracy and state intervention, for long the supreme qualities of European socialism. This brand of democracy gives rise to discussions of its own kind, which we will encounter amply in this chapter. After all, society harbours widely diverging thoughts about what is favourable and valuable for society. There are different ideas about the values that should be held in high esteem by all citizens. Can one group use the state to impose its values on another group? It should not be so. However, there is no denying that even a democratic society needs some fundamental principles to be held in common in order for society to function.

There is another aspect that needs to be addressed. In the societies of the West, democracies have assumed institutionalised forms and have become major platforms for population groups to exchange opinions. When paired with the modern media, these institutionalised forms make known which are the views currently held and how much or how little support they may be expected to meet. It arranges for ideas about policy and policymaking, issues regarding polity and morality to be exchanged and discussed. In a sense, it brings them before the court of public opinion. It is not in the last instance that our high regard for democracy mainly concerns those aspects of our institutionalised political culture that constitute the presence of a multi-party system, an independent administration of law and a free press. In its turn, this political culture calls forth its own specific codes, with much importance given to respect for the opinion and conviction of everyone. The freedom of expression is one of the most cherished and protected of our fundamental rights. However, what is the range of this freedom of expression if we also wish to maintain the perception of society as a community of values, which requires shared values to keep society a place for people to live normal lives? The concept of democracy thus holds different levels: initially, democracy was about issues of power separation and tolerance to accommodate shared interests and rights, subsequently it incorporated the shared involvement of shaping a community of values, and finally, an institutionalised democratic system entails specific codes and issues.

3.3 Christian politics and democracy

The heart of democracy

Democracy today is presented to the world as a paragon of favoured social and political relations. It is beyond dispute that democracy is a major achievement, protecting the most important freedoms of citizens as well as regulating a controlled exercise of government power. Modern democracy, forcing its way via Enlightenment and the French Revolution, relocated the business of politics from the state into the hands of society. It has inherent anti-statist attributes. Monopolisation of the state power by an individual or a ruling class is made impossible by the form of government in which the people has the final say. Those governed are protected against those governing. Democracy allows the people to experience its own freedom. At this point, however, we immediately stumble on the other side of democracy. Freedom can be used in a positive, but also in a negative way. Thus, apart from encouraging and protecting good citizens' behaviour, it may also spur and stick up for anti-social behaviour and individualism of a kind that undermines the community. Modern democracy has evolved out of Christian and liberal values, which are vulnerable to being undermined themselves by the same democracy. Democracy is in need of guidance from principles that it cannot produce itself.[39] That continues to be democracy's weak spot. As a structure for social interaction and decision-making it hardly generates itself any norms to point the way. Democracy is like a space that is filled by values and ideals within society. In a democracy, too, government continues to play a key role setting norms.

Democracy does not merely consist of a bulky package of rules. It should also be known which are the values protecting the democratic system and which are the values that it aims for. Of course, opinions may differ as to the essence of democracy. Is it the procedures of the decision-making process? Is it the citizens' fundamental and political rights that find protection in a democracy? Or are we to view democracy as a system that accomplishes certain values for everyone: equality, liberty, fraternity? And what does Christian politics say on the matter? A democracy must also commit itself to public justice. In times that saw democracy emerge or end up in a crisis, its significance was a subject of intense dispute. This was the case before and during World War II, when totalitarianism was on its way to eradicate democracy. It is happening today, in debates around democracy in relation to the social and political values of Islam. These are junctures at which it becomes clear that – along with

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[39] *Cf.* R. Kuiper, A.J. Verbrugh, *Gelukkig is het land* (Amsterdam, 1997).

democracy itself – communal beliefs are at stake. Some democratic values would simply require the approval of all citizens. Remarkably, there is in fact minimal general agreement about this. Democracy functions by virtue of practical consensus. However, consensus about the spiritual or ideological underpinning is lacking. This absence of consensus feeds every day's political debate. Let us here run through the essences of this debate, which touches on democracy as a system of procedures, rights and values.

Democratic procedures

Some argue that the compliance with democratic procedures is the essence of democracy. Democracy is a toolkit with rules, which is at the rational citizens' disposal to arrange society in a combined effort with fellow-citizens. If the rules of democracy have been formally satisfied, then the outcome should be honoured. Democracy is nothing more, and nothing less. When World War II had come to an end, Sir Karl R. Popper published his now famous *The Open Society and its Enemies* (1945). The open society in whose defence he wrote was the one represented in Western democracy. This democracy was under threat of fascism and communism, both championing a totalitarian, 'closed' society. A closed society takes freedom away from the people and saddles them with a common idea of a utopia that needs to be realised. In its place, Popper argues in favour of a society in which people have not already been pigeonholed according to class beforehand, or in which they are forced to participate in some or another collective project. People are free individuals who enter into democratic discussion about how to organise their society. With the use of reason and through this democratic deliberation they will collectively reach consensus about what is best for society. In the event that wrong choices were made, the democratic process will ensure that these are put right. This is called 'piecemeal engineering'. Popper's presentation concentrates on the democratic procedure without, however, being detached from certain values. The basis for his idea is man's reasonableness, presupposing his free and equal position in society.

Popper is the representative of a tradition of positivists and liberal political philosophers. This tradition roughly started with Kant in the eighteenth century and continued up till J. Rawls in our century. Kant, in his political philosophy, argued that the state cannot create a picture of the 'common good'. Only individuals can determine for themselves what is 'good' for them. The state has therefore to stay clear of this, if it does not wish to become a totalitarian power. This line of thought is drenched with Rousseau's notion that man is a free being, who is, however, bound by the chains of society. Man must not be stripped from his freedom and equality. Ultimately, society is a social contract of these free and equal people. The state has

to limit itself to organising a constitutional state, which should have a strongly formalised character. Rawls, a liberal philosopher whose ideas have a strong contemporary appeal, starts from the same premise. In *A theory of Justice* (1971), he deals with the organisation of our modern society as a contract of rational, free and equal people. He amply discusses the conditions of this freedom and the question of how a just society may emerge under these conditions. The core thought in the philosophies of Kant, Popper and Rawls is invariably that it is unethical to impose views, objectives or ambitions on people that they did not choose for themselves. The democratic procedure should ensure the total absence of coercion. Obviously, this approach has no place for pre-given truths or a common call. In this view, politics acts as an umpire between individuals and groups in society. This view leaves no room for a government with an independent position, acting on its own responsibility. In the practical business of politics, this liberal view has been very influential. Especially in a plural and individualised society, in which it becomes increasingly difficult to reach a consensus, politics resorts more and more to a formal umpire's role. The correctness of the formal procedure then has to guarantee the correctness of the democratic outcome. Also when morally charged issues, such as abortion and euthanasia, are up for discussion, we see that in terms of ethics there is a preference in politics for a procedural rather than a material approach. The political debate is no longer concerned with right and wrong, but with the quality of regulation and requirements of precision. Such debates will be dominated by the fear that one segment of society coercively imposes its conviction on others. However, the price to be paid for this attitude is that the debate about moral conviction has been shut out altogether from democratic deliberation. This lays bare the shortcomings of this formal approach of democracy. The consequence of such a strong emphasis on democratic procedures is that moral convictions among society begin to go unnoticed, unasserted or unprotected. It is unsatisfactory, even harmful for the political life that public values are no longer recognised or no longer act as a guiding principle in the democratic process. A procedural approach of values will always be less potent than the values themselves. Democratic formalism that turns a blind eye to the nature of the values provided can result in an anti-democratic outcome. After all, had not democratic procedures helped Hitler to power, too?

Democratic rights

Democratic rights can be distinguished alongside democratic rules. Do they, therefore, make up the true pivot around which democracy evolves? Was not protecting the governed against

the power of the governing the beginning of democracy? When asking for the values of democracy, the reply given refers to the system of fundamental and political rights, which secure the citizen's freedom. The classic fundamental rights include the freedom of religion, the freedom of education, the freedom of press, the freedom of association and assembly and the freedom of expression. These civil liberties are said to be free from government interference. These classic fundamental rights have made a free social life possible. Alongside these civil liberties there are more specific political rights (general suffrage for men and women, active and passive suffrage, free and secret elections, democratic control of elected officials, etc.) In Robert Alan Dahl's authoritative democracy theory, these classic fundamental rights together with the political rights constitute the heart of a genuinely democratic order.[40] This is a self-evident thought notably in the Anglo-American system, where democracy is strongly identified with the freedom from state interference. This system, however, also proved a deterrent for the real development of social fundamental rights, which require the government to intervene and which do not aspire to a domain free from interference. However, two problems come to the surface when the protection of rights is singled out as the exclusive heart of the democracy. The principal assumption is that individuals and groups are autonomous entities, whose freedoms are protected and respected. However, this autonomy is continually expanding and intensifying because of the democratic mechanism. Pointing to their autonomy, individuals and groups can contend for more freedoms and rights in Parliament and legislation. In Belgium, the Flemish have had to fight a long series of political battles to be freed from domination by the francophone culture. Another illustration of broadening group autonomy can be seen in the efforts made by the gay community to press for what it considers to be equal rights.

A government that has the protection of civil rights listed prominently on the political agenda may feel railroaded to concede to demands for increased autonomy. Far-reaching demands for democratisation made by citizens who wish to use their political rights (co-decision) can also be viewed as a phenomenon related to expanding autonomy. Finally, the growing number of civil matters brought before the court is indicative of this demand for increased autonomy, with suing citizens resorting to legal means in order to defend or strengthen their autonomous territory or interest. Lawsuits to get personal choices recognised or to rake in enormous amounts in compensation are inherent to this society of claimants. At the same time, however,

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[40] R.A. Dahl, *Democracy and its critics* (New Haven, 1989), 221 e.v.

the encroachment of the legal sphere in today's public society is a sign of weakness on the part of the political domain to reach binding decisions.

The other problem emerging from this line of thinking is therefore the ambivalent and unclarified relation between justice and power. The maintenance and protection of rights requires the use of power. Expanding private or group autonomy is a matter of political decision. The more intensively rights are used, the greater becomes the reliance on power. Gaining control over power is the key to expanding one's own rights. Whoever disposes of power is in the position to limit the rights of others. Accordingly, perceiving democracy as a system of rights raises the power issue once again. The authority of the state is necessary to render effective the rights in society. At the end of the day, power proves to be stronger than justice, which in its turn prompts the question: who controls those in power? After all, one of the first difficulties that democracy had to tackle was the exertion of power for private ends. In a contemporary context, it could be contended that such situations would call for democratic procedures to be followed to control the use of power. However, it is doubtful whether this could deter a social group eager for its rights to prevail and attempting to seize power by forming a majority. The observance of democratic rights may culminate in the power to be exercised in favour of a private or group interest. Defining democracy as a system of rights is an ambivalent concept.

Democratic values

The last dimension of the concept of democracy thus brings us to the democratic values. Perhaps this is the area where the imperfections that still cling to the concept of democracy will be resolved. It is true that democracy prizes certain values. Democracy itself developed on the basis of certain values. In his great book about American democracy, the French aristocrat Alexis de Tocqueville argued (after returning from a study voyage to the New World), that equality is the typifying value of democracy. He was convinced that democracy was experiencing its victory march, both in the United States and in Europe. He also believed that not only did democracy arise on the basis of the insight that people are one another's equals, but that it promoted equality among people. In the United States, where there was no aristocracy, equality in the conditions and positions of people proved to result in equality in responsibilities and rights. This equality then encouraged a sense of good citizenship, it caused an aversion to centralised power, promoting local democracy instead. De Tocqueville regarded this equality as in accordance with the biblical idea that all men are equal before

God.[41] Viewed from that perspective, no-one will object to the principle of equality before the law as a core value of democracy. It also explains why the anti-revolutionary Groen van Prinsterer quoted De Tocqueville with great approval.

Equality is a core value of democracy, as is liberty. These words have received a strong ideological meaning in the European context. The call for equality encouraged people to stand up to social inequality and the disparity in socio-economic position as well as in social and political responsibilities. The call for liberty meant the abolition of all power that did not emanate from humans. This aspiration for liberty, or autonomy (*ni Dieu, ni maître)*, hoped to vest the power into the hands of the people. As De Tocqueville put it, the French democracy toppled everything that it came across and gave things a good shaking if they were not destroyed by it. There is no analogy with former centuries to be found.[42] Groen van Prinsterer was even more astute in his observation: a reversal of thinking mode and outlook, made possible after God was dismissed from political philosophy. Hence: resistance against given rights of government and people, resistance against the sovereign God and His rule over history.

However, the reason for fighting the ideals of the French Revolution was not to contest the values of liberty and equality as such. Even the monarchomachs had considered liberty a valuable asset. They strove for the protection of the reformed Church. For them, liberty meant to be given the opportunity to serve God in accordance with his Word. Liberty was always closely connected with responsibility.

Even today, liberty and equality are still core values of democracy. However, the sweep of these values has since become more general (as has the scope of the word democracy). The ideological overtones, however, have not completely disappeared, though they rarely prominently come to the surface. They have become stock notions in today's everyday democratic practice, and their meanings have thinned down. Equality today refers to equality in terms of procedures on the one hand: equal access to provisions, equality before the law, equal treatment; and in terms of our democratic rights on the other: freedom of expression, freedom of education, political liberties. The term responsibility has also acquired the status of stock notion in the practice of democracy: it applies to the duties and tasks that we, whether as citizens or as civil servants, are expected to take on. These democratic values are elementary for the correct proceedings of government administration and decision-making. It is the minimal consensus required to operate democratic institutions. When free and fair

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[41] *Democracy in America*, I, 16.
[42] Ibidem, 16.

elections have been held, then we can accept their outcome. If there is equality before the law, then we can resign ourselves to the judge's ruling. These general values thus form the basis of a democratic system.

At the same time, however, it should be admitted that these values are rather flimsy and fragile. The values are the outcome of practical consensus rather than of an agreement of principle. In reality, everyone interprets these democratic values according to his own insights. Christians and humanists do not share the same interpretation of liberty and equality. Christians view the essence of liberty as the responsibility before God, while public justice is the essence of equality. In the eyes of humanists, equality means that every social, cultural or societal inequality is banished, whereas liberty stands for the autonomy of each individual. These differences will carry through in their view of man and human dignity. It is around these differences that the political debate evolves. The democratic values that are held in common in political practice, are given a different essence, meaning and interpretation in their legislative application. This does not make the democratic values, that the western world claims to defend, particularly durable. It owes its strength to practical consensus. Even though this consensus has its roots in the culture of democracy, there is nothing that would prevent any possible majority eager to abolish this culture and these values, from doing just that. Indeed, the values of democracy depend on stronger values by which it is sustained. Would not this be the reason why Christian thinkers have always been more keenly aware of the potency of norms and values in society and in government authority?

The indispensability of authority

It is now time to take stock. As we have seen, democracy can be conceived as a body of rules, rights and values. Depending on which political philosophy is adhered to, each constituent has been designated as the core of the concept of democracy at some stage. We have no qualms about regarding all of these three cores as essential constituents of democracy. However, the problem with these three cores is that they have shortcomings; even when the three are combined they are not strong enough to make democracy stand erect unwaveringly in the turbulence of politics. Democracy functions on the basis of a practical consensus, rather than because of a supposed record of solutions around participation, rights and public values. Democracy is the 'least bad' form of government, as the saying goes. Precisely because of its vulnerability, it needs the support of stronger values in society to ensure its proper preservation. A public morality regarding man, society, culture and government is a requisite if we wish to give meaning and direction to democracy. Mindful of the distinction between

structure and direction, we could phrase this in an alternative way: the structures of democracy (rules, rights and values) receive direction through the value systems in society. These structures legitimate and open up the principles used in the democratic process. In a democratic society, political parties are supposed to represent and introduce the value systems that are present in society.

Nevertheless, the final word has yet to be said about this. In our analysis of core issues concerning democracy, it has appeared time and again that, whichever approach is taken, democracy is inconceivable if it cannot refer to a power that is superior. In the case that democracy is viewed as a system of rules, it is inevitable that there is a ruling body somewhere that will decide no matter what. If democracy is seen as a system of rights, then power is needed to put these rights into effect. Democracy conceived as a system of values calls for the political will to live up to those values. All these three cores of democracy go to show that government authority taking its own specific position and responsibility is something inevitable. A democracy that is rooted in the domain of the 'civil society' will not qualify as an adequate substitute. Ultimately, there must be a body of authority that, upon democratic deliberations, draws a final conclusion and that imparts authority and importance to this conclusion. This leads us to make a distinction between democracy as a system of deliberation and decision-making on the one hand, and the government on the other, which, from its specific responsibility, furnishes certain decisions with authority. In executing this 'right of decision', the government will take the outcome of democratic deliberation into account, without however abandoning its own responsibilities. The government is the body to 'give force' to a decision. It thus becomes clear why democratic rules, rights and values are relatively weak: they lack the *dynamis* that is the specific property of government.

Christian political thought has always stressed this independent task of government. It has never attempted to root the legitimacy of government authority in democracy. Government authority remains an autonomous capacity, also over against citizens' democratic deliberations. However, this government authority should not be allowed to end up in the hands of individuals to use it to their own advantage. Government power should be used to the benefit of all and is therefore bound by norms that do not spring from the private individual. Supreme over democracy and even supreme over the authority at the government's disposal is the idea of public justice, which the Bible affords us. Democracy is not exempted from that subjugation, but remains subject to this supremacy through the government. Administering public justice continues to be the government's unique calling, which it is also meant to do in the absence of democracy (even though public justice is hard to imagine

without democratic relations). Democracy is a system to make free and responsible people familiar with their rights and to give a voice to them, in their capacity as interested parties, in social debates and in decision-making processes. Democratisation must not mean that the specific calling and the exclusive disposal of government power fails to be appreciated. This view incorporates the permanent distinction between political thinking that begins with the appreciation of people's sovereignty on the one hand, and Christian political thinking on the other.

The idea that the government is nothing more than a neutral body whose only task it is to implement that which has emerged from the democratic process as the dominant opinion is thus cut short. Government, upon hearing the outcome of democratic deliberation, acts - and has the capacity to act - on its own responsibility. Government, however, retains its own capacity to exercise power. Even in a democratic society, power continues to have its own dynamics, however delimited and controlled it may be, and therefore continues to have a great appeal. As the body in which this capacity to exercise power is vested, the government must account for the way it fulfils its divine calling to guide society. The *dynamis* of government does not emanate from humans, but from God (John 19:11). However, it will only be effective if people in power are conscience-bound to God. This should clear up once and for all the idea of a neutral State, which Abraham Kuyper has been falsely claimed to have championed. The state is never something neutral. However, its normative intervention in society hinges on the spiritual and political commitments of those in government.

3.4 Democracy and tolerance

Determining our position

Is it possible for a Christian to be a convinced democrat? Is not the 'total commitment to Christ' – as De Kruijff terms it – at odds with the 'fundamental willingness to compromise and to subjugation to the majority?'[43] This question has been raised in a great variety of ways. Formulated in this vein, the answer is bound to elicit a negative reply. The issue, stated thus, has been uttered with a view to censuring Christian political parties on many occasions. Christian parties were allegedly 'undemocratic', as Mr. Joop den Uyl, a former leader of Dutch Labour, would have it. Since Christians, who wish to repeat what the Bible has to say, have a political ideal that should unite all citizens, they would leave no space for other ideas

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[43] G.G. de Kruijf, *Waakzaam en nuchter. Over christelijke ethiek in een democratie* (Baarn, 1994), 12-13.

and ideals, and so they would fail to be politically tolerant. Understandably, misgivings in respect to the commitment of Christian politics to democracy are heightened whenever the word 'democracy' is juxtaposed with the word 'theocracy'. So, how democracy-minded is Christian politics? We cannot avoid elucidating our position in this matter now that we have presented our view of the democratic process. In anticipation, however, it should be mentioned at this point that the criticism mentioned above, if it were justified at all, affects only one of the meanings of the concept of democracy, and cannot imply an overall judgement.

The evidence for the validity of this is demonstrated by the fact that, from 1848 onwards, the Dutch parliamentary democracy has been able to count on the approval of the followers of Groen van Prinsterer and Abraham Kuyper, and without too many troubles. Democracy, as a mechanism for decision-making and as an expression of the citizen's public rights, could rest assured on their approbation. The purpose of democracy was seen in enhancing the spiritual, social or political liberties of the group or movement that they represented. Emancipatory movements utilised the potential of the democratic system to develop themselves and to make themselves visible. Meanwhile, they remained utterly sensitive to the ideas of other parties or movements. They would not have these ideas to be imposed on them. The pragmatic use of democracy was part of the collective management of public society and was emblematic of the epoch of pillarisation[44] in Dutch history. It meant public tolerance that went hand in hand with limited social tolerance.[45] Christian parties shared this view of democracy. Only very few felt the need to spend time on further reflection. From the 1960s onwards, this tacit idea of democracy was changed under the influence of depillarisation and individualisation. Instead, it was criticised for its patronising and monopolising qualities and demands were made for further democratisation. Furthermore, existing ideas about tolerance were toppled, because in social interaction this tolerance often failed to include the acceptance and equal treatment of socially nonconformist groups and individuals.

Especially in such a context does the question about the democracy-mindedness of Christian political thinking emerge with extra force. New accents have been introduced into the way society at large views democracy. In 1983 the so-called 'equality principle' or 'principle of non-discrimination' was prominently added to the Dutch constitution as the first article. In social life, the interpretation of this article tends towards an individualistic one. The

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[44] society's division according to religious or political persuasion – with every persuasion having their own schools, trade unions, political parties, radio organisations, etc.
[45] Cf. Roel Kuiper (red.), *Tolereren of bekeren. Naar een christelijke visie op verdraagzaamheid* (Zoetermeer, 2001), 19-21

government is called upon to exact this equality; if necessary, against the wish of other segments of society. Instead of being concerned with 'collective management', democracy has now come to be more and more about 'organising liberty'.[46] The individual wants to know his rights and be treated on that basis. Tolerance that is accompanied by disapproving comments on the individual's choice or way of life, is now barely tolerated. After all, does not democracy also mean that we should respect all whom we are to consider as our fellow-citizens? At this point, Christians, who are no less accustomed to public tolerance than to expressing their own moral views, see a tricky problem emerge. Our present-day society requires Christians to formulate with great accuracy their affiliation to the democratic principle, which seems to centre more and more around the issue of tolerance.

Some years ago, De Kruijff, in his book *Waakzaam en nuchter*, made an attempt to clarify the relation between Christianity and democracy. De Kruijff observed that this relation is still too murky, his focus being meanwhile largely on the relation between church and politics. Have we not limited ourselves to a one-sided approach of democracy as a 'latitude for confessing our faith', whilst a 'reservation towards the actual democratic state, however latent, remained alive?'[47] In his view, the church should get to the point where it positively embraces the liberal democracy. The consequences are that the contribution of the Christian faith is downplayed, that the necessity of Christian parties is dismissed and that the church should refrain from interfering with its Christian testimony. We have two reasons for disagreeing with these views. First, it is not the church that is a participant in the democratic debate, but the citizens, among whom professing Christians. It is the church's task to ensure that its members are well-equipped to function as good citizens. Surely, adherence to the Christian faith perfectly justifies political participation. Secondly, the church is not the only one that speaks with authority; so does the government. Therefore, why should the church remain silent where the government speaks up?

Does this mean that Christians, given the Bible's pretensions of presenting universal truths regarding humankind and society, have no problems with democracy? Indeed, Christians have no issues with democracy; they do, however, have certain expectations from government. From a Christian point of view, there is no ground for any misgivings as to ways of citizens' deliberation on the basis of equality, thus serving a peaceful and harmonious civil society. Even the Protestant church reformers were familiar with society presented as a *res publica*.

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[46] I derive these concepts from J.A.A. van Doorn, *Democratie in de overgang. Van collectieve beheersing naar geordende vrijheid*, in: P.G.C. van Schie (red.), *Het democratisch tekort: Interpretaties en remedies* (Teldersstichting The Hague, 2002).
[47] De Kruijf, *Waakzaam en nuchter*, 165, 168.

There can be no objection to the call to accept each other as citizens in such a society. Seeking the 'peace for the city' is an expressly biblical order. Democracy, as a structure of rights, enabling all compartments of society to develop or to introduce their insights into the public forum, is an excellent matter. However, the positive acceptance of democracy does not reduce the expectations that Christians have of the government as 'God's servant'. In its specific responsibility, the government ensures that civil society is well-ordered. It does so by applying values, and, again, in its own responsibility, linking up with democratic decisions taken, but no less as an independent body. For this reason, some have defined the business of politics as 'the authoritative distribution of values'. Ensuring that society is well-ordered implies at the same time that government intervenes in a normative sense. Opinions regarding this are formulated in the democratic process. What is crucial here is how Christians require the government to deal with our plural society. This is where a 'theocratic' perspective comes to the surface.

Plural society and tolerance

Tolerance has been described by some as the freedom of a non-dominant group in society to have opinions or ways of life that seem to deviate from the regular order.[48] This tolerance therefore implies the acknowledgement of an aberration from the regular pattern. To an increasing extent, a modern, differentiated society will need to resort to this tolerance. The diversity of lifestyles will only increase as a result of individualisation and internationalisation. In this vein, the growing number of immigrants in this country prompts an appeal to this tolerance. The debate on this matter, too, is accompanied by a general notion of 'the regular pattern' or 'the regular order', which is apparently seen to be deviated from. Newcomers to Dutch society are now required to follow courses familiarising them with Dutch society and customs, in which respect the *adaptation* of immigrants to Dutch society has become the keyword. Only the choice of words is already indicative of the impossibility to understand tolerance in an absolute way. A society needs its own unrenounceable basis, lest tolerance becomes complete indifference. In his book *De lege tolerantie* ('Empty Tolerance'), Marcel ten Hooven, a journalist for the Dutch daily newspaper *Trouw*, writes: 'Tolerance requires the difference to be appreciated, sometimes even to be highlighted, rather than to be downplayed or to be met with indifference.'[49] This book was published in a period when there was growing criticism of the 'permissive society' and an equally permissive government.

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[48] E.H. Kossmann, *Tolerantie toen en nu* (Coornhertstichting, Gouda, 1984), 7.
[49] Marcel ten Hooven, *De lege tolerantie. Over vrijheid en vrijblijvendheid in Nederland*, (Amsterdam, 2001), 286.

When tolerance is carried too far, this may boomerang against society's citizens. It is explicitly the government's task to protect the citizens from this boomerang effect.

We should do well to point to the relative meaning of the concept of tolerance as well as to the government's responsibility when discussing views and attitudes towards a plural society. In a democratic society, it is impossible to have consensus about norms and values that are supposed to be held in common. This is the very reason for this area to be so conflict-prone. Sometimes, differences loom so large that it is difficult to reach mutual understanding and respect for dissimilar norms and values. And the conflict intensifies as the differences become greater. Public opinion often presents examples of ideas that should not be tolerated in a 'democratic society': racism, fascism, Muslim-fundamentalism. These sometimes include ideas that found general acceptance as recently as a few decades ago. For example, orthodox Christians are censured with growing frequency for their views on same-sex marriages and told that they are out of order. However, society's disintegration as a result of increasing religious, cultural and social differences also presents a reason for a renewed quest for norms and values that should be embraced by all of society. There is a call for – as it were – a real restoration and reinforcement of the 'regular pattern'. In certain populist circles, this call leads to a nostalgic kind of conservatism and uncompromising anti-immigration politics.

It is the government's task to maintain a public order of law, which aims to serve as a common normative pattern for all residents. How precisely this should be translated into practice is the focus of attention of the political debate. Orthodox Christians are also among the participants in this debate. What is their view of the government's task in relation to tolerance?

This matter requires a nuanced approach. It may therefore be appropriate to distinguish between tolerance on the one hand, and acceptance on the other.[50] Acceptance allows for a more sympathetic interpretation than tolerance. Tolerance, besides carrying the negative overtones of actual disapproval, conveys a sense of clinical distance, relating to the calculation and regulation of the differences. Acceptance, on the other hand, entails an attitude towards others that is marked by respect and empathy. Tolerance concerns the institutionalisation of differences and may result in doing people a favour from sheer indifference. Acceptance is about charity and neighbour love, tolerance is concerned with issues of power and dominance, This distinction is therefore well compatible with the various behaviours of citizens as private persons as well as with that of the government as the

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[50] See also my contribution in: Roel Kuiper e.a., *Tolereren of bekeren. Naar een christelijke visie op verdraagzaamheid* (Zoetermeer, 2001), 16-27.

guardian of the public space. In social interaction, Christians are expected to have an accepting attitude towards fellow citizens. Meanwhile, the government is required to be intolerant of certain behaviours in the public space. After all, it is the government that provides a legal basis for behaviours and opinions that deviate from what is generally accepted (or ought to be accepted). A peace-loving and accepting attitude can therefore go hand in hand with ideas of the restrictions that a constitutional state will have to impose in the public sphere. As there is widespread agreement that tolerance has its limits, intolerance can therefore never be a general criticism levelled at Christian politics. There is always intolerance in singular cases.

Which, then, are these singular cases? Tolerance's case history is wide and lengthy. In a Dutch context, this could bear upon a refusal to be engaged in creating regulations enabling same-sex civil marriages, or a refusal to solemnise same-sex marriages. It could also concern a government official's refusal to perform an opening ceremony of a mosque or even to set foot in one. It could also be about making blasphemy in the public sphere a criminal offence. It may be an act of intolerance on the part of employers if they refuse to let Christian employees have their holiday on Sundays allowing them to attend church, but instead bind them to Sunday labour. The debate that was prompted by '9/11' and other Islam-inspired acts of terrorism concerns the issue of tolerance of anti-democratic persuasions in a democratic society. It is here that we meet with the 'paradox of tolerance': it is impossible to be tolerant of the intolerant. A common truth being necessary to give a democratic society backbone, body and direction, the government itself needs to have a clear-cut view of the import and the realisation of the constitutional state. For this reason, representatives of Christian politics have always pointed the government to its obligation to anchor its existence and doings in the Christian norms and values, indeed, in the very Ten Commandments.

This point of debate concerns the question of how detailed or how generic this common truth would have to be. We should take into account that a government that deliberately aims to forge social consensus, will always do so from the perspective of law and justice. Its jurisdiction is the legal order, not a moral or religious order. Its task is to secure spiritual and religious liberties. This marks the difference with all theocratic views, in which the government is assigned to maintain a moral and religious order.[51] At the same time, however, the government is entitled to expect all citizens at least to respect the rules, rights and values pertaining to democracy. This could be said to be a rather 'generic' public morality.

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[51] In the Reformed tradition, this debate was prompted by Art. 36 of the Belgic Confession.

However, what if it appears that democratic liberties and rights are used to propagate a morality that flies in the face of the democratic constitutional state and of ideas held by other segments of society? The practical consensus about democracy's functioning will prove to be insufficient. In such situations, the government will have to take up its very specific government responsibility. This presupposes that the government is aware of its own ideas about public values and norms. Government tolerance, too, must never be empty. The norms and values formulated in that respect will have to be rather detailed, bearing upon the view of citizens and their responsibilities in society. The government will have to translate its own ideas into policies. Remedy is not to be found in suspending constitutional liberties, but in creating policies that put restrictions on undesirable public ideas and behaviours.

It should be evident that, from a Christian political perspective, government is required to devise policies that mirror biblical norms and values. The government itself will have to specify its own criteria and will have to find these criteria in God's law. This will testify of the government's theocratic perspective. God's law is the framework that provides the norms for addressing the issues that society is facing. This should be the government's choice, made in its own responsibility, as the manager of government power. Will this mean the end of freedom and tolerance in society? Does this entail one group's dominance over the other? Not at all. A significant part of the structure of democratic rules, rights and values is anchored in the Christian view of man and society. The government would be mistaken if it used coercion in matters of citizens' own responsibilities. The principle of 'sphere sovereignty' (or: distinctive responsibilities) will prevent the government from invading the sphere of citizens' liberty. However, the government has a responsibility in propagating a view on how to use that sphere of liberty and, as a non-neutral power in society, it will automatically do so. In a democratic society, the quality of that view may differ sharply. Christians, taking their political wisdom from the Bible, should therefore not fail to contribute their input.

SUMMARY

Politics also involve: dealing with the power of force. Governments have the monopoly of the means of power (army, police, etc.) and have the capacity to make use of them. However, resorting to these means should always be done in a controlled way. Governments have not appropriated this power of force to themselves; they are merely the managers of it. The use of force is indispensable - sometimes as a last resort – for the exercise of authority. The Christian political view disputes the idea that government power is derived from popular power. The roots of democracy are not to be found in the idea of people's sovereignty or in a 'social

contract' between government and subjects. Popular influence, however, is desirable and necessary to control governments and to prevent power from being abused. Democratic procedures, rules and values give shape to a democratic system. Government authority and government capacity are no offshoots of these. Governments have their own, specific responsibilities and remain accountable for that. Embracing democracy as a decision-making mechanism can therefore be combined with Christian expectations of, and Christian obedience to the government. This attitude also makes the 'theocratic perspective' of Christian political involvement (in anticipation of God's Kingdom) manifest.

CHAPTER 4 THE ROLE OF GOVERNMENT

4.1 Introduction

Governing and administering

Especially in American usage, it is common to distinguish between 'government' and 'administration'. The latter makes clear that a government also involves a bureaucratic apparatus. In British English, both meanings are usually covered by the one word 'government'. It is this administrative side of government to which we will now address ourselves. After all, although it is administered politically, the government's administration has its own profile in society as the civil administration. When the *role* of government in society is under discussion, this usually concerns the government's performance as administration. To citizens, this is the realm of the civil servants, taxes, the (sometimes unintelligible) rules and the (sometimes untraceable) counters. Of course, it is always possible to criticise the performance of government and there is overwhelming criticism today, and tough debates both from an administrative and a political perspective are devoted to it. What does, and what does government not need to do? How can government improve on what it should be doing? These debates concern the core tasks and policy instruments of government. Also in this context, one of the questions posed is whether other parties can take over some of the jobs that are now in the hands of government. The principles and views involved in these debates will be addressed in this chapter.

4.2 The heritage of the welfare state

The 'collective sector'

It is undeniable that government plays an important role in our (Western, modern) society. This role is taking shape in a continuous interaction with society. Intensive deliberations are taking place engaging various sectors of society. There is a good deal of government involvement in activities concerning society in various ways: facilitating (in the areas of education and healthcare), enterprising (in the area of the construction of houses, roads and waterways), regulating (in the areas of agriculture, environment, economy), inspecting and controlling (in the observance of regulations), executive (in the areas of social security and subsidies). These activities keep various government departments, national services,

municipal authorities, provincial authorities, independent administrative bodies and thousands of civil servants employed on an every day basis. Paul Schnabel summarises the complexity of government as follows: 'The national government is a regulator and a director at one moment, a negotiator or a mediator, supervisor or inspector, service provider and financer at another. Not seldom does the government also perform different simultaneous roles vis-à-vis itself, and it is possible for one division of government to come into conflict with another. Many of the national government's tasks have ended up 'below' or 'to the side' in a process of functional and territorial decentralisation, whereas the process of European unity has meanwhile led to tasks being transferred 'upwards'.[52]

All in all, government in a modern society is a comprehensive machinery, a sector in its own right, one that is, above all, not easy to take in. In addition, this 'collective sector' has its own problems to deal with, for instance in terms of organisation. It is not uncommon for government to choke on its own complexity, with departments frustrating each other, regulations that appear not to make any sense and a bureaucracy that is powerless to help citizens. This is the reason why a good deal of debate is going on today about matters such as deregulation, decentralisation, the slimming down of public services, and government performance in general.[53] Different roads are taken depending on how the role of government is viewed. Traditionally, socialists of various strands strive for a government that plays a firm key role, whereas liberals advocate a restricted role for government. These are, then, quite opposite routes. Meanwhile, the debate on the size of government seems to be of a highly ritual nature. Government cannot (as the liberals would like to see) just change its current perception of its role - which it has taken up in response to the challenge of a highly developed society - to a completely different role perception. In this respect as well, the gain margins are small, with public service reform programmes aimed to cut down bureaucracy being very similar to the glutton's vain attempts to slim: at the end of the diet, bureaucracy weighs an ounce less, while its size has remained virtually as monumental as ever. There is little use fighting a public sector that, no matter what, has a key role to play in regulating civil society. At the same time, however, the socialist approach has not proved capable of providing the solution either: centralism and statism held society in a paralysing grip.

It therefore seems more worthwhile to take a third way. This is the way that has been typical of Christian politics. Not only the government has its own specific role to perform, so does

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[52] Paul Schnabel, *Bedreven en gedreven* (The Hague, 2001), 15.
[53] Regarding those much discussed achievements of government administration, cf. : Arthur Ringeling, *Het imago van de overheid, De beoordeling van de prestaties van de publieke sector* (The Hague, 1993).

society. Less government implies greater societal responsibility. Citizens have their own responsibilities towards society and must also be given incentives to address those responsibilities. There are numerous societal structures apart from government that have significance for human society. In this regard, we should point to the importance of - small-scale and durable - societal communities (families, church communities, etc.); such communities possess a unifying and self-regulating capacity, giving strength to society as a whole. It is obvious that a view taking seriously these communities of civil society, has no room for a centralised government bureaucracy. This, however, does not make government bureaucracy redundant, though it does require the distance between government and the public to be as minimal as possible. 'Good governance, close to the citizen', is one of the central items of the ChristenUnie. In the kind of society that we have in mind, centralised political power should go hand in hand with a decentralised administration.

A few years ago, the book *Reinventing Government*[54] was published in the United States. The book was received enthusiastically as a guide for citizens and governments to find new ways of dealing with each other. Citizens' initiatives regarding the public space were honoured and funding was made available. Some of the areas concerned were healthcare, environment, and neighbourhood safety. Government acted as an active stimulator of citizens who were willing to assume responsibility for certain aspects of public society. An additional result was that government itself was able to slim down its package of responsibilities. Without considering this book fully applicable, this appeal to societal responsibility is certainly commendable. In this chapter we will discuss the basic principles for the role of government in public society. We will especially focus on the debates dealing with privatisation on the one hand, and with decentralisation of government tasks on the other. First, however, we need to gain a clearer insight of the degree to which government and society have become intertwined since the beginning of the twentieth century. This historical context will enable us to understand how government has grown into its present role.

State and Society: mutual penetration

Historians view the process of state and society becoming intertwined (or 'blended') as a phenomenon that was the inevitable consequence of the modernisation of society, which had its roots in the late nineteenth century.[55] This modernisation entailed processes that had a

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[54] David Osborne and Ted Gabler, *Reinventing Government. How the entrepreneurial spirit is transforming the public sector* (New York, 1993).
[55] Cf. G.J. Schutte, *Een arbeider is zijn loon waardig* (The Hague, 1991).

considerable impact in the areas of technology, society and economy. This period saw the development of public infrastructure (roads, railways, telegraph and telephone connections) and the opening up of the countryside. The emergence of modern industries drew workers from the rural areas to the cities, some of which expanded to metropolitan proportions with a sizeable proletariat. This process of urbanisation caused the development of a mass society, with its own specific problems. Agriculture and industrial production swelled to international dimensions and hence became more sensitive to international economic trends. Agricultural and industrial crises could no longer be controlled on a national level. Companies could go bankrupt as a result of causes that were beyond their influence. For the same reason, workers, too, risked losing wages. The modern, urbanised society came to face unprecedented social issues: the exploitation of workers and their children, mass unemployment and poverty. The traditional safety nets provided by the local community and the church proved far from adequate. By the end of the nineteenth century, it had become clear that the government had to get itself involved actively in order to realise a healthy social and economic development.

It took quite some time and effort before government finally set foot in a field where it had never ventured itself before. This new involvement did not fit the contemporary liberal conservative perception of the role of government, which was primarily concerned with maintaining law and order in society (the minimal state). It took decades for this attitude to change. The emancipation of the socialist, Calvinistic and Roman-Catholic working classes was the major incentive to government becoming aware that it also had social and economic responsibilities to fulfil. Referring to biblical notions about the government bearing responsibility for the weak and the oppressed and pleading for an 'architectonic critique' of society, the anti-revolutionaries ensured that the 'social issue' came to feature prominently on their political agenda. In these efforts they were supported by the Catholics. The socialists were in favour of powerful state intervention, but never made it into government until after the end of World War II. The politically dominant liberals had also begun to realise that the state could not just stand by and watch social distress of such magnitude, if only to prevent the socialists from taking advantage of the dismal situation. This created a situation in which almost all political parties in the Netherlands lent their support to more government involvement in socio-economic matters.

Still, this involvement remained a limited one, whilst fitting legislation was slow to follow. Initially, social policies were concerned with regulating working hours and working conditions. The first employees' insurances were put together at the beginning of the twentieth century and were, not quite surprisingly, designed for the working part of the

population. Unemployment regulations continued to be extremely poor. The image of the 1930s has been recorded in the Dutch national memory as a period of mass unemployment, scanty poor relief, dismal poverty, and inferior social provisions for the elderly. This collective recollection of the 1930s had a traumatising impact and was in part the incentive for the creation of national insurances after World War II, giving social security to the elderly and the unemployed. The 1930s, as the era of the Great Depression, along with the Second World War following immediately upon it, were major incentives for the reconsideration of the role of government to be brought into a new phase. The firm wish 'never to allow poverty again' laid the foundations of the welfare states that rose from the ruins of post-war Europe. In order to be able to afford the total set of social insurances and social provisions, government had to act as a social entrepreneur and redistributor of wealth. The welfare state crowned the efforts of the socialists, who now were enabled to realise their views of state intervention. From now on, the state would safeguard the lives of the citizens. In the 1960s the welfare state was topped up with a socio-cultural element: the state would henceforth also see to social equality, the emancipation of women and minorities, as well as to the levelling of incomes. This ideologisation of the welfare state was partly to blame for its ill reputation with those adhering to other political persuasions.[56]

During the 1980s, the welfare state underwent a thorough revision. The welfare state had proved a crown jewel in times of economic prosperity. However, when from the 1970s onwards one economic crisis followed another, the welfare state began to pose insurmountable problems in terms of its affordability and manageability. Rearranging the welfare state was paired with reconsidering anew the role of government and society. Surely, government could barely be expected to support the citizen 'from the cradle to the grave', and, if need be, to nanny the citizen. Society was asked to reassume its own responsibilities for social, cultural and economic tasks and provisions. Public initiative was again to go accompanied by the private initiative.[57] The forces of the market would compensate for the void that the retreating government was leaving behind. Now that the reduction of the welfare state has been underway, the relation between government and society has arrived in an experimental phase. Public services such as public transport and public utilities have been privatised, without these privatisations however leading invariably to unqualified success. Services and goods that should be to the benefit of all, now turn out either to be too costly, or

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[56] Cf. G.M. Koning et. al., *De verzorgingsstaat voorbij. Over de grondslagen van sociale zekerheid* (Nunspeet, 1996), 31 e.v.
[57] Cf. Leo Aarts, Romke van der Veen, Hendrik Wagenaar (ed.), *Het bedrijf van de verzorgingsstaat. Naar nieuwe verhoudingen tussen staat, markt en burger* (Amsterdam/Meppel, 1995).

to offer limited accessibility, or to be below par. Experiments involving privatised management mechanisms in the areas of education and healthcare appear likewise to wind up causing loss of quality and capacity. Virtually no cabinet has not made efforts doctoring the array of national and employees' insurances (range, duration, height and qualification conditions of benefits).

In spite of all these efforts, it is nonetheless clear that the reduction of the welfare state has not put an end to the high degree of intertwinement of state and society. On the contrary; the experiments dominating political discussions since, bring to light that state and society are as dependent on each other as ever. This, however, can hardly be avoided in our modern society. There continues to be a need for collective adjustment and a collective regulation in order to protect (individual and collective) interests and rights. Citizens need social provisions and regulations that do not automatically flow from the private initiative. Government, in its turn, cannot possibly frame socio-economic policies without listening to social players. Besides, government is bound by the Constitution to provide the public with means and provisions in the area of education, healthcare and social security.

However, what has been gained by these efforts of restructuring the welfare state is the renewed awareness that government is not the sole party responsible for civil society. It has become clear that different responsibilities are involved here. A 'non-commercial commercial' on Dutch tv telling the viewers: "Society? That's you!" is illustrative of this new way of looking at responsibilities. Government is not a facility provider whose task it is to pamper the citizen. Citizens have their own responsibilities to see to. In its turn, government can once more begin to understand where its tasks and boundaries lie. Both government and citizens therefore need to steer away from the climate of the welfare state. For government, this will mark the beginning of the restoration of its authority. Government cannot be expected to cater for each individual need. However, it should take good care of that which it is required to do.

Christian-Social?

When the welfare state was under revision, the Christian parties GPV and RPF warned about the social consequences. Immense gaps in the social system would be the inevitable result, hitting hard on the vulnerable in society. The level of care provided to the elderly, the disabled, the mentally ill dropped as a consequence. At the same time, individualisation and liberalisation led to greater pressure brought to bear on families, as well as to less favourable terms of employment for workers. Was government not supposed to be a 'shield for the weak'

and be concerned with the social circumstances within society'? This prompted the RPF in the early 1990s towards a renewed commitment to Christian social thinking as it had been worked out in the anti-revolutionary tradition. Was Christian politics not to be first and foremost Christian-social? Within the GPV, the emphasis was traditionally placed on the government's mission to 'develop'.[58] Government was to devote its efforts to the development of society to the promotion of God's glory. Standing up for family-life and for the socially vulnerable was part and parcel of that mission. Having heard these voices, one might be under the impression that Christian politics had now suddenly become the patron of the same welfare state which it had levelled such sharp criticism at during the 1960s.

The suspicion as if Christian politics had become an advocate of socialist-style state intervention is unjustified. This idea mistakes the general *political objective* of Christian politics for the specific *mission of government*. The objective that Christian politics seeks to achieve is a harmonious development of society on the basis of biblical norms. This rules out any disengagement from the care for the ill, the disabled and the elderly. Neither will it allow for situations to be sustained or created in which too great a pressure is brought to bear on workers, families and children. Christian politics labours for a society whose very trademark is social justice. This, however, signifies by no means a plea for state intervention. The task of government is a limited one. Government also needs to point others in society to their duties. Society's capacity is a relevant matter to be considered in that respect. If the retreat of government would bring on the disintegration of society and the emergence of degrading social distress, then the government must stay put. Government cannot knowingly permit people to plummet into a social black hole. The demand for collective protection brings with it the demand for a common social norm. Christian politics became particularly sensitive to this common social norm while it was battling for the protection of life (abortion, euthanasia). Having said this, would it be justified to state that Christian politics is Christian-social politics by definition? It just depends on what is understood by the term 'Christian-social'. The term, as a reference to the overall aim of politics, *i.e.* the development of society in agreement with the demand of public justice, is not sufficiently comprehensive. It is self-evident that the ordering of social relations and social interests constitute a major part of that illustrious objective. However, the scope of Christian politics is wider, as is its objective: a harmonious development of society on the basis of biblical norms. Christian politics undertakes to serve the development of society as a whole, and it calls upon the government to do so. The term

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[58] Cf. *Hoe wij het verkiezen* (Groningen, 1966), 46-48. A.J. Verbrugh, *Universeel en Anti-Revolutionair* I, 102 v.v.

'Christian-social politics' can be reserved for those choices of policy relating to the elimination of social deprivation and injustices, such as those taking place in employer-employee relations, issues of integration, and family and healthcare situations. So this has no bearing upon all aspects of society indiscriminately, but on certain sectors of society. Government policy may be tested for complying with the norm of social justice. However, government has more to do than conducting social policies.

4.3 Role of government and policy instruments

Instruments of Government

In Chapter 2 we discussed the tasks of government. Three dimensions of government activities can be distinguished in relation to the law forming and law applying core task of government: government gives direction and guidance to civil society, setting frameworks to societal developments and, where necessary, prescribing a coercive public ordering. Government applies policy instruments to carry out its tasks. These instruments are aimed at management by (a) information, (b) stimulation or giving incentives and (c) legal rules.[59] When we detail out this division, the following hierarchy of tasks and policy instruments emerges:[60]

1. Government indicates *the way*. Government has a distinguished responsibility amidst political, societal and ethical trends, indicating clearly the solutions that it has in mind. It points the way by providing information, for instance by means of national tv-spots or otherwise. It also has the possibility to make its position clear in government documents or in its explanations of policy. Finally, it can make preparations for policy by instituting committees that are commissioned to initiate societal debates or to prepare choices of policy.

2. Government *sets frameworks* for developments within civil society. It sets norms for behaviour, both that of itself and that of others, through regulation and legislation. Frameworks are also set when private companies or institutions are commissioned with the execution of public tasks. These can be instrumental frameworks (subsidy regulations, obligations to deliver results and to report). They can also be frameworks of procedure

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[59] F.C.J. van der Doelen and P.J. Klok, 'Beleidsinstrumenten', in: A. Hoogerwerf en M. Herweijer. *Overheidsbeleid* (Alphen a/d Rijn, 1998, 6th imprint), 209-227.
[60] Rien Rouw et.al., *De Nieuwe Overheid.* Kort Commentaar 4, *Mr. G. Groen van Prinsterer stichting* (Amersfoort, 2002).

(participation, decision-making, consultation) or frameworks as regards content (legal norms, limiting conditions, quality requirements).[61]

3. Governments *prescribes*. Prescriptive regulation do not set frameworks, but are generally binding. Government can exact or prohibit certain behaviour in the public space. Examples of these regulations and legislation are traffic rules, construction and safety requirements, the liability to pay taxes and, more generally, prohibitions concerning theft, violence and fraud, as well as all sorts of practices that are harmful to society. It will be evident that the amount of articles in this area, laid down in the penal code, constitute the most comprehensive body of laws and regulations.

In practice, government will often apply a combination of instruments. It is the choice and the combination of policy instruments which give government a specific role towards society. Among the legacy of the welfare state is the vast amount of rules and regulations, to which government owes its large set of responsibilities and which at the same time have limited the freedom and latitude of citizens and institutions. It was the expected thing for the reduction of the welfare state to go hand in hand with efforts towards deregulation and, consequently, reduced state intervention. To give incentives to society to pick up its own responsibilities, it was often preferred since to create rules that set frameworks, which have a less coercive nature. In environmental policy, for instance, levies, economic incentives and covenants were preferred over coercive regulation.

A government that is only concerned with imposing rules will eventually forfeit its authority, because to exact the obedience to these rules will prove a strenuous exercise. That was the lesson learnt from the welfare state. A government that wishes to retain its authority will have to maintain the regulations that it has created. These regulations will need to have a bearing on the core business of governance, which first of all concerns the maintenance of the order of law and of the constitutional state. However, deregulation should be paired with reinforcing the sense of responsibility among society. Governments can contribute to enhancing this sense of responsibility by giving society a clear direction and orientation, and win society round for this. If government wants to encourage a responsible society, it will have to make an appeal to the efforts of social institutions and communities: families, churches, trade unions, schools and businesses. A society that is governed by rules is a weak society, whereas a vital society is a responsible society with a common orientation. Government has a specific role to fulfil in framing and propagating this common orientation.

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[61] Cf. Rouw, *De nieuwe overheid*, 14.

4.4 Privatisation

The Privatisation Debate

Less regulation allows more freedom for private initiative and privatisation. Over the past years, quite a few debates have been waged about the entrepreneurial spirit in the public sector. In Europe, experimenting with privatisation was a typical feature of the 1990s. Government was retreating, transferring roles to the market and the private initiative. Not everyone was equally satisfied with the results produced by these efforts towards privatisation. Nonetheless, certain forms of privatisation will have a lasting significance in shaping the collective sector. Therefore, let us try to establish exactly what is involved in this discussion.

There are two approaches of the question as to what exactly privatisation entails:

1. Privatisation is an economic and legal construct, indicating the transfer of property from the hands of government into the hands of private institutions and businesses. A good example of this is the selling of government shares, turning former state-owned companies into private companies. This form of privatisation marks the transition of a controlled economy towards a market economy. In Europe, this transition was stimulated by European legislation meant to ban state support for private businesses, thus enabling cross-border competition. Typical examples of this are given in the debates concerning the privatisation of power companies and, in a Dutch context, of Amsterdam Airport. Government can also give up property by selling 'public goods' directly to private enterprises. This has been the case in the Netherlands, where the state put up for sale radio and tv frequencies, local government-owned real estate, petrol stations and cable networks.

2. Privatisation is connected with changing politico-social relations, and means that the performance of public tasks has been put into the hands of private companies. In this sense, privitisation is not about government giving up property, but about government giving up tasks. In the Netherlands, this was epitomised in the case of the Dutch national railways, which continued its existence as an independent enterprise operating within the frameworks stipulated by the government. Government may also give private enterprises the opportunity to take over tasks, which in the Netherlands has been the case with harbour pilotage. These forms of privatisation invariably prompt the debate as to the extent to which collective tasks represent a common interest. Would it be justified for

Our present discussion of privatisation will primarily deal with this second approach, which, as it happens, is the kind of privatisation pursued most frequently in the Netherlands.[62] In order to determine whether privatisation is desirable, it needs to be decided first which is the task of government. Determining whether state-owned property should be transferred to private enterprises comes secondary to this. Let us therefore first set out our views on the relation of private versus public, after which we will attempt to establish guidelines.[63]

Public or Private

Public and private interests can reinforce each other (such as the interest of good education, good healthcare and good media). In some respects, they also depend on each other. Government depends considerably on the private efforts made in the areas of economic activity, food supply, social (informal) care and environment management. Society relies on government when it comes to collective public services in the areas of road infrastructure, energy supply and clean drinking water. The line between public and private tasks and responsibilities is sometimes a fuzzy one, depending on historical and political circumstances. For instance, certain private tasks were at some stage transferred to the state. A good example of such a transfer is the management of dykes and waterways, which in the past was the domain of private interested parties (farmers and residents), but which has since become a responsibility of the national government, after it was realised that the common interest involved here made an integrated approach necessary, with aspects such as those regarding spatial planning calling for attention.

However, other provisions, which at some point had been transferred from the private sector to the public sector, have now been re-privatised or whose re-privatisation is now the subject of intense debate. Typical examples of this are the hospital provisions in the Netherlands. Originally sprung from the private initiatives of churches and charities, the funding and managing of hospital provisions gradually became a public matter. Efforts to reduce the welfare state have reinstated the awareness that there is a private component connected with healthcare, while attempts are now being made to make institutions as well as individual citizens more committed to their own responsibilities. This is evidenced not only in the health

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[62] Cf. A. Ringeling, *Het imago van de overheid*, 209.
[63] Especially within the Dutch Labour Party (PvdA), the significance of privatisation is currently an extensively debated issue. Cf. the report submitted by the Van Thijn Committee and the responses that it has evoked in: *Socialisme en Democratie*, jaargang 59, nummer 1, 2002.

insurance system and in hospital management, but also in how public libraries are currently managed. Many public libraries, which originated from private initiatives, were later managed and controlled by (local) government, some of which are now in the process of being re-privatised.

The privatisation of collective provisions has been believed to afford the solution to the maladies of the welfare state. The market was seen as capable of handling certain things better and differently, whilst government, after privatising provisions, could relieve itself from a number of costly activities. Thus, postal traffic has been privatised and the public tv broadcasting companies are more or less treated as private enterprises that have to compete in the public tv market. Along the same lines, private companies have been granted their own market sectors in the areas of order, safety and security, as well as in the field of working conditions. In all cases mentioned, government cancelled monopoly positions or withdrew as large shareholder, but continued to impose minimal conditions and to set requirements for result delivery. It is this ambivalent attitude of government that sometimes proved a sure recipe for failure, with agreements failing to link up and salaries of top managers suddenly soaring, while the quality of services delivered dropped, causing widespread public discontent. The Dutch National Railways have become the paradigm and the prime target of this public annoyance.

The wave of privatisation following the reduction of the welfare state was driven by two dominating perceptions. First of all, it was argued from a management point of view that the market had its own mechanism that would enable public provisions to be controlled efficiently. State control would have made employees slack, public provisions and services needlessly expensive and managers and directors lacking in innovativeness. There would be no risk of the level of collective provisions being detrimentally affected, for should a demand arise, then there would be market parties to cater for it. Secondly, it was emphasised from a more political point of view that citizens themselves should learn to reassume responsibilities for society. It was just too easy to pass the buck to government. This was the case, for instance, in the care provided for the disabled and the elderly, social provisions, etc. Citizens, in those areas of public provisions to their benefit, should also be prepared to take their share of responsibility in establishing and maintaining those provisions. For instance, the costs of public transport, the care provided in nursing homes, and higher (vocational and university) education are borne more and more by the citizens who wish to profit from them. As a result, these provisions have become substantially more expensive than they were in the past.

What can we say about these two approaches? The first approach, aimed at efficient management, proves to have assumed a far too optimistic representation of the situation. In certain cases, the mechanism of the market appeared to have a downright negative impact harming the public interest. Neither could the original level of public provisions be retained throughout, nor were these provisions improved or did they become cheaper in all cases. It is imperative that provisions that should be to the benefit of all should continue to be accessible and available. It is required that each privatisation operation should be carried out in a made-to-measure way.

The debate on reassuming responsibilities is a deeper one. We contend that citizens have their own responsibilities as regards their own livelihood and personal development, and of that of their closest relatives. This makes citizens self-reliant and accountable, no less economically and socially than with regard to their education and personal health. These are aspects bearing on the private life. Government allows for citizens to build their own economic life, to take care of their children, their families and relatives, to have a substantial say in shaping (primary) education, and to take care of their personal health. Provisions and means in these areas can be left to private management. Government 'rewards' this private initiative by creating facilities. In doing so, it serves the development of a responsible society.

The 'user pays' principle and the common interest

No sooner are private responsibilities mentioned than the spheres of society and of public responsibility come into view. Two criteria are relevant here: the *'user pays' principle* and the *common interest*. The 'user pays' principle implies that citizens must pay for those provisions of whose services they especially make use. Those who like to swim, pay for a visit to a public swimming-pool. People who would like to attend a concert in the municipal concert hall, will also have to pay a certain amount of money. Private co-financing of public provisions, however, does not necessarily mean that the provisions themselves have to be managed privately. From a common interest point of view, collective activities or provisions should be under public supervision. This is especially true of all provisions that can be exploited on a profit basis and that, because prices have been pushed up, risk to become inaccessible for certain groups of citizens.

The 'user pays' principle also becomes visible in the 'public-private partnership' (PPP). In this partnership, government and the private sector join forces to finance projects that are often capital intensive. Instances of such projects are the construction of new infrastructure such as tunnels and new motorways, in which the private sector has a vested interest, as well

as the construction of large complexes (shopping malls, parking garages, office buildings), in which local government has a vested interest. Businesses willing to invest in such projects expect to see returns, which makes it so crucial in these and similar partnerships for price agreements and agreements to be made on how they are managed. For governments, who are financially necessitated to enter into such partnerships, these partnerships entail two risks at least. First of all, governments need to be strong enough themselves to be a partner for companies and syndicates of companies and for project developers. They must avoid sustaining major financial losses. Secondly, agreements must be made as to forms of control to ensure that the affordability and accessibility of provisions are safeguarded.

Ultimately, the distinction between private funding and management on a profit basis on the one hand, and public funding and management on a common interest basis on the other, is a matter of political choice. There is, as it were, a sliding scale running from sheer profit to common interest, and in such cases choices should be made on a case-to-case basis. For instance, citizens derive sheer profit from post delivery and telecommunications provisions. There is no problem when these provisions are funded and managed privately, though only if every citizen is guaranteed delivery without price differentiation. Matters become more complicated in the case of public utility services. Although it cannot be denied that citizens benefit from these services, they also represent a common interest: water and energy must continue to be generally accessible and affordable. Government has a duty to continue to safeguard this common interest and should preferably opt for the management of this interest to remain in public hands. Today we see an experiment carried out with public utilities being managed privately, but minimal requirements have been stipulated and supervising bodies set up to exact equal terms and conditions.

Subsequently, there is a category where profit and common interest are clearly blended, but that nonetheless requires to be managed by government. There is nothing wrong with road users being required to contribute financially to the maintenance of the road system, the planning and management of remains in the hands of government. Neither is it improper to let students at universities and colleges pay their share of the education that they receive, which will later get them a comfortable income. There is, however, no profit motive involved, and forms of private management would be well-chosen. Citizens are also required to contribute to the financing of the collection and processing of household refuse as well as to forms of collective social security. Not in all such cases is it necessary that management is public, if only government can supervise the quality of the service delivered as well as the integrity of the execution of the service. Finally, there are general interests for which

government is the only party to carry public responsibility: national defence, keeping law and public order, the administration of justice, etc.

Can government further reduce its role, transferring more public tasks to private parties? This reduction could even apply to its own core responsibilities: fire brigade, safety and security, prison management, etc. We believe that government should not permit its classic responsibilities (legislation, keeping law and public order, administration of law) to be carried out privately. Certain other tasks of government, however, could very well be taken up by private parties, be it always in the form of combined authority. If the aim of political life lies in the development of society, then it is important to ensure that this development continues to be safeguarded. Government needs to ensure that it holds on to those provisions and policy instruments which it needs to be able to take its responsibility. Privatisation can prove useful when government responsibility is seen thus, but it is never the highest goal. There is no doubt that it is important to have an efficient government. However, this objective should be reached by reinforcing the sense of responsibility among society itself. Paradoxically, this is not realised by having a remote government, but by having a government which operates close to the people.

The importance of decentralised government administration

Dutch constitutional law distinguishes two varieties of decentralised administration: territorial decentralisation and functional decentralisation. The principal one of these is territorial decentralisation, which concerns tasks of national government being devolved to lower authorities, *i.e.* provinces and municipalities. Functional decentralisation means that tasks of national government are transferred to administrative bodies, such as water boards, public-law organisations of business and industry and autonomous administrative authorities. These functional administrative bodies are part of public administration, but have their own capacities. Notably the number of autonomous administrative authorities have increased over the past few years, among which the Dutch Media Authority and the Netherlands Competition Authority, while a national food authority is presently in the making. These decentralised administrative bodies have the authority to make binding decisions in their jurisdiction, which citizens are required to follow. What is clear is that there is a need for such decentralised administrative bodies, though of course democratic control of these institutions must be secured. For this reason, the water boards, of which there are approximately 80 in the Netherlands, are bodies that since 1992 have become subject to elections with residents in the board's jurisdiction having a right to vote.

However, what is more important for citizens is the effect of territorial decentralisation, which concerns not only the capacities and tasks of local administration, but also the quality and strength of local administration. This requires the use of means, not all of which are or can be afforded on the local level. Local governments and national governments therefore interchange both means and tasks. Decentralisation was considered in the 1980s as a way to relieve the central government. Decentralisation, alongside deregulation, would be able to remedy the welfare state. Tasks of national government were devolved to local governments, especially those tasks concerning social safety nets and social provisions. The often-heard complaint then uttered by municipal governments was that although national government was keen to devolve additional tasks to them, it failed to deliver also additional means. So, national government was using decentralisation especially as a way to cut down expenses. Article 194 of the Dutch constitution says that organising and managing the municipal economy is a municipal responsibility, although the debate about what exactly belongs to the responsibilities of municipal authorities is an ongoing one. Housing, employment and social welfare are usually left to the municipal government to deal with. However, it is arguable whether municipal authorities should in fact be empowered also to carry out their own social or fiscal policies, for such policies might interfere with equality of justice and stand in the way of conformity of regulations between municipalities. It has been attempted in debates about core tasks waged in recent years to establish clarity in this matter.[64] The fundamental question that should be asked in this respect is whether that which can be handled on a municipal level, should indeed be handled on that level, or whether local policy is complementary to central policy. In these issues, which is the principle to be preferred from a Christian political point of view?

Municipal autonomy

Christian politics, holding a certain view favouring municipal autonomy, has generally assumed a positive attitude to territorial decentralisation. Although municipalities are said to be autonomous and as such are at *liberty* to act in matters pertaining to their municipal jurisdiction, this autonomy has gradually dissolved completely into *jointly administered activities*. These jointly administered activities mean that the municipality is under the *obligation* to co-operate to carry out regulations devised on the level of national government. So, in spite of the Netherlands being nominally a 'decentralised unity state', local government

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[64] The Association of Netherlands Municipalities (VNG) in 1996 published a memorandum about this, entitled 'De Taken' (The Tasks), which started a broad debate.

has had to surrender much of its independence. This loss of independence was illustrated when the ban on brothels was lifted, and which lifting was made to apply for all municipalities, regardless the population make-up of those municipalities. Someone went as far as to describe municipalities as 'filial branches' of a nation-wide supermarket. What is sold and at what price is not for the local government to decide, but is prescribed on a central level.

It may be of more than historic interest in this respect to call into mind how Guillaume Groen van Prinsterer reacted to the Act on Municipalities, which was introduced in 1851 under the direction of the liberal statesman Johan Rudolf Thorbecke. Groen van Prinsterer challenged the notions of centralisation that were contained in this act. He felt that the act encroached upon the autonomy of municipalities. In Thorbecke's view, the municipality was 'first of all a constituent of the State, and an autonomous entity - an autonomous body within the State - only second to that.' Groen van Prinsterer had opposing views. The parts (municipalities) do not derive their significance from the whole (*i.e.* the State), but have an intrinsic significance. 'After all, the State should be a structure of parts, whose individuality, idiosyncrasies and acquired rights lie beyond the reach of the central authority'.[65] So, municipalities have a distinctive identity and should therefore be autonomous in their own sphere. These words mark the beginnings of the principle of 'sphere sovereignty'. Likewise, later anti-revolutionaries were very taken by the autonomy of the municipality.[66] This line of thinking, which was continued in GPV and RPF, could well be considered a typical element of Christian political thinking.[67]

The autonomy of the local municipality emphasised thus, we reject the idea that fundamentally holds local administration as a mere complement to central government. This is emphatically not the case. Local administration is no derivative of something else, but an autonomous authority belonging to the local political community. This does not mean that national interests are left out of consideration. Municipal autonomy must never lead to poignant inequality of justice arising in areas of housing or social policies. Municipal autonomy must not be a legitimisation for social inequality. These are matters in which national government has a monitoring role to fulfil. At the same time, however, municipal autonomy should have formal and material content. Citizens should have a participatory role

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[65] *Antirevolutionaire Staatkunde* (1935), 101.
[66] Cf. A. Kuyper, *Antirevolutionaire Staatkunde* II (1917), 260.
[67] Cf. G. Schutte, *Nationaal Gereformeerde Gemeentepolitiek* (Dordrecht, 1970), 21-22. A.J. Verbrugh, *Universeel of antirevolutionair* I, 182 v.v. R.M. Maris and J.W. Dollekamp, *Verantwoordelijk bestuur. De (re)organisatie van het binnenlands bestuur in reformatorisch-politiek perspectief* (Nunspeet, 1995), 42 v.v.

in thinking, choosing and administering in those matters concerning their own living environment. This theme spurs relevant observations to be made regarding the quality of government.

Good administration close to the citizen

There is a general sense among citizens that an enormous distance has developed between the government and the public over the years. The process of government retreating was literally becoming palpable in the cutting down of the level of services and provisions, in the steady decline of lower class areas, in growing waiting lists for healthcare. Cuts and reorganisations affecting the police, ambulance services and the fire brigades have not made essential emergency services easier to approach for assistance. To this can be added public annoyance with a slow bureaucracy, inflexibility on the part of the authorities to honour citizens' initiatives meant to enhance safety and combat crime. There is a loud call for a government that is close to the citizen, a government that goes into the neighbourhoods and that is really concerned with the people's problems. This supports our view that the quality of public administration has much to gain by operating close to the public. This presupposes increased freedom of movement for local government, as much as it presupposes a government apparatus that allows for flexible interaction with the local population. More freedom for local government to frame its own policies is possible in areas such as spatial planning and in environmental issues. In the Netherlands, after the Fifth Memorandum of Spatial Planning was called off at the formation of a new government in 2002, there has indeed been less concern with detailed stipulations and more with framework legislation, within which local governments have the possibility to carry out their own policies and involve the public. Referring to the memorandum *'De Taken'* (The Tasks) issued by the Association of Netherlands Municipalities, local government's own role can be highlighted in a wider area: safeguarding safety and security, developing and managing the public space, contributing to socio-economic development as well as to the elimination and prevention of social deprivation, ensuring a diversity of local provisions and setting minimal requirements for local expressions of culture. What matters here is that local governments will also use this freedom taking a fresh approach by operating close to its citizens. Indeed, it is the time to re-invent local government, as the authors of *Reinventing Government* have made us aware of.

SUMMARY

Government fulfils a major administrative and directing role in modern society. However, it is important to distinguish clearly between the responsibilities of governments and those of citizens. This distinction has been largely lost during the glory years of the welfare state, between 1960 and 1980. The damage inflicted in those years, however, cannot be undone simply by a rigorously retreating government. What is needed is a renewed awareness of social responsibilities across society. Emphasising responsibilities of citizens within their own spheres is not synonymous with carrying through uncompromising privatisation and autonomisation processes. Constructing a responsible society can best be set in motion close to base, where people have the clearest understanding of their own responsibilities. This can be achieved by allowing those communities greater freedom for mutual care and involvement. Decentralisation means especially that local governments should have more possibilities to assist citizens in taking up these responsibilities.

CHAPTER 5 INSTITUTIONAL REFORM

5.1 Crossing the gap

Many studies carried out have shown citizens' confidence in politics to be dwindling. Citizens have been disappointed at the problem solving capacity of politics and at the achievements of government. Another reason for citizens to turn their backs on politics is the conduct of politicians. Conflicts and personal squabbles among politicians are met with little appreciation by the public. In surveys done after the raucous fall of the former Dutch Cabinet, two out of three interviewees made it clear that their confidence in politics had dropped. [68] The complaint that politicians take little notice of the needs and concerns among citizens is not a novelty. Politicians have been encapsulated in political parties and, above all, live in the ivory towers of the Westminster Halls and Capitol Hills of this world, where other customs apply. Their ideas of politics and society are no longer ruled by what the public consider important, but are determined by the media and the party's Executive. Politicians are aware that their re-election depends on their appeal in the media and their position in the party's pecking order. Citizens not seldom feel being gagged in this world of media and party politics.

The gap between the citizen and politics is evidenced in the turnout rates at elections, but surfaces especially in the falling membership figures of political parties. In the Netherlands, a downward trend in parliamentary elections turnout has been manifest since compulsory attendance was abolished in 1970: it dropped from 88% in 1977 (highest score) to 73% in 1998 (lowest score). This means that 25% of the electorate do not bother to cast their vote. Turnout figures at local elections and elections for the European Parliament are an even greater source of disappointment. Political parties have seen their membership figures tumble from 730,000 in 1960 down to a pitiful 300,000 in 2000. Notably the major parties have suffered the greatest losses, partly as a result of abandoning much of their original ideologies and their inclination towards the political centre. Quite the contrary is true of the smaller parties that have not abandoned their faith and that operate on the left and right wings of the political spectrum. ChristenUnie, SGP and also the radical Socialist Party refuse to water down their principles and continue to attract new members. All in all, a mere 2.5% of all

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[68] The survey was carried out by Motivaction and published in the daily newspaper *Trouw*, 18 October 2002.

Dutch voters are members of a political party, which figure makes the Netherlands finish up in the nether regions of all European countries in terms of political participation.[69]

Political scientists refer to these trends as a 'crisis of political representation'. This crisis has no bearing on democracy as a value, but on the deficient functioning of democratic institutions. Democracy itself is not under challenge, but the performance of parliament and of political parties, the representation of the citizen and the 'democratic gap' in Europe are all the more up for discussion. The crisis of representation concerns the problem that voters no longer feel represented by politicians. We have strayed far away from what the American president Abraham Lincoln once described as the heart of democracy: 'Government of the people, by the people, for the people'. Some would therefore argue that we should once more apply our efforts to strengthening 'citizens' sovereignty'.[70] However, the issue goes deeper: in our modern world, what should be understood by political representation?

The solutions to the crisis of representation that have been put forward largely aim at institutional reform. In this chapter, we will make some necessary comments as regards these solutions. Institutional reform is a major theme in the relationship between government and citizens. Attempts are made to bring politics and citizens more closely together. At the same time, opportunities created by ICT are seized to plea for new forms of direct influence. However, it is necessary for the problems of representation to be addressed more keenly before moving on to discussing institutional reform. Do the solutions proposed really provide the right answers to the questions raised? There is no use in thinking up solutions to problems that do not exist. Before we discuss the proposals for reform that have been put forward, we should therefore first make an analysis of the problems. We should like to test these proposals against Christian political principles relevant to this issue. Christian politics has always had a strong preference for a democratic system of political representation. This preference has gone hand in hand with a critical attitude to further increasing direct democracy. Let us now have a look at the motives that lie at the heart of this critical attitude.

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[69] Figures are taken from *Jaarboeken Documentatiecentrum Nederlandse Politieke Partijen*
[70] Cf. A. J. Kruiter and R in 't Veld, 'Onderschat niet wat Pim heeft blootgelegd', *NRC Handelsblad* 20 October 2002

5.2 Representative democracy

What is representation?

Falling membership figures of political parties and low turnout rates at elections do not indicate causes but symptoms of democratic malaise. How should we interpret the present malaise? Do the symptoms point to discontent with the political system? Or would these symptoms rather indicate dissatisfaction with the achievements of politicians and the quality of government? What is striking about the whole issue is that the demand for institutional reform is usually not uttered by the people, but by politicians. As recently as in 1997, close to 75% of the Dutch population claimed to be rather satisfied to very satisfied about the way that democracy in the Netherlands was functioning. [71] This is a high score, also in comparison with other European countries. It can therefore not be maintained that public dissatisfaction is predominantly aimed at the political system as such. And what do the diving party membership figures tell us regarding this issue? They may well be pointers to discontent with the performance of political parties. They may equally well be indicators of citizens no longer wishing to be represented by political parties. Most citizens are satisfied with the way in which they can exercise their right to vote. Should citizens have the urge to make their views or dissatisfaction known publicly, then they choose channels other than political parties: the media, interest groups, action committees, etc.

No longer do political parties have the monopoly on forming public opinion. Party democracy, as it used to reign supreme in the Netherlands during the days of pillarisation, has ceased to exist in that form. Political parties now need to lend an ear to trade unions, social organisations, citizens' groups. From the old-fashioned party democracy point of view, this change of function of political parties persists to be lamented as a loss. There is a supposition that the citizen needs to be represented in political institutions, even though the citizen himself has meanwhile developed other preferences. The supposition itself goes back to the idea of the sovereignty of the people, which should give its verdict through democratic institutions. It is argued that if people fail to use these democratic institutions, then something must be seriously amiss with the political system as such and new ways of political representation need to be explored. If political power finds its roots in the will of the people, then a problem of representation is at the same time a problem of legitimacy. Democratic renewal and institutional reform will then be necessary to remedy this democratic shortfall.

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[71] SCP. *Sociaal en Cultureel Rapport 1998,* 739-740.

We feel impelled to qualify this view. In the first place it needs to be affirmed that the functioning of democracy is not in dire straits when citizens find other ways of showing involvement in society than through political party membership. It does, however, obligate political parties to concern themselves even more thoroughly with society. When people feel that they are well represented by social organisations such as consumers' associations or environment protection organisations (for example, Greenpeace), then political parties are well advised to lend an ear to what these social organisations have to say. Secondly, these changes in representation do not necessarily pose a legitimacy problem for politics. It is not at all the message that the citizens want to get across. Criticism is primarily centred on the achievements of government and on how politicians and parties behave, rather than on the democratic system as such. The Netherlands is a well-established democracy with well-established democratic procedures that are respected by the nation's citizens.

Christian political thinking has always considered representation as a means rather than as an objective in itself. The legitimacy of government does not hinge on it. The Bible says that all governments and powers come from God. That is the source of their authority. Suffrage is a means to appoint governments and representatives of the people. It is the citizen's responsibility to make use of this means in a responsible way. Representation is a right, not an obligation. The Netherlands has never had compulsory voting, though there used to be compulsory attendance. The turnout rate at elections is not a measure of the legitimacy of power. It merely expresses how many citizens wish to see themselves represented. Elections have a function in the constitution of representative bodies, such as the Second Chamber (House of Representatives) and the First Chamber (Senate), provincial governments and local/municipal governments. These bodies play a paramount role in our parliamentary democracy. Two functions of these representative bodies have always been made to stand out:

a. representative bodies allow citizens to bring their sentiments and opinions to the attention of government. The concerns of the public should be expressed and known in the political bodies of government;

b. representative bodies function as institutions controlling government power. As a 'counterforce', they prevent government from abusing its powers. A combination of representative bodies ensure that power is distributed over various institutions.

If these functions are allowed to operate in a regular way, then there is no reason why we should make a drama out of the present crisis of representation. The Telders Foundation in

this matter arrived at the following conclusion: 'The trail of parliamentary democracy is not a dead end; it simply needs servicing.'[72] It is a conclusion that we can fully subscribe to.

Deeper problems

But do we not thus make light of the 'crisis of political representation'? Do we not thus belittle the deeper problems of democratic institutions? That is most certainly not the case. These deeper problems will be discussed now. However, the cure for these deeper problems is not to be found in major changes of structure, but in politicians and political parties making clear choices. Let us try to identify those deeper problems.

1. In the days of pillarisation, when party democracy reigned supreme, political parties had a clear view of their tasks and functions. The political bodies of emancipatory movements, they knew exactly which part of the population and which religious or ideological group they stood for. These groups came up from society and demanded that they should also have their say on the political level. The processes of secularisation, depillarisation and de-ideologisation have brought on drastic changes to this socio-political landscape. Political parties now have to 'go out there' to find their electorate and their message. They have no clear idea themselves of who or what it is that they represent. Political parties represent themselves, more than anything else. However, rather than being articulate about the ideas or the political philosophies that they stick up for, their voices turn tentative and feeble. As for the citizen, he has no time for political ideology, but wants to hear sound solutions instead. Political parties are well aware that these solutions are dependent on many factors and for this reason find it difficult to provide crystal clear answers. So, the crisis of representation is partly a crisis of political parties struggling with their role.

2. Media, in the presentation of politicians and political parties, play a significant role, sometimes unhealthily so. Politics has become a media event, with (national) politics partly shifted from the parliamentary stage to the studio. What remains of politics in the media is excessive attention given to the person and information about political problems that has been diluted and filtered to a high degree. Popularity in the media seems to play a decisive role in the fate of politicians. Pim Fortuyn acquired his overwhelming support through media performance rather than through political performance. The dark side of media impact is likewise obvious: negative reports

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[72] P.G.C. van Schie (ed.), *Het democratisch tekort: interpretaties en remedies* (The Hague, 2002), 82.

cause damage and downfall. Citizens make their decisions on the basis of what they see and hear. The question of who and what politicians represent on the level of content is less relevant. This constitutes the crisis of political representation to which both politicians and the media willingly and knowingly contribute.

3. Political institutions have an expressly statal character. The Dutch parliament represents the Dutch people on Dutch territory. But how well-defined are those boundaries still today? Citizens are spontaneously experiencing a process of internationalisation, travelling abroad, doing business abroad, attending meetings abroad and communicating across borders, while having interests and networks to see to in various countries. This has a reducing impact on their focus on the national political system. At the same time, governments are also more and more becoming part of an international political system. The Dutch government spends time and efforts at the negotiating table in Brussels and in certain areas has surrendered part of its unabridged sovereignty. The obscurity and lack of transparency brought on by this relocation of power across borders blur the view that citizens would otherwise have of their influence on national and European politics. What does representation represent in such a diffuse system? This, then, constitutes another deeper problem of the system of political representation.

As we have pointed out earlier, institutional reform can only partly afford the solution to these problems. A number of cases simply require politicians and political parties to make other choices. Should political parties have a tough time coming to terms with their role and their message, then they would be well advised to work out ideally motivated philosophies to which solutions for political and societal issues can be related. Should the media bring about both short-lived success and fast score-settling, then the stability and continuity of politics require politicians not to get carried away. Political parties could point out this responsibility to each other, especially now that there is a debate about norms and values going on. The diffuse nature of European institutions, however, requires that institutional reforms are carried through, which are to ensure that capacities are distributed in a clear way that would also allow for control through democratic institutions.

It is not our intention here with a few strokes of the pen to dispose of the efforts for institutional improvement and renewal. We do wish to express disapproval, however, of the tendency towards solving problems of the culture of politics by proposing institutional changes. Nonetheless, in the rest of this chapter we will discuss those institutional reforms that have already been set in train: the introduction of referendums, direct election of mayors

and provincial governors, the electoral system and programmes to reform the European democratic institutions.

5.3 Direct democracy

Indirect democracy to be preferred

Although this section will be concerned with the phenomenon of direct democracy, we will first allow ourselves to affirm the strong preference of Christian political thinking for indirect democracy. This preference is motivated by arguments of both principle and practicality. The argument of principle is as follows: there needs to be a representation of parties that have interests or rights to be represented in government, democracy being a means of acquiring this representation. Western European governments have been familiar with representative bodies as early as since the Middle Ages. In the Netherlands these concern the Estate Assemblies, the Provincial States and the States General. The form of administration would be a collegiate rather than a centralistic one. The notion that parties having interests or rights should indeed be entitled to have a say in public administration warranted a positive approach of representative bodies. Since the circle of those having rights or interests was extended in the nineteenth and twentieth centuries to include all citizens, the regular way for determining the constitution of the representative bodies has been through general elections. The citizens elect representatives to speak on their behalf in the two Houses of Parliament, in town councils, etc. However, the approach taken to reach autonomisation is not an end in itself, but should remain a means to give expression to the wishes, needs and persuasions among the public.

There is also a practical argument. Representation of the wishes, needs and persuasions among the public through political representatives makes the democratic process manageable and gives added value to the process. Representatives of the people weigh the interests and wishes of the citizens in the light of their convictions. They account for their performance to the public. The other way round, not every citizen sets foot in the political arena, but has political representatives to do this for him or her. This is what makes the political process manageable. Should every citizen wish to exercise direct influence on each subject matter under consideration – for instance based on the presumption of people sovereignty – then public administration will end up in chaos and lose direction and continuity. Neither would it enhance the quality of decision making, because the individual citizen is unable to make the informed consideration which the people's representative body is able to make. The representative bodies on every level of the country's administration are the places for all

considerations around political decisions to be weighed and discussed publicly. The public debate preceding political decision making has a higher value than a plebiscite. The system of representation, as it has been formed in our parliamentary democracy, is an achievement that society should hold very dear.

Referendums

Meanwhile, the introduction of referendums has nevertheless been a topic of discussion for some time. This issue has featured prominently on the political agenda since the call for administrative reform from the 1960s onwards. Issues that are felt to have a drastic impact on the community are subjected to local referendums. Because of such, the Amsterdam city council in 1998 held a referendum about the plans for the IJburg housing development project. The Netherlands has no national referendums and the desirability of those continues to be a matter of political uncertainty, in spite of the existence presently of and Interim Referendum Act. Apart from the fact that referendums can be held both on a local and on a national level, further distinctions can be made as to their form,[73] which we will discuss before reaching a conclusion.

In a Dutch context, that has no mandatory referendum (for instance in the case of a change in the constitution), questions could be asked about the *party initiating the referendum* and about the *political significance* of a referendum. It would be undesirable if, in a system of representation, a referendum would be initiated by government, because governments has no need for a decree of the people. This decree, after all, is pronounced in Parliament. We could therefore state that any referendum should be held on popular initiative. As for the *political significance* of a referendum, the options available are a consultative referendum and a binding referendum. If a referendum is given the status of a binding ruling, then Parliament and government can no longer take their own responsibility. They are kept to what the people have ruled. A binding referendum may cause formidable problems to the public administration. A binding referendum cannot concern matters such as: taxation, deployment of armed forces, immigration policy. The themes that could qualify to be subjected to a binding referendum are limited by definition. From a Christian political point of view, there would be an additional objection of principle to such a referendum, in that it will create the unacceptable situation of the sovereign people brushing aside the elected government.

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[73] Cf. for this the informative article by J.P. de Vries, 'Het referendum als politieke noodrem', in: *DenkWijzer* (vol. 2, no. 3), 12-14.

What remains is a referendum initiated by the citizens themselves to make their voice heard, after Parliament has taken a decision. This would enable voters to correct bills passed by Parliament. This kind of referendum is called a corrective referendum, to which there need not be objections of principle, since the representative bodies are not brushed aside. Neither is the ruling binding by definition, though political representatives and those in government would be well advised to take the ruling seriously. This could be ensured, for instance, by clear advance communication. Government can indicate in advance whether or not they will accept the outcome of a referendum, by which they will commit themselves.[74] This form of plebiscite is also acceptable from a Christian political point of view. It would be better if this binding quality of the corrective legislative referendum was entered into the constitution to ensure as much clarity as possible.

The elected governor

In the Netherlands, members of representative bodies (such as MPs and councillors) are elected, while those in governing positions are commonly appointed by the Crown. This is true, for instance, of ministers, provincial governors and mayors. Appointed governors have been a phenomenon since the Kingdom of the Netherlands was established in 1813, whilst popular representation on a local, provincial and national level by direct elections has been the norm since 1848. Governors, then, are not elected directly by the citizens. Their appointment, however, is preceded by a political process. Governors are recruited from political parties. Considerations are made within those parties about which candidates meet the criteria. These parties then propose candidates for appointment in the council of ministers. Application procedures are followed in the case of the posts of mayor and provincial governors, which applications are considered by the Ministry of the Interior. Still, in all these cases, the eventual decision for who gets appointed is made by the Crown.

The debate on the desirability of governors to be elected rather than appointed has been waged with quite some intensity since the 1960s. Some champion the prime minister to be elected directly, but support for their cause is minimal. An elected president fits well in a republican form of government, but would be ill-fitting in a constitutional monarchy. It would mean a clean break with the principle of collegial administration in the council of ministers, while turning the prime minister with a comprehensive personal mandate into rather an odd appearance beside the Queen. What is more relevant is the debate about the elected mayor.

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[74] Cf. Th. Haasdijk en A.H. Poelman, *Sleutelen aan het staatsbestel* (Barneveld, 1994), 29.

Champions of an elected mayor point out that the whole of local government – the municipal council as well as the mayor – will then be elected. This would strengthen the ties between the public and local government. Besides, an election campaign around the office of mayor would make local politics a more lively business. The elected mayor is therefore not seldom seen as the final piece of the dualisation of local government, which has now been realised. It says in the coalition agreement of the present Cabinet that 'a directly elected mayor can contribute to the voter's increased influence on policies which strongly determine his immediate living environment.' It also holds the 'practice of appointment by the Crown' as 'dated'. [75]

From a Christian political point of view, there is no good warrant for the latter statement to be made thus lightly. Traditionally, the appointed governor is a safeguard for the unity of national policy. Similarly, it has guaranteed that the disposal of the local means of violence is in the hands of an independent and qualified governor. The appointment by the Crown has been a key cornerstone of the public service ever since the introduction of the constitutional monarchy. It does justice to the position of the monarch in our constitutional system and secures a degree of independence in appointment procedures. It is inconceivable why, after an elected mayor, an elected provincial governor and an elected prime minister should not also come next in line. Whether this would give the citizen more influence on the policies which directly concern his living environment is nothing more than an unproven assumption which is all too often presented as a hard fact.

Election of the mayor by the council or by the local government are presently under consideration as the two options available. A major disadvantage of the latter – most 'direct' – procedure is that local relations are politicised as local candidates take up the cudgels against each other. A disadvantage of equal import is the serious doubt as to whether such reform will enhance the quality of local government. The most popular local candidate does not necessarily make the best governor. In our days, when pop singers and radio DJs can be elected into a public office hands down, there is all the more reason to have reservations in this matter. An election by the municipal council may present a certain safeguard. Nonetheless, this entire operation has been launched by way of experiment, along with exaggerated expectations of structural changes. Was it not Plato who once said that carrying to extremes the endeavour to keep on improving democracy will do democracy harm?[76]

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[75] *Werken aan vertrouwen, een kwestie van aanpakken. Strategisch akkoord voor het kabinet CDA, LPF, VVD* (3 July 2002), 24.
[76] Quoted in: W. Vandendijck, *Macht en onmacht. Indrukken over een ambivalente democratie* (Alphen a/d Rijn, 1976), 17

5.4 The Electoral System

Voter and Elected Representative: Direct Communication

Democratic renewal can also be sought in strengthening the ties between the voter and the elected representative. Proposals of that nature do not affect the system of representation. The purpose of this proposal is to look for ways to establish more direct *communication* between the people's representative and the citizen. To a higher degree than is presently the case, the voters would be able to ask politicians by whom they are represented to render account. The decision on whether or not their mandate should be extended, ought to be the citizen's rather than the party's. At the bottom of this wish lies the often-heard complaint that politicians' awareness of the citizen's problems is insufficient. The incentive given by these direct forms of communication is believed to prevent politicians from keeping themselves at a distance from the problems in society. Two specific suggestions to realise this direct communication through changes in the electoral system are the constituency voting system and the preference vote.

The Constituency Voting System

When in the Netherlands direct suffrage was introduced in 1848, a voting system was initially opted for that was very common in the nineteenth century: the constituency voting system. The choice was based on the British democratic system, which existed well before the Dutch system. In the constituency voting system, the country is divided up in as many districts – constituencies - as there are seats in Parliament. Each district elects its own member of Parliament on the basis of a winner-takes-all system. The elections for the national Parliament take place in the local constituency with several candidates competing to become the constituency's representative. Although the member of Parliament carries out his parliamentary work freely and without restraint, there are nonetheless close ties with the local constituency and a specific member of Parliament. The latter is aware that his re-election also depends on the results which he or she has been able to achieve for the constituency that he or she represents.

This system was abandoned when in 1917 the Constitution was revised and the Netherlands changed to the system of proportional representation. There were three main reasons for leaving the old system of constituency voting. In the first place, the division into constituencies appeared to lead to disparate outcomes. Constituency boundaries were continually subjected to change, causing the political identity of the constituency to change

along with it. A 'voting right geography' emerged, which harboured the risk of manipulating the outcomes of elections. The second reason was a general objection to constituency voting: a majority of votes is all it takes to win a constituency. However, the losing candidate may have polled a substantial number of votes, but these votes are lost. If all the lost votes were totalled up, they might run to a considerable number. Thus, a party with the largest possible minority across the constituencies may yet be deprived of representation in the national Parliament. The system of proportional representation is a fairer reflection of the actual proportion of votes polled by each party. A third reason to part from the constituency voting system is that the local interest, to which members of Parliament are committed, is given too much weight in issues of a national interest.

So, there were good reasons to abandon the system of constituency voting for the system of proportional representation. Today, however, debates about democratic renewal have brought the reintroduction of (elements of) constituency voting back into the limelight. Mr. Bram Peper, a former minister of Interior Affairs, put forward some proposals regarding constituency voting as recently as in the 1990s. These and similar proposals should, however, never entail a weakening of the system of proportional representation. A constituency should be able to delegate more than one member of Parliament. This would mean that constituencies must be of a considerable size, which necessity – in its turn – undermines the principle of the close ties between the constituent and the representative.[77] One might wonder, however, whether those advocating a reintroduction of the system of constituency voting do not exaggerate the emphasis on the distance between the voter and the elected representative. In a country of modest size such as the Netherlands, these distances tend to be rather small and modern means of communications help reduce these minor distances considerably.

The reintroduction of constituency voting is still not met with much enthusiasm. Small parties, such as the small Christian parties GPV and RPF, always used to speak up for the system of proportional representation to be fully maintained. This system guarantees that they are represented to the largest possible extent. For small parties, constituency voting is sure to cause loss of seats in Parliament. Even the introduction of a combined system (half of the seats on the basis of proportional representation, the other half elected on a constituency voting basis) would result in their number of seats being halved.[78] For this reason a parliamentary committee reporting about the electoral system in 1993 stated: 'The implementation of a moderate system of constituency voting will prove a major interference

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[77] Cf. G.J. Schutte, 'Kiesstelsel in discussie', in: *DenkWijzer*, Vo. 2, no. 3, 10-11.
[78] Ibidem, 10.

with the country's system of proportional representation which in the Netherlands has been the norm since 1917.'[79] For the Netherlands, as a country of minorities, it is nothing less than a major achievement to have a system that allows for a diversity of groups and beliefs to be represented in Parliament. Neither does an electoral threshold apply in the Netherlands which would deny small parties admission into Parliament. The system of proportional representation provides the best safeguard for a democracy in which every vote truly counts and each vote is heard.

Preference Vote

An alternative method to establish a more direct link between the voter and the elected representative is the preference vote. This method allows the voter to state his preference for a certain candidate, who has been submitted by a party. The voter has the opportunity to elect a candidate even if this candidate is placed so far down the list that he or she is unlikely to be elected. Legislation has been changed so as to increase the possibility for this to happen and the new rules were first applied at the 2002 elections: for a seat in Parliament a candidate now needs to poll at least 25% of the quota of votes. This change in the electoral law – that involves basically an enlargement of 'citizen sovereignty' - encourages the voter to vote for the candidate of his/her preference on the party's list. There is much that speaks for this form of renewal. There is, however, a risk of parties taking a different approach motivated from the speculation that certain persons may be able to poll a large number of preference votes, thus making the preference vote a bonus for popularity.

The system of the preference vote brings the Netherlands a step closer to the German electoral system, for which there is considerable sympathy in this country. In this system, the voter casts two votes: one for the party of his preference and one of the candidate of his preference. The number of seats gained depends on the first vote, while the second vote determines by whom these seats are occupied. It has been proposed to apply this system in the Netherlands as well, be it without the electoral threshold which applies in Germany. This system contains a higher level of 'citizen sovereignty', which would be the only reason for adopting it. It is conceivable that the political debate about this may be reinitiated in the near future. It may be clear that the introduction of the thresholdless version of this system has our preference over a reintroduction of the constituency voting system.

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[79] Quoted in: Haasdijk en Poelman, *Sleutelen aan het staatsbestel*, 20.

5.5 Democracy in Europe

Europe – Government and/or Administration?

Once every five years, citizens in the member states of the European Union can go to the polls to elect a European Parliament. Turnout figures at these elections are low by tradition. The European citizen is often said not to be interested in European politics. If there is a gap to be felt between the electorate and politicians anywhere, then it must be here. Voters show greater involvement with the political life of their own country than with that of Europe. Special tv-programmes are devoted to discussing the daily affairs of national politics, but there are no equivalent programmes covering the events in the European Parliament. This is all the more remarkable now that Brussels is making its strong influence felt within the member states. About forty per cent of national legislation today stems from Brussels, which the civil service and politicians are meant to render into Dutch legislation. It seems more and more that a European administrative layer with governmental traits is developing above the national governments. Wherever there is government, there should be something to control that government. Before proceeding to discuss European parliamentary control, we will briefly touch upon the role of Europe as a new government. This subject has been discussed in greater detail in a separate Research Institute publication.[80]

From a strictly political point of view, Europe is not a state with its own sovereignty, but a partnership between sovereign states. Over the past decades, the European Union has taken on a political form of its own which is unique in every way. It is neither a federation or a confederation in the common sense, nor an international organisation in which member states only have common interests in a few areas, as is the case with NATO. The extent to which the members of the European Union are closely interwoven is much further reaching. If we take the three elements of the *trias politica* into account, then Europe can be said to have a legislative and a judicial power, though limited to some areas, while the executive power is largely in the hands of the individual member states. So, does the legislative capacity of the European Union make it a sovereign state? The answer to this question must be no. It may be true that Europe is administered by a European Commission that is assisted by a parliament, yet the legal and actual power continues to be in the hands of the governments of the individual member states. Agreement on European policy must be reached in intergovernmental consultation among those sovereign nations. Linking in with the distinction

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[80] B. Anker and S. Luitwieler, *Richting Europa. Christelijk-staatkundige visie op de Europese Unie*, Amersfoort, December 2002.

in American usage, Europe is an administration inasmuch as it has been given legislative and judicial capacities, but no sovereign state, and therefore no government.

Parliamentary Control

The unique political make-up of the European Union makes the position of the European Parliament an equally unique one. The European Parliament controls legislation prepared by the European Commission. However, the European Parliament has fewer powers than their national equivalents (for instance, the European Parliament has no power of initiative). Moreover, the ultimate power of decision on European legislation and regulations lies with the European Council of Ministers. Whatever takes place in the innermost of the European Council is confidential. So, there is no direct consultation between the Parliament and the highest body of the Union, the European Council. This problem has been referred to as 'the democratic gap' in Europe. Democracy requires policy proposals to be dealt with publicly in debates between Parliament and government. Consultation today takes place with the European Commission that, although it has a powerful position in the European Council, has no ultimate capacity.

This 'democratic gap' is also the cause for citizens to be less involved with the European Parliament. There is a perception of the European Parliament being insufficiently able to show its teeth, though it must be said, too, that members of the European Parliament succeed in putting to use their influence in many and creative ways. One method is through national Parliaments, which some MEPs have access to as well. Institutional reform is an often-discussed topic in the context of the expansion and deepening of the European Union. The expansion of powers of the European Parliament is part and parcel of these discussions. With a reference to the aforementioned Research Institute paper, we should emphasise the principle that where there is legislative power, there should be democratic control as well. This means that the ways in which the operation of European parliamentary bodies can be improved and intensified should indeed be a matter of serious consideration. It would be intolerable if European legislation were to continue to come about under the control of officials rather than under political control. Publicity, public debate and more transparent political control can only strengthen the relation between the voter and the elected representative on the European level.

SUMMARY

The ChristenUnie is a firm supporter of the representative democracy. Popular influence is to be exercised through representative bodies (at the local, provincial and national levels). These bodies can render in public what matters in the eyes of the people. Besides, they represent a visible and publicly accessible counterforce. Forms of direct democracy (for instance the use of electronic media) do not reinforce political life; instead, they impair its transparency. The corrective legislative referendum is an acceptable supplement to representative decision making. A small country such as the Netherlands would not derive any political benefit from a reintroduction of the constituency voting system, its most undesirable aspect being the abandonment of the principle of proportional representation. It is important for the representative bodies of Europe that democratic control of the decision making process be strengthened.