

An Ontology of Good Governance. A Political Theory Approach

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Abstract: In the public discourse of European and international institutions the word 'government' seems to be replaced by 'governance'. While there is a very traditional liberal approach in political theory claiming that to govern means to exercise political power, it is not clear what governance means. In public administration theories, governance is used to imply statecraft that is the exercise of governmental responsibilities. The connotation of governance was borrowed from management and implies, in politics, to scale down big governments. The entire governance process tends to be depoliticized as the debates over basic democratic values have been overshadowed in the European Union context. Starting with Plato's definition of good governance, which he describes as right order, this paper aims to explore the ontology of (good) governance from a political theory perspective.

Keywords: political representation; governance; power; oikonomia; democracy

JEL Classification: F55; F68; N4

In this paper I try to analyze the political nature of good governance using the theory of democracy. I use the classical approach to democracy as coined by political scientists Giovanni Sartori, Robert Dahl, Robert Putnam and others. Democracy as a modern political regime wide-spread in the twentieth century has in its core political representation. There is no democracy without Parliament, whose main task is to represent the people as a single political entity.

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This type of democracy, well known as liberal democracy or representative democracy seems to become unfashionable in the last two or three decades with the peak of economic neoliberalism and New Public Management. A new approach towards the state is enforced in the West and in the European Union countries, which, *inter alia*, means that we scrutinize the government's actions through the lens of good governance. What is good governance? And how good governance interferes with political representation in democracies? First, I will outline that political representation has a long and steady tradition even in Romania since the nineteenth century when, with small steps, democracy was in the course of emerging.

Political representation in Romanian modern tradition

Our research on the conceptual of political representation in Romania starts from a cross reading of two quasi-contemporary authors, i.e. Jean Jacques Rousseau and Edmund Burke; in the history of political ideas they are positioned in different areas in terms of political representation. Although Rousseau (2002, p. 163) wrote about popular sovereignty more than two and a half centuries ago, the stake of his approach is to this day unresolved in practice: "To find a form of association that may defend and protect with the whole force of the community the person and property of every associate, and by means of which each, joining together with all, may nevertheless obey only himself, and remain as free as before".

Rousseau's requirement is directed against the political forms of the Old Regime, which appeared as a collection of corporations. Hence, people must become the source of political power and capable of self-government, and society, in the form of an amalgam of individuals, is brought to the status of political body, which is the holder of sovereign power. Moreover, given that each member of the body politic is born free, one must obey the other, as preservers of natural rights. Every citizen is the owner of sovereignty but can exert it only together with other members of the body politic. Thus, sovereignty is exercised collectively, it cannot be divided or transferred to someone else, and is exerted through the general will, which is superior to individual wills and it finds its concrete form within the laws (Levine, 1993, pp. 18-35; Miller, 1993, pp. 105-122).

General will is not the sum of all of the wills, but a unanimous decision on general matters, giving it a double feature: it transcends the individual will, as also does the sum of citizens' wills, but is subject to individual wills because every citizen holds a share of sovereignty. Hence, individual will is one, indivisible and excludes pluralism on the reason that the separation of the body politic and its

sovereignty is impossible. So, in Rousseau's *respublica*, the sovereign power corresponds to the general will. Besides, the way the theory of the general will appears in Rousseau's work, the way it is embodied, is important for the subject of this study. First, it should be noted that Rousseau uses as pillars of his project the patterns of ancient times. He looks at institutions of ancient Rome and seems to show us that democracy is rather a system of supervision and isonomy, where "citizens sovereignty is based on the idea of citizens as *euthynoi*, that is correctors or overseers" (Rosanvallon, 2012, p. 109) and is exercised by institutions like the Tribuneship: "This body, which I shall call the tribuneship, is the guardian of the laws and of the legislative power [...] The tribuneship is not a constituent part of the State, and should have no share in the legislative or in the executive power; but it is in this that its own power is greatest; for, while unable to do anything, it can prevent everything. It is more sacred and more venerated, as defender of the laws, than the Prince who executes them and the sovereign that enacts them" (Rousseau, 2012, p. 240-241).

The form Rousseau's democracy is molded is one that leaves no room for political representation, because he is fascinated by ancient republics where the term of representation, did not exist, nor had it existed as a reality. Therefore, Rousseau's reference point is direct democracy where people did everything in public gatherings and political representation took the form of oligarchy, being anti-democratic, since the representatives of the body politic must be limited to the executive power, not being accepted within the legislative one. Moreover, are they fully committed to comply with the citizens' orders?, and are they subject to a binding mandate, therefore revocable at any time? Hence, Rousseau is that inflexible, firm and eccentric democrat who strips popular sovereignty out of political representativeness's coat, who places the city above the individual, and does not separate society – as a place of spontaneous events arising from private citizens' wills – from the public sphere, where businesses are *par excellence* politically uploaded. Body politic and social community merge and society dissolves into State.

Two and a half centuries after the advent of the Social Contract, Rousseau must be revisited in the context of time passing. Thus, his work has been used as justification by the French revolutionaries and was even translated and promoted massively in communist Romania (Deleanu, 1978), and like many other political philosophers, Rousseau received numerous ideological reinterpretations over time. But what unites the author of the Social Contract and the contemporary democracies, citizens alike, is the major dilemma of the shape popular sovereignty must take on. What are its limits? How can it be implemented? Is the

large number of citizens the only inconvenient for the fact direct democracy can no longer be put into effect? Or, conversely, other subtypes of democracy, whose virtues Rousseau may have failed to see, are those that ensure democracy, where not only power belongs to and is exercised by and for the body of people, but also where pluralism and factionalism are the social basis instead of unanimity?

Hanna Pitkin (1967, pp. 8-9, 171-174) explains the tradition of the political representation inspired by Burke, where the representative is a trustee deliberating over the common good in Parliament in his capacity as representative of the nation as a whole and not of the constituency that has elected him. Likewise, Rousseau's contemporary Edmund Burke (1996, p. 67) summarizes the nature of the political representation: "Parliament is not a congress of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates; but parliament is a deliberative assembly of one nation, with one interest, that of the whole; where, not local purposes, not local prejudices ought to guide, but the general good, resulting from the general reason of the whole".

Paradoxically, unlike J. J. Rousseau who rejects the corporate-type political representation, which is specific to Western Europe of the 13th to the 18th centuries, whilst looking toward antiquity and not revealing any intermediary between the general will and the practical expression of policies, E. Burke looks toward modernity. At the same time, compared to the Irish conservative thinker, Rousseau seems to be a drastic democrat and insensitive to the shield of democracy, i.e. the political representation (Pulzer, 2010, pp. 19-24), differences of views explicable in terms of their very different itineraries.

Hence, we have two contemporary although different views on political representation, but the major stake is to establish a distinction between the holder of power and those who actually exercise the power. In this respect, the two thinkers are in perfect antithesis: while Burke is interested in and supports political representation according to the trustee model, where the MPs are the confidence depository of their constituency, and less interested in the legitimacy received in the elections, Rousseau gives utmost importance to the legitimacy granted by the magistrates elections without viewing the latter as representatives, due to the fact that general will cannot be mediated, meaning that its elected officials have an imperative mandate, not a representative one. Burke's model, virtual representation, serves the European democracies and describes the nation as an indivisible legal entity, holder of the will that Parliament embodies and thereby excluding double representation of the body politic. Therefore,

Rousseau's model is that of the delegate who closely follows the instructions given by those who granted him the mandate, while Burke's model acts independently of the will of his constituency. Rousseau's model is found in people's commissioners in the USSR, and the second is found in modern liberal democracies. But, as Frank Bealey (1988, pp. 38-39) notes, a third model has emerged with the extent of the democratization which turned political parties into mass organizations, namely, a model that, although fundamentally remaining a part of Burke's model, combines the two, in the sense that in the democratization era, MPs are equally subject to the obligations coming from the party to which they belong, whilst remaining in extremis subject to their own conscience.

In this context, the challenge is to establish a distinction that is specific to republicanism, namely, between the holder of power and those who actually exercise the power; in other words, to search the form that politically embodies the demos and does not remain a simple corpus incapable of any instrument for self-government or horizontally power structuring. Thus, Giovanni Sartori (1987, pp. 28-31) notes that outside the political representation there is no social body as demos precisely because social and political consensus, that is to say the will of the people, cannot be established. Thus, in the absence of a will manufactured during parliamentary assemblies by means of debate generated by the nation's representatives, the body politic does not accede to democracy, but remains stuck in medieval political forms such as absolute monarchy.

Above all, the electoral system in force at the 2008 parliamentary elections, when citizens were invited to vote for one candidate per uninominal constituency refers to Rousseau's democracy rather than to the liberal democracies' tradition which was widespread in Europe especially after the Second World War. Very often Romanian politicians declare that they are representatives of a hand of electors, not of the entire nation, those electors being reduced to a handful of businessmen and parish vicars of their constituency.

Considering Marcel Gauchet's idea, according to which "oligarchy is the unspoken corollary of democracy of the individual and his rights. It rests upon the power that challenges or it boasts to limit" (Gauchet, 2006, p. 96), or that of Jacques Rancière (2012, pp. 48-49), for whom contemporary Western democracies are "oligarchic law states", we understand that the lack of political representativeness conscience is linked rather to a populism that claims to reflect the people as self-considered authentic elites. This seems to be the case of President Traian Băsescu, whose remain in office was already two times subject to plebiscite, but also the case of the majority of candidates in the parliamentary elections who appear before citizens as the representatives of constituencies, not

of the nation. Strengthening local oligarchies on the one hand, and augmenting populisms as “pathologies of electoral-representative democracies” (Rosanvallon, 2012, p. 278) on the other hand, suggest, at least in the Romanian case, a slip from the classical model of parliamentary democracy which deserves empirical analysis.

Above all, Romanian debates on the referendum of 29 of July 2012, and its related events indicates not only the precariousness of political constructs in Romania, but also the poor development of political science itself. Public space, stripped of a minimal consensual political vocabulary was thereby assaulted and abused by phrases whose meaning has been completely distorted: parliamentary coup, parliamentary dictatorship, coup d'état, the right to vote, referendum, rule of law, democracy, sovereignty of the people, etc. Of these, the last three have been used as an exclusively electoral weapon, while consensus littered over the remaining expressions.

The most trivialized apposition was that of sovereignty of the people and the rule of law. In short, public discourse was built around the principle that in a democracy *demos* is sovereign, and its expression is the will of the parliamentary majority. Therefore, Parliament holds sovereignty. In this case we are dealing with a syllogism to which we can easily find synonyms in the totalitarian communist regime built around this phrase: proletarian people was considered sovereign and the expression of sovereignty was the Great National Assembly. In a perfectly republican logic, Nicolae Ceaușescu himself, Secretary General of the Romanian Communist Party, President of the Republic and above all, a dictator, during his trial in 1989 at Târgoviște said that he would answer only before the Great National Assembly, therefore before representatives of the body politic of the nation. Nicolae Ceaușescu counterpoises the Great National Assembly to the exceptional military tribunal judging him – therefore the Army – self-considered and -proclaimed the representative of the people (Ionescu, 2009, p. 148). Moreover, communism defined itself in the preamble of the 1952 Constitution of the Romanian People's Republic as a system of “popular democracy”, which did not stop being in practice a regime of terror and appropriation of people's rights, therefore perfectly undemocratic. Hence, what is the requirement needed to transform democracy on paper into a real one since constitutions as democratic as the Romanian one we can also find in African states?

Political representation is at the core of modern democracy in its classic liberal formula. Because we are too many citizens and we cannot express our will and political opinions by raising the hand as in Greek antiquity, our representatives, the parliamentarians, do so in legislative forums which, in turn, produce and keep

alive the executive meant to turn into reality the will lawmakers have assumed before the electorate. Moreover, Giovanni Sartori calls attention to the fact that modern democracy is not an upgrade of the ancient one, but a different strongly institutionalized political regime, while Chantal Mouffe argues that “the difference between ancient and modern democracy is not of size but of nature” (2006, p. 319). This reality also assumed by the Romanian society after 1990 is added to the rule of law explicitly stated in the Romanian Constitution. Thus, article 16, paragraph 2 points us that “nobody is above the law”; therefore, neither the Parliament, nor the Government, and nor the President – in other words, no personal or group will – cannot supersede the rule of law. This means that people are indeed sovereign, but only when expressing themselves within the framework defined by the law, which is in its turn the already confirmed will of the *demos*. Consequently, the Parliament embodies popular sovereignty as fiction only within and in the sense indicated by law; any political will contrary to the law needs to amend the law itself to grasp political consistency.

Narrowing things down, the Parliament in its state of body separate from society by the nature of political representation is not sovereign, but when rules under the political representation contractual terms, that is under the Constitution. Another argument is that “Romania is a state of law (*etait d'droit*)” (Art. 1, para 3). The liberal state manufactured by law and modern democracy were built separately and met relatively late, but the merger of the two occurred only in the second half of the nineteenth century when several Western countries, even monarchies, were placed under the umbrella of liberalism, republicanism and democracy. In 1900, scholars counted only four liberal democracies around the world, placing this type of political regime in the rarity area.

Romania embraced liberal democracy only after 1990, yet after a long period of constitutional monarchy in which, the king often appointed governments as he pleased, and the communist regime directed the will of the people in odes carefully orchestrated, among which, the electoral suffrage itself. Thus, Romanian citizens are not accustomed to living in freedom and with strict compliance to the law. Consequently, in early July 2012, instead of witnessing a period of so-called “cohabitation” between the parliamentary majority and the Social-Liberal Union government on the one hand, and the President of Romania, not a member of a political party, but close to the Liberal Democratic Party on the other hand, which would have been an example of democracy in the logic announced by the Constitution, Romanian citizens were confronted with witnessing infringement and sometimes a reversal of the rule of law. The consequence was that, within two days, although on vacation, the Romanian

Parliament voted the President's suspension from office and began the process of plebiscite in relation to his dismissal by the citizens.

Leaving aside the strictly legal and constitutional discussion which exceeds the competences and the study area of this article, the rule of law in the wording of the Romanian Constitution must be empirically analyzed in relation to political representation and the institution competent to maintain the requirement of rule of law's enforcement. Thus, the law ruling over and transcending the will of individuals is the raw material for the construction of the political regime in Romania. The rule of law is nothing more than the reaction of modernity to the Old Regime patterns, in which the will of people (monarchs, aristocrats, senior clergy, and judges) was the one leading civil, social and political relationships. In the past, even in the Romanian space, when changing ruler, all nobles, abbots and bishops came to the new enthroned to have reconfirmed their ownership titles for lands held. Examples may continue and are identifiable in most social spheres. But political modernity inaugurated by social contract theorists such as Thomas Hobbes and John Locke has created the requirement of the rule of law in the impersonal form of the contract, which is equivalent to the depersonalization of politics. In this respect, modern politics is no longer about heroes, legendary figures, but especially about principles, constitutions, institutions, etc., depersonalizing players by placing them within the scope of neutral language of the rule, procedures and law.

As for Romania, the rule of law still seems neglected by politicians, and its guarantor – the Constitutional Court – is an institution made up only of people who worked for the communist regime, since one of the important prerequisites for obtaining the Constitutional Court membership is to have 18 years seniority in the legal field. In other words, until 2008, every member of the Constitutional Court should have been a judge, prosecutor, solicitor or attorney during the communist period, therefore instruments of the unlawful communist state not only in relation to the rule of law, but also in relation to its citizens. Thus, the guarantor of the rule of law and, by derivation, of Romanian democracy, is composed of a panel of nine makers of communism, trained in the socialist law paradigm and for whom the reality stated by the working class dogma was above the legal norms, placing citizens in the position of defending themselves against a state which always considered they were *a priori* guilty.

Moreover, in the absence of rule of law or in case of its deferment, parliamentary majorities have the ability to behave like medieval aristocracies: they no longer represent the will of the majority of citizens, but are merely an oligarchy because the organic connection between political representation, law and citizenship is

corrupted. In this sense, political representation is just a mandate the citizens give to lawmakers so that the latter, in turn, give consistency to the will of voters within the previous laws under the supremacy of the Constitution which already encompasses the will of citizens. In the absence of the rule of law, parliamentary majorities break the only political representation contractual term in the contract with the electorate having the due date on Election Day, because they violate the very essence of the contract, namely the will of the people written in the laws already in force. Moreover, the vast majority of Romanian politicians, instead of being interested in strengthening the rule of law mechanisms as the democracy foundation, they push its limits and that is how we find ourselves consecutively represented to the European Council by the President of Romania, despite the fact that Romanian President is unable to represent the political nation, but only the state. The President and the body politic are not in a communication-of-the-will relationship, therefore the former cannot represent the nation as an indivisible legal entity precisely because he/she cannot know the will of the nation. In an ideal-type democracy it means a full representation of the sovereign people that rule themselves, but in modern democracies representation is constructed as substitution because tends to assume that prior to the state there exists a mass of isolated individuals. *A contrario*, the people exists before that state.

The ontology of governance

Once the tradition of liberal democracy is shaken and political representation tends not to count as the core of democracy, the nature of political regimes that used to call themselves democracies is to become hazy. Are we in an era when the citizens cannot tell precisely who is responsible for the state budget? Is it the Parliament, the Government, civil society, or the International Monetary Fund, the European Commission, or some other supranational arrangement? Would Robert Dahl's famous question "Who governs?" receive a clear-cut answer? In a democracy the people are the political subject, meaning that they take the decisions through their representatives. Once governance tends to replace government in the public discourse, we cannot tell who is exercising political power in order to govern. But, what stands at the heart of governance ontology?

The welfare states were the political solution to post-war contradictory societies, but in the 1970s they created within themselves new political contradictions, as Claus Offe suggests. The formation of policy decisions within the liberal democratic regime involves parliamentary control of the executive, party control over the executive, and the top executive directing a bureaucratic apparatus according to its own responsible vision approved by the electorate. Often, some

public policies emerge out of highly informal processes of negotiation among representatives of strategic groups within the public and the private sectors. Nevertheless, sometimes “para-parliamentary, as well as para-bureaucratic, forms of decision-making have therefore been described as neo-corporatist methods of interest intermediation. Corresponding to these characteristics, there is every reason for the participants to keep their delicate exchange of proposals, information and threats as remote as possible both from the general public eye and from the segmental constituencies which participants represent. Such a setting is used not only in the international and supranational arena, where it probably has the longest tradition, but increasingly also in domestic policies, particularly in the areas of economic policy. It involves participants coming from federal, state and local governments and major corporate groups whose only ‘legitimation’ resides in the fact that they control a considerable ‘obstruction potential’ that they can bring to bear upon the policy in question. The consensus that underlies major state policies is a consensus that does not result from a democratic process as formally provided for by democratic institutions, but a consensus resulting from informal, highly inaccessible negotiations among poorly legitimized representatives of functional groups. It is a substitute consensus replacing a democratic mechanism” (Offe, 1984, p. 167).

By defining governance as against democracy, as Claus Offe does, we try to leave aside the mainstream discourse of most of the scholars that are inclined to consider governance as a huge step forward in what to govern means. The definitions of governance used until now often refer to statecraft, public administration, and so on. Those views start from the premise that democracy is already consolidated forever and there is no need to reshape it. For this reason I will try to see the relationship between governance and democracy against a historical background as well as an ontological one.

What is good governance?

The word “governance” becomes an important part of the public speech as “good governance”¹, so having a moral or ethical character from the beginning. In order to understand the nature of governance I try to file various definitions provided by scholars in political science as well as management and administration. In public administration theories, governance is used to imply statecraft, that is, the exercise of distinctively governmental responsibilities. The connotation of

¹ For the first time the World Bank has used the expression good governance in its dialogue with Botswana in 1989. See more in Anne Mette Kjaer, 2004, *Governance*, Polity Press, Cambridge.

governance has expanded to include an entire range of nonprofit and business organizations. Scholars hesitate to promote a straightforward definition on governance and, for the moment, to explain on different approaches to what governance refers to: "We use governance as our preferred shorthand phrase for encapsulating the changing form and role of the state in advanced industrial societies and a key facet of these changes is public sector reform. We explore how these reforms affected governance. Do they multiply networks? Do they reduce the steering ability of core executives? The changes include: privatization, marketization, corporate management, decentralization, regulation and political control. However, public sector reform is only one source of change in modern government. Our analysis also focuses on the broader notion of governance as the changing boundary between state and civil society and seeks both to map its dimensions and explain the various ways in which it is understood and explained" (Bevir *et al.*, 2003, p. 14).

Here the stake is to identify the different ways in which recent political and non-political changes are constructed and see if we can place these constructions in long-standing evolving tradition. For the neoliberals, governance is almost a slogan and it is translated with scaling down big government: "to devolution, privatization, networks, and markets, and the question of citizens' role in government has almost disappeared. Instead the focus is on partnerships, contracts, networks, and other mechanisms that link governments with private groups for policy implementation and service delivery" (Stivers, 2008, p. 105).

Government is said to be only one actor among many others, while the real action is located in the marketplace. Citizens are described as customers who can choose from various goods from the market, but have little to say about what is available. In the good governance environment, and this is best seen in the case of the EU where free market and competition are constitutionalized, the point is to create a supportive establishment for a free market economy. In this case, the discourse of the good governance fanatics calls upon political freedom¹ only for the maintenance of market freedom. The discourse is based upon the assumption that democratic political freedom is necessary in order to support market freedom. Moreover, the official discourse of the European Commission enforcing the rule of law without democracy can be perceived as non-democratic and ambiguous: "If you define democracy only as mode of rule or governance,

¹ I use the brief definition of political freedom coined by Hannah Arendt: "political freedom, generally speaking, means the right to be a participator in government, or it means nothing" (Hannah Arendt, 1977, *On Revolution*, Penguin, Harmondsworth, p. 218). So, in Arendt's understanding freedom is freedom to.

[...] then the democratic state can readily become a mode of collective action inconsonant with individual and constituency freedoms” (Connolly, 199, p. 153).

Good governance is not a citizen's right, but the right of international stakeholders to interfere with a government in predictable manner as it is mostly defined in the mainstream literature not as freedom to, but as freedom from politics. Political freedom is, in this sense, negative: freedom from interference of the state in the corporate and private affairs. Thus, the relationship between the governments and citizens becomes contractual instead of being representative: „Advocates of new governance defend reliance on the market, but are blind to the role government plays in stabilizing it. They see contracting and deal making as preferable to the dead hand of bureaucracy. Administrative agencies are seen as tangled in red tape. An overabundance of regulations stifles innovation, increases the cost of programs, and reduces freedom – the freedom to do as you like. Instead, relations between governments and private entities are to be negotiated so that mutually acceptable agreements are reached. Market control, to the extent it is necessary, will be achieved by means of these agreements rather than by policy decisions or regulations. Hence the emphasis in the new paradigm on seeing governance as what goes on in networks of public-private arrangements rather than in government itself” (Stivers, 2008, p. 110).

Governance becomes an environment where experts and politicians co-decide, as the will of the people mediated by representative politicians tends to be left aside. This is also visible in the Romanian young democratic regime, where in the last 24 years from 392 ministerial appointments 60 were appointments of technocrats (15.3%).

Graph 1. Technocrats in power



Source: my own data gathering, processing and statistical analysis. P = politicians, T = technocrats, TP = technocrats that became politicians during their term.

Following a Weberian ideal-type approach, political scientist Claus Offe (1984) observes that even in democratic liberal regimes most of the policies in the economic sphere are enforced with the large participation of experts. When it comes to problems of employment, financial crisis, stability of the currency, growth and all kinds of manifestation of the dynamics of financial markets, governments and politicians at large tend to informally delegate the decision in order to create political consensus with economic policy-makers and, as a consequence, to loosen up the process of democratic politics. Simultaneously we might see the European Union as a new form of proto-governance in which an ambition to become a set of more or less homogeneous zones which maximizes qualities like mobility and skills is in the end achieved by a kind of bricolage.

Theologian John Milbank (2013, p. 166) observes that “the conjoint extension of market and state power does not really abolish a new hierarchy of ‘professional experts’ who tend to announce from time to time what sort of ‘empirical research’ is done by academic functionaries”. Governance, from this perspective, “is the multitude of controlling mechanisms that enable power relations to function in a manner that is said to be efficient” (Deuchars, 2004, p. 57). Governance may seem to be a system of hierarchical multi-level decision-making though the member states are governed or constrained through a Foucauldian “conduct of conduct”. This was exemplified in my previous research on the political transformation of official European statistics in which case we deal with a peer review process or a scientific proceduralism.

The political nature of governance

While governance seems to come up from nowhere, we should take a step back to scrutinize a larger picture. Going back to the Middle Ages or even to Antiquity is a way by which theology may become a reading lens through we might find a comparison with contemporary governance. When Jean Bodin (1992) writes in the 16th century on sovereignty and concludes that the sovereign is the prince, it does that in order to establish an order in the medieval governance system with overlapping authorities: the Church, the prince, guilds, families, emperors, kings, republics, and so on. Reading Jean Bodin in an emotional way we might as well understand the vacuum of sovereignty because the decision were taken in a very complex process called *oikonomia* of public things. Rousseau's political thought distinguishes public economy which he calls government or *oikonomia* from the supreme authority, which he calls sovereignty (Rousseau, 2012).

This is what modernity brings to light: the need to know who the sovereign is or who governs? Further, in a democracy it is crucial to know who governs in order

to make him accountable for his actions. Democracy is in fact a regime that has never reaches its peak. As Marcel Gauchet (2006, p. 64) puts it, „the maximization of democracy, metaphysically speaking, is the tool of liberal disjunction between the state and society”.

Briefly reviewing the story of neoliberalism and its relationship with democracy we should start with the impact of the 1970s crisis, when, suddenly, the faith in the state has been replaced by obsolete liberal ways of regulation after the crisis of the 1930s. The Anglo-American turn under the administration of Ronald Reagan in the United States of America and Margaret Thatcher in the United Kingdom have brought into force more aggressive deregulation policies. The downfall of communism in Eastern and Central Europe, the emergence of several economies such as Brazil, China or India have created the impression that the world is reunited under the protection of free market.

Actually, the history of the twentieth century is a succession of stages of liberalization and statism, while entering from the 1980s onwards into a democracy of law and judges having the issue of legal legitimacy as its core. If in the nineteenth century the stake had been to consolidate mass democratization and the political rights, now the main target of political regimes is to preserve personal liberties against political power. Marcel Gauchet (2006, p. 80) emphasizes the turn in democracy: “The liberal part of liberal democracy has overcome the democratic part [...] as much as the very meaning of the word had been changed. For us, 'democracy' is genuine as long as it can defend our own individuality from collective will in which, formerly, great personalities have deeply thought that it had been the peak of politics”.

World Bank defines good governance in this terms: “Governance consists of the traditions and institutions by which authority in a country is exercised. This includes the process by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies; and the respect of citizens and the state for the institutions that govern economic and social interactions among them”¹. The Worldwide Governance Indicators (WGI) of World Bank is calculated for 215 economies over the period 1996–2013, having six dimensions: Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law and Control of Corruption. As we can easily see, democracy is not considered as an important indicator in the index of governance.

¹ <http://info.worldbank.org/governance/wgi/index.aspx#home>, access on Aprilie 20th 2015.

Conclusion: towards a new definition of governance

The entire governance process tends to be depoliticized as the debates over basic democratic values have been eliminated. Narratives on the governance process are meant to explain how politics loses its place as the core of social reality. As there is no straightforward definition on governance, but a multitude of attempts to portray it, we shall embrace the approach of Plato for whom good governance is simply a right order (Milbank, 2015). Because is a simplistic definition, we should add to it the main findings of our study.

Thus, good governance means a good order neutral as against democracy, but in defense of rule of law and effectiveness. It has the persuasive power to become a new kind of political regime, it brings into arena pre-democratic elements, it facilitates the alliance of the marketplace and the state, it advocates that freedom in negative by default. Governance delocalizes sovereignty becoming unrepresentative in political terms, more effective in terms of the capacity of governments to regulate and implement policies. Good governance is not directed towards democracy, but it is a social order that may bring our mainstream Western political regime in front of a major turn.

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