Power and Democracy in Denmark.
The Parliamentary Chain of Governance

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A report issued by the Danish Parliament in 1997 states that developments in recent years are "experienced as a tangible loss of democratic influence and hence diminished trust in the strength and relevance of democratic decision-making processes" (Beretning nr. 6, 1997: 5).[1] The democratically elected politicians felt they were losing control of the development due to the internationalization, decentralization and privatization of public tasks. The report also expressed concerns about a population that was becoming more difficult to control, because people "demanded greater individual influence on [their] own situation and opportunities" (Beretning nr. 6, 1997: 5). Conditions for political governance and control were deteriorating; things were headed in the wrong direction.

Based on this perception, the Danish Folketing decided in 1997 to launch a power study, or officially: "An Analysis of Democracy and Power in Denmark." The assignment was to analyze the state of Danish democracy at the dawn of the 21st century, including the recent developments. The responsibility for the power study was assigned to an independent steering committee consisting of five researchers: four political scientists and one historian.[2] DKK 50 million (approximately USA$8 million) were allocated to the project. The Steering Committee started its work in early 1998 and published its conclusions in October 2003 (Togeby et al., 2003a).[3] Upon the publication of the final books in the autumn of 2004, the total publications list will tally some 50 books and 34 shorter works.

The Danish Democracy and Power Study was somewhat inspired by the Norwegian power study in the 1970s and the Swedish study in the 1980s. Publicly financed power studies are a unique Scandinavian phenomenon. Norway and Sweden have particularly well-established traditions for such studies. Such has not been the case in Denmark. It was therefore natural for the Danish Steering Committee to consider the existing Scandinavian models. Incidentally, Norway launched a new power study in 1998, "Project Power and Democracy", which has progressed parallel to the Danish power study and within an almost identical formal framework.

The foundation of the Danish study was the above-mentioned report, issued in March 1997 by the Special Committee Regarding an Analysis of Democracy and Power in Denmark. The report contained a catalogue of ideas for the project, but ultimately entrusted the Steering Committee to define the specific questions. This freedom has been respected throughout the project. While the Steering Committee was free to select specific topics, it still felt bound by the general problems and issues discussed in the report.

The Folketing was concerned about developments in Danish society in the recent decades. The study therefore applied a development perspective to the extent allowed by

the data. The predominant questions have been: How has Danish democracy developed over the past 30-40 years? Has this development generally been in a positive or negative direction?

In the 1970s, Denmark encountered a number of serious problems: the party system, which had been relatively stable since the beginning of the 1920s, was rocked by an earthquake in the 1973 election, where, among others, the Progress Party with its charismatic leader, Mogens Glistrup, became the second largest party in parliament. That election was followed by several weak minority governments, and consequently a string of frequent elections. Political mistrust was waxing while the capacity of political governance waned. Public expenses were more or less out of control, and unemployment, inflation and budget deficits were all headed in the wrong direction.

The Parliamentary Chain of Governance

In connection with the first Norwegian power study, political scientist Johan P. Olsen (1978) defined an elegant normative standard for parliamentary democracy, the parliamentary chain of governance. The standard is not significantly different from the one that woke the concern of the Folketing as to the direction Danish democracy was heading. We will therefore employ the parliamentary chain of governance as a yardstick for our description of the development in democracy over the past 30-40 years.

According to the chain of governance, power issues from the sovereign people, which constitute the foundation of all legitimate political authority. In a representative democracy, the primary role of the people is to put together the parliament. Ensuring popular sovereignty is preconditioned by the free formation of political parties and free competition for votes. Likewise, Olsen preconditions free opinion formation and exchange of information. A final precondition is that (interest) organizations are voluntary, that they are formed spontaneously based on interests that are important to the citizens, that the members can control their leaders, and that different organizations control one another.

The parliament defines "the will of the state" as well as the basic rules for society. The relationship between parliament and government is partially determined by the doctrine of the separation of powers and – in the Scandinavian context – by the parliamentary principle ensuring harmony between the composition of parliament and government.

The government represents the executive power. It is to execute the legislation produced by parliament in a manner that does not leave the administration any political role in the implementation of legislation. The administration is therefore politically

governed and is a neutral institution under the hierarchical control of the government or individual ministers. Civil servants must be recruited according to Weberian principles, i.e. they have a lifelong career and are professional, impartial and conscientious.

The relationship between administration and citizens is characterized by traditional civic rights, i.e. the principle of legality and respect for the civic rights. The administration does not make decisions affecting the citizens unless such decisions are democratically legitimate. We will here add a new element to Johan P. Olsen's parliamentary chain of governance. The original presentation (see Figure 1) only had one arrow – from the administration to the sovereign people. Olsen regards citizens as passive objects for the decisions of the administration. The citizens are not active and reactive in relation to the decisions that affect them. However, we want to add such an active element of action vis-à-vis the decisions of the authorities, illustrated in Figure 1 by double arrows: citizens are capable of participating in and affecting the decisions and actual administrative conduct affecting them.

Figure 1. The Parliamentary Chain of Governance
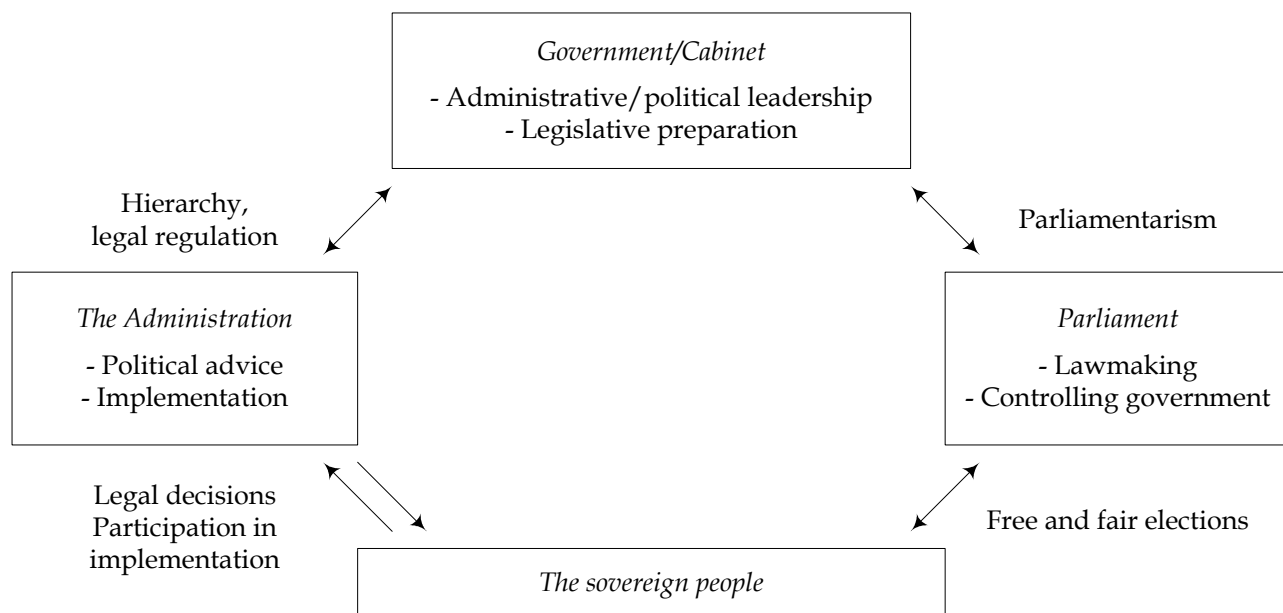
Based on Olsen (1978: 24).

In the real world, there are countless different threats to Olsen's well-oiled chain, e.g. problems with its checks and balances: in the real world, voters may have trouble distinguishing between the programs offered by the political parties; the voters may have lost interest in participating in elections, or they may have lost their trust in their elected

representatives; the administration is not necessarily politically governed, as it also serves its own, bureaucratic interests; and the legal protection of citizens may be undermined by enabling legislation, which leaves considerable discretion to the administration, etc. Moreover, there are political actors who have no role in the chain of governance: in a Scandinavian context, certain interest organizations enjoy close relationships with MPs, government and administration and are often granted privileges, which potentially breach the chain of governance; the courts may play a political role that is not intended for them in parliamentary systems; the media are an important political institution with separate influence on political processes; due to political internationalization, national parliaments are in some respects subject to strong supranational regulation limiting national sovereignty, etc. These problems are hardly new. Johan P. Olsen pointed to some of them – and others – in Norwegian society in the late 1970s (1978: 28ff). The relevant question is therefore not so much whether the Danish democracy complies with the requirements in the chain of governance in all respects; rather, the question is whether these problems have increased or decreased over the past 30-40 years.

In the following sections, we will apply Johan P. Olsen's parliamentary chain of governance as a democratic standard, as we focus primarily on the developments in Denmark in the last third of the 20th century. The standard is thus relative rather than absolute, but this will not prevent us from making absolute assessments regarding Danish democracy.

The Relationship between the People and its Representatives
According to the parliamentary chain of governance, legitimate power issues from the sovereign people. In a representative democracy, power is handled by elected representatives. The relationship between the people and their representatives is therefore crucial. How does this relationship work? Are the representatives appointed through free and fair elections? To what extent do the people participate in the elections? Do citizens trust their elected representatives, and do they have confidence in their own opportunities to make their interests heard? Traditionally, the political parties have played an important role as linkage between people and politicians; however, the parties have lost members. What does this mean for their capacity to handle their traditional functions?

In Denmark, MPs and local council members are elected in proportional elections, meaning that the Folketing and local councils mirror the general vote almost perfectly (Elklit, 2004). All Danish citizens over 18 years of age are entitled to vote in parliamentary elections, and since 1981 foreign citizens with three years' uninterrupted residence in Denmark can vote in local elections. The sole breach of the principle of

universal suffrage today is that foreign citizens with permanent residence in Denmark are not entitled to vote in parliamentary elections. Their numbers are growing, but they continue to represent a mere 2-3 percent of the adult population in Denmark.

But do eligible voters also exercise their right to vote? The general picture in Europe in recent years has been one of declining voter turnout. This is not the case in Denmark, however. In the latest election in 2001, the turnout was 87 percent, which is high compared to most other countries[4] and to earlier parliamentary elections. [5], Since WWII, the turnout for parliamentary elections has varied between 80-90 percent.

It is worth mentioning that the differences between age groups appear to be relatively constant. As in other countries, voter turnout in Denmark has a curvilinear relationship with age – the middle-aged vote most frequently – but age-related differences have not grown in recent years. Considered over a longer time span, they actually appear to have shrunk (Elklit et al., 2000). In contrast, there are indications of a slight increase in social differences. Blue-collar workers vote slightly less than white-collar workers and the self-employed, which was not really the case earlier (Andersen, 2004: 83ff; cf. Jeppesen & Meyer, 1964). Finally, gender differences have been erased (Elklit et al., 2000).

Voter turnout in national elections is higher than in local elections and elections for the European Parliament (EP). Turnout for local elections has hovered around 70 percent since the local government reform in 1970. The turnout for the latest local elections in 2001 was unusually high at 85 percent, which can be ascribed to the fact that they were held together with the parliamentary election. For EP elections, the turnout has been even lower, approximately 50 percent. In 2004, the turnout was only 48 percent, but there are no indications of a clear-cut downward trend.

The high turnout in parliamentary elections appears to be explained by a deep-seated norm that voting is a civic duty, and it is closely related to the actual turnout. There are only few Danish studies of the norm, often with varying Q&A categories, but overall adherence to the norm appears to be relatively stable. It is a little disturbing, however, that the age differences appear to have grown during the 1990s, as adherence to the norm among the youngest segments of the population has declined compared to older age groups (Andersen, 2004: 84). As mentioned above, however, the age differences in actual voter turnout have not grown.

Fortunately, our time series concerning political interest, political trust and sense of efficacy are longer and better. Political interest and the sense of efficacy have been steadily increasing since they were first measured in 1971. In comparison, political trust has been very unstable, but reached unprecedented heights at the 2001 election. While

trust seems to fluctuate according to specific political events, the sense of political competence is on a steady increase (Andersen, 2004: 55ff, 63ff, 259ff).

Sense of political competence and participation in political elections thus remain high in Denmark. In contrast, membership in political parties has declined dramatically. When membership was at its highest around 1950, the four large parties in Denmark organized around 25 percent of the voters. Today, approximately five percent of the electorate are members of one of the eight parties currently represented in the Folketing. Further to this point, the age distribution among party members is skewed with very few young members. The decline in membership took place mainly in the 1960s and 1970s. In the 1990s, party membership decline has been negligible (Bille, 2003: 12-13). In other words, the Danish parties have had time to learn how to function with fewer members. In comparison, the decline in membership in, for instance, Norway and Sweden has largely occurred within the past 10-15 years.

This is one reason Denmark is no longer experiencing the same dissatisfaction as Sweden and Norway in terms of the way political parties handle their responsibilities (Heidar & Saglie, 2002: 42). The continued reluctance to join political parties is likely, because many people do not like to be bound by the packaged standpoints the political parties represent (Andersen, 2004: 90ff; A.D. Christensen, 2003).

The question becomes how the decline in membership has affected the capacity of the parties to fulfill their responsibilities. The parties have obviously lost the ability to function as a channel of communication between citizens and political leaders – this role has largely been assumed by the mass media. Moreover, the parties no longer mobilize the most disadvantaged groups in Danish society. Apart from that, they continue to handle most of the traditional functions of political parties. The parties remain capable of mobilizing voters in connection with elections and structuring popular opinions and standpoints (Togeby, 2004: 271ff), they continue to be capable of securing recruitment of representatives for the Folketing and local councils (Togeby et al., 2003a: 177ff; 173f), and they still manage to structure the work in the Folketing and ensure control of the government.

The relations between the people and their elected representatives have changed in many ways since the early postwar period. First and foremost, others have assumed the role as linkage between people and politicians subsequent to the decline in party membership. Political activity has become more individualized as the traditional class movements for peasants and workers have lost strength. In comparison, the capacities of individual voters would appear to have grown, and political interest and sense of efficacy are on the rise. The overall effect of these two developments is that voter turnout remains

high. All in all, we must conclude that the linkage between people and the Folketing has not been broken, not even significantly weakened.

Parliament and Government

Johan P. Olsen's chain of governance presupposes that the parliament is capable of effectively controlling the government. This control assumes various forms. Basically, we draw a distinction between parliamentary control in connection with the cabinet's formation and existence, and parliamentary control with the cabinet's conduct, including the administrative preparation of legislation (cf. Damgaard, 2003: 110ff).

As far as cabinet formation and existence are concerned, Denmark has a parliamentary principle according to which a cabinet cannot remain in power if a majority in parliament votes against it. The principle was recognized in 1901, but first entered into the Constitution in 1953. This principle has remained unchanged for 100 years in the sense that the king could not appoint a cabinet that had a majority against it from the outset, and throughout the period, the Folketing has had a formal as well as an actual option of expressing a vote of no confidence against the cabinet. The cabinet must resign and call for an election in the event of a non-confidence vote.[6] This has only occurred three times, but several governments have resigned in anticipation of such a vote. The basic parliamentary principle has thus remained unchanged throughout the period encompassed by our analysis.

The same cannot be said for the balance of power between the Folketing and the government. Denmark has proportional elections and a low threshold for parliamentary representation.[7] The result is a multi-party system in which no single party has ever won an outright majority in the Folketing. From 1920 to 1973, the party system was fairly stable – the only permanent change occurred when the Socialist People's Party entered the Folketing in 1960 – and governments were formed according to fairly similar patterns,[8] most of them minority governments. After WWII, Denmark had majority governments from 1957-64, 1968-71 and most recently 1993-94. The 1973 election resulted in the doubling of the number of parties in parliament, from five to ten. This marked the beginning of an extended period of weak and unstable minority governments and consequently frequent elections. More stable governments have since taken over, but they have largely remained minority governments, typically coalitions involving two or more parties.

These weak governments complicated the governing responsibilities, particularly during the first decade after 1973. The different cabinets had trouble gathering majorities behind the implementation of what appeared necessary, but unpopular, decisions. The

political decision-making capacity was significantly impaired. The governments of the 1980s were also weak, but they managed to find majorities for their economic policy, which slowly reduced some of the gravest budget problems arising in the 1970s. Up through the 1990s, government formation became more stable, and for the first time in many years subsequent governments largely remained in power throughout the four-year electoral period. At the same time, the majority supported large reforms. Today, Denmark has one of the strongest economies in Europe. Years of unstable minority parliamentarism and limited governing capacity have been replaced by stable governments with considerable governing capacity.

The many minority governments since 1973 have had at least one positive democratic effect, namely a stronger Folketing in relation to the government. Majority governments are not forced to engage in negotiations with the parties in parliament to gain a majority for its policies, though they often do so anyway on account of strong traditions for broad compromises on major issues. Minority governments are in any case forced to find parliamentary support for its legislation. This means that one or more opposition parties become involved in the legislative preparation earlier in the process than under majority governments, and that governments generally have to be more open to the parliamentary demands made towards legislation (Christiansen et al., 2004: Ch. 12). The pivot in the preparation thus to some extent moves away from the cabinet and more towards the Folketing, which provides the Folketing with much greater influence on the legislation.

This brings us to another aspect of the relationship between the Folketing and government: the Folketing's control with the cabinet's conduct. As has been the case throughout the Western World, the public issuance of regulations has risen dramatically in Denmark throughout the 20th century. Not only in terms of the number of laws per year, but also – and especially – regulations issued under the provision of existing legislation (Rüdiger, 2003: 19ff). Government regulation has swelled in scope and depth and thereby poses a serious control problem for the Folketing: it is difficult to ensure that the government has prepared legislation in a manner expressing the wishes of the Folketing and that the legislation is administered according to their intentions. It is the government that enjoys the services of all the experts who formulate and administer the legislation (Togeby et al., 2003: 123ff).

Like all other parliaments, the Folketing has a number of control instruments at its disposal (Togeby et al., 2003: 124ff; Damgaard, 2003: 115). Since the beginning of the 1970s, the arsenal of instruments has expanded and been drawn upon much more frequently.

For example, the Folketing may pose questions to the ministers, verbally or in writing, and it may request an inquiry. These procedures are much more common today than was the case in the beginning of the 1970s. Today, more than 4000 questions are asked annually in the Folketing, compared to 350 in 1972/73, and the number of inquiries has risen from 22 to 192 in the same period (Togeby et al., 2003: 126).

In the early 1970s, the Folketing committee system was reformed. Standing committees, providing MPs with better opportunities to specialize in specific policy areas, replaced ad hoc committees. Besides working on current legislation, the committees control the ministerial administration of the legislation. This type of control has increased significantly. The number of consultations with ministers has almost doubled, the committees present more that 8000 written questions to the ministers per year, and the committees receive a large number of supplements. The expansion of this aspect of committee work can be considered to be a response to the growing use of enabling legislation. In connection with the first Environmental Protection Act in 1973, it was thus agreed that the parliamentary Environment and Planning Committee ought to be informed in connection with the minister's issuance of delegated legislation according to the law (Christiansen et al., 2004: Ch. 9).[9] The committee has continued its intensive cooperation with the presiding minister.

In Denmark, as in all parliamentary systems, the cabinet is responsible for the administrative preparation of legislation. This is an advantage for the cabinet, because it controls the many specialists contributing to the preparatory work. In addition, legislation is often prepared in close cooperation with private interest organizations (cf. Christiansen & Nørgaard, 2003). This does not render it easier for the Folketing to ensure that all important political aspects are given due consideration when the often complex legislation is discussed politically. Over the past 30-40 years, the position of the Folketing in the preparatory process has been strengthened; first, because the Folketing's control options have improved, and second, due to changes in the position of interest organizations in the legislative preparation.

Interest organizations are no longer as closely integrated in the preparation of legislation as in the early 1970s, cf. also below. The parliamentary opposition no longer accepts being presented with bills and simply being informed that they have the support of the interest organizations and that the Folketing will only be able to make few changes during the political deliberations. Nowadays, the opposition is much more determined to be included in genuine negotiations concerning the contents of the legislation, and this has changed the way interest organizations view the Folketing. In 1976, the organizations had little interest in, and contact with, MPs and parties in the Folketing. In 2000,

conversely, they place much higher value on contacts with MPs, and the number of contacts with the Folketing has grown substantially (Christiansen & Nørgaard, 2003: 178ff). Detailed case studies demonstrate that the Folketing "casts its shadows on"[10] the administrative preparation of legislation, at least in the case of minority governments (Christiansen et al., 2004: Ch. 12).

There is one area in which it is fair to say that the Folketing has lost ground to the government. When Denmark joined the EU in 1973, a standing committee was formed – today the European Affairs Commission – intended to define the ministers' mandates before meetings in EU's Council of Ministers. In contrast to other parliamentary committees, the European Affairs Committee possesses the authority to reject cabinet proposals, thereby providing Danish parliament with an instrument with which to control the government's EU policy, an instrument that was unique among EU-members at the time (Riis, 2003), and has since been copied by other member states (Holzhacker, 2003). The European Affairs Committee remains an important player, but as the caseload grows and becomes increasingly complex, it has become more difficult to exercise control effectively.

Johan P. Olsen's chain of governance requires that a parliament have control options vis-à-vis the government that are presumably unrealistic. It seems, however, that the Folketing's control with the government's legislative preparation and administration has improved, with Danish EU policy as the exception.

Government and Administration

The parliamentary chain of governance presupposes that the administration is politically governed and that it is a neutral instrument in the hands of a political sovereign. This is quite a demand, considering that we have been aware of the problem with bureaucratic power since Max Weber. Bureaucracies and bureaucrats are known to have their own interests and to be able to pursue them efficiently. This is true whether we look at the administration in a narrow sense, i.e. the segment of the administration handling general administrative tasks and advice to the political leadership, or in a broader sense, i.e. the public sector in general.

If we consider the administration in a narrow sense, Denmark distinguishes itself from almost all other Western countries by not having politically appointed civil servants, aside from media advisors and a very limited number of other politically appointed advisors. Danish ministers thus receive most of their political advice from career civil servants. It has been hotly debated whether Denmark ought to introduce a system with junior ministers or politically appointed advisors, but there does not seem to be any

significant political desire to alter the current system (Betænkning, 2004). If there has been any change in the relationship between ministers and their departments, it has been in terms of a shift towards greater political responsiveness among the bureaucrats, rather than the opposite. Since the 1970s, the incentives for political responsiveness have been slowly, but noticeably, strengthened (Christensen, 1999) by means of a new and more frequent hiring practice whereby the permanent secretaries of state are hired in time-limited positions. Furthermore – and partly in conjunction with this new hiring practice – there is greater turnover at the top level in the departments.

The Danish civil service still has incentives and opportunities to forward bureaucratic politics, but this breach of the preconditions of the parliamentary chain of governance has not grown over the past 30-40 years; rather, the opposite is probably the case.

If we examine the public sector in a broader sense, i.e. the entire public sector, the political capacity to govern has been strengthened considerably since the start of the 1970s.

The so-called "earthquake election" of 1973 coincided with the first oil crisis. The first government after the earthquake election – a single party Liberal minority government – controlled the smallest number of mandates of any Danish government (22 of 179 seats). The subsequent Social Democratic minority governments were also weak. Among the myriad of economic problems, public expenses – public consumption as well as transfers – spiraled out of control. The public sector was beyond political control. Since the beginning of the 1980s, various governments have led a strict public spending policy. During the 1980s, public consumption spending was brought under control, and in the 1990s public transfers were gradually reined in – thanks in part to positive economic trends. For several years, the public finances have been in the black. From this macro-perspective at least, the capacity to govern the public sector and public expenses has increased significantly over the past 30 years.

Private Interest Organizations and the Parliamentary Chain of Governance
In Johan P. Olsen's parliamentary chain of governance, private interest organizations are voluntary, they are formed freely in response to citizens' wanting common interest representation, and different interest organizations are capable of controlling each other. We know that this is not the case in Denmark or in the other Scandinavian countries, which all score quite high on international comparisons of corporatism (e.g. Lijphart & Crepaz, 1991).

Denmark has a century-old tradition of relatively strong corporatist structures, primarily established within labor market policy and within different industrial policy areas. Up through the 20th century, the model became common in areas like education policy and even environmental policy (Christiansen & Nørgaard, 2003). Danish corporatism had its heyday during the first three decades after WWII, which ensured that strong and privileged interest organizations were integrated in the preparation as well as the administration of public policy. Some policy areas, such as fiscal and economic policy, have never been conquered by corporatism, and there are examples of important decisions in corporatist sectors being made without the inclusion of, and in conflict with, the otherwise privileged interest organizations. Nevertheless, Danish corporatism has been quite strong overall.

Strong corporatist traits can pose a major problem to the parliamentary chain of governance. When some organizations are privileged, others will have poor conditions for handling member interests. If strong organizations have close and institutionalized contacts with ministers and MPs as well as the civil service, there is a risk that the checks and balances of the chain of governance are compromised. In other words, corporatism can present a formidable challenge to the ideal of the parliamentary chain of governance.

Over the past 30 years, however, Danish corporatism has undergone major changes (Christiansen & Nørgaard, 2003; Christiansen et al., 2004). First, the way organizations are included in legislative preparation before it is presented to the Folketing has changed significantly. The Danish tradition of preparing decisions in corporatist commissions and councils now only plays a minor role. As mentioned above, it has become more common to keep the organizations at arm's length when legislation is prepared in the ministries. In fact, several major reforms have been passed in recent years without close organizational involvement – also in areas where they have traditionally been very powerful, e.g. labor market and industrial policy. We should emphasize, though, that the organizations remain closely integrated in the administration of public policy in many areas via their participation in commissions and boards. Corporatism has primarily lost terrain in connection with the preparation of legislation.

Second, the interest organizations' paths to influence have changed dramatically. As mentioned, the organizations had few contacts to the Folketing in 1976, and they did not regard them as particularly valuable. Today, contacts to the ministries are still the most valuable to the organizations, but they have far more contacts with the parties in the Folketing and with MPs than was the case in the mid-1970s, in absolute as well as in relative terms. This reflects an assessment that the Folketing plays a bigger role in the legislative process than formerly. If it has ever been justified to talk about the decline of

legislature, it is in connection with the golden era of corporatism rather than with the later period in which the strong corporatist structures have been weakened and lobbyism plays a larger role than earlier.

It is important not to confuse weakened corporatism in connection with the preparation of legislation with the absence of influence for interest organizations. Comparison between 1976 and 2000 reveals that the differences in organizations' influence have been on the rise. Corporatism undoubtedly privileged the large and strong organizations, but there is every indication that the partial dismantling of corporatism has fortified the large and rich interest organizations further yet. Corporatism thus seems to have created greater equality in organizational involvement than the current, less regulative political market forces (Christiansen & Nørgaard, 2003: 138ff).

Corporatism has been, and continues to be, a democratic challenge from the point of view of the parliamentary chain of governance; however, this challenge is less significant today than was the case 30 years ago.

The Judiciary and the Parliamentary Chain of Governance
The Danish Constitution stipulates the separation of powers. In reality, however, this principle has been modified by the parliamentary principle, which had its political breakthrough in 1901 and was entered in the Constitution in 1953. The parliamentary principle gives the parliament the decisive voice. In the same way, we can say that the Folketing is the central link in the parliamentary chain of governance. Thus, in the concept of the parliamentary chain of governance, the judiciary is not given independent legislative authority.

This has long been a relatively accurate description of the activities of the judiciary in Denmark. Although the Constitution stipulates the separation of powers, the Danish judiciary has not traditionally played a prominent political role. Since the first free constitution in 1849, great skepticism has existed regarding the possibility that the judiciary could review the constitutionality of various acts, and still in connection with the constitutional amendment in 1953, key parties such as the Social Democratic Party and the Social Liberals were skeptical of the right to the review (J.P. Christensen, 2003: 16). For many years, the judiciary has also been hesitant to review the constitutionality of legislation.

In recent years, however, the Supreme Court has assumed a role that has shifted the balance between the three branches of government. In 1996, the Court allowed eleven citizens to try the constitutionality of the Maastricht Treaty, even though the eleven plaintiffs did not have specific personal interest in the issue, which is normally a

requirement to be allowed to bring action. The Supreme Court did not find the treaty to be unconstitutional. In 1999, however, the Supreme Court found the so-called Tvind Act unconstitutional. According to the Act, the subsidy to which a number of schools were entitled could not be given to schools associated with the so-called Tvind Co-op.[11] The Supreme Court found that the Act was in conflict with the Constitution's stipulation that the courts have the judicial power. In short, the Supreme Court did not find that the legislative power could decide to deny a subsidy to specific schools since such conduct would be tantamount to passing a verdict (Nielsen, 2001; J.P. Christensen, 2003).

What consequences will these new decisions then have for the Folketing's activities and capacities? According to law professor Jens Peter Christensen, there are "signs that we can expect that the Supreme Court will apply a more liberal interpretation of the constitution than has traditionally been the case, and that the Supreme Court in its constitutional review will be less hesitant that earlier, at least with respect to provisions that aim to protect civil liberties and protection of minorities against encroachment by the majority" (2003: 27). We must assume that this means that government and Folketing will be more alert than earlier to the circumstance that the Supreme Court may be willing to set aside the Folketing's legislation. The same goes for lawyers in the Ministry of Justice, who initially did not find the Tvind Act unconstitutional.

In the debate in the wake of the Tvind decision, then-Chief Justice Niels Pontoppidan remarked that international courts are moving towards a more liberal interpretative style, which will also affect the national courts (J.P. Christensen, 2003: 19). This is a development with potentially huge consequences.

Denmark endorses the UN's Declaration on Human Rights and the European Convention on Human Rights. In 1992, the latter was entered into Danish legislation. From a national law standpoint, the Folketing can in principle pass legislation at odds with the Human Rights Convention, but effort is made in practice to avoid such conflicts. The verdicts of the European Court of Human Rights imply continuous changes to current law, however, which is very similar to the role of the American Supreme Court (Koch et al., 2004). According to law professor Gorm Toftegaard Nielsen (2001: 175), it is doubtful whether the Danish Supreme Court will pass a verdict that goes against the Human Rights Convention in case of a conflict between the Convention and Danish law. The competence of the European Court of Human Rights may thus be superior to the Folketing's legislation. Toftegaard Nielsen (2001: 176ff) also points out that internationalization not only entails that national parliaments have to cede sovereignty as legislator, but that the continuous legislative practice may lead to great legal insecurity and that important political decisions in reality may be placed in the hands of judges in

international courts. This scenario is rejected by other legal experts, who emphasize the caution with which the courts – both international and Danish – have applied with regards their right to review (Koch et al., 2004); however, nobody denies that recent developments have reduced the autonomy of the Folketing.

The 1849 Constitution empowered the courts to review the compliance of the administration with the law. This is yet another area in which the development has moved towards strengthening this controlling function. Jens Peter Christensen concludes that "[f]rom a position as government branch equal with the administration, the position of the courts today is superior and controlling. And not only when it comes to actual legal interpretation, but to a large extent also when it comes to discretionary decisions made by the administration" (2003: 44).

The Danish courts have increasingly assumed a legislative role, shifting the traditional balance between the three branches of government. This is merely one of many indications that Danish society is becoming more "judicialized". Offhand, it also appears to represent a weakening of the parliamentary chain of governance. In this connection, we should not forget that respect for the individual has been strengthened, and that the administration's exercise of power is under stronger control. The judicialization of the political sphere and the increased emphasis on individual rights contribute to greater legal protection and may constitute a useful tool for disadvantaged groups in their fight for equality.

Mass Media and the Parliamentary Chain of Governance
The media are widely held to play a large and growing political role. One explanation is that declining party membership renders the political parties incapable of handling communication between politicians and citizens as well as they used to.

The media are not mentioned directly in Johan P. Olsen's model, but as far as the relations between the people and its representatives, the prerequisites are free opinion formation and exchange of information based on freedom of expression, freedom of the press, freedom of assembly and freedom of association. The media institution is thus perceived as external in relation to the parliamentary chain of governance. To the extent that the media have an extensive and independent effect on political decisions, the principle of the primacy of the parliamentary chain of governance has been breached.

Actually, there are two sides to the question of media and power: first, what is the influence of the media on the agenda, attitudes and decisions of the electorate and politicians alike? Second, who controls the messages of the media? Danish as well as international studies indicate that the media have an affect on both the political agenda of

the people and on opinion formation (Zaller, 1992; de Vreese, 2003; Togeby, 2004). It therefore matters, from the point of view of the parliamentary chain of governance, what the media decides to bring. Furthermore, there is likely a greater chance of encountering national characteristics in this area. We will therefore concentrate on what we might term "the editing power."

In earlier times, the Danish media were directly affiliated with the political parties. One hundred years ago, the different parties each published their own newspaper in which political events were interpreted according to party views. Many cities had four different newspapers, each representing a political party. Since then, the number of papers has dwindled, and the media have gradually become more independent and now constitute a separate political institution that filters and shapes public communication. Compared to earlier, when the media merely communicated the party information to the voters, politicians and other political players must now fight to gain media exposure and be prepared to communicate with the people on the media's conditions (Hjarvard, 1999). The media determine which stories are discussed in newspapers, radio and TV, which persons get airtime, as well as the framing of the stories.

Over the past century, the media have thus gradually liberated themselves from the parties. In addition, they have also become independent of their owners. There are countless tales of how formal power positions used to influence the editorial practice, and there are also recent examples. Nevertheless, Anker Brink Lund concludes based on a number of case studies that, "gone are the days when ownership and political position per definition gives privileges in terms of news coverage" (2002: 189). Instead, that which is printed in the media is determined by the news criteria applied by all media and all journalists. It is rarely a result of personal ideas from journalists or editors; instead, it usually results from the routine use of commonly accepted news criteria (Lund, 2002).

The classic criteria for a good news story, as all journalists know, is that it must be current, concern an important issue, involve a conflict – preferably personal – the readers should be able to identify with the persons or issues in the story, and it does not hurt if the phenomenon has unusual or surprising elements. The more criteria a news story fulfills, the greater the likelihood that it receives priority. There would also appear to be reason to believe that negative stories are better than positive stories.

The news criteria help decide the issues discussed in the media. The tendency is to prioritize the "unusual" and "specific" at the expense of the "common" and "fundamental", and to prioritize critical situations with prominent actors facing each other in clearly defined positions over routine politics. Finally, negative stories will assume

priority over positive stories (Waldahl, 1999). The gravest consequence of the way stories are prioritized is the stories that are never told (Lund, 2002).

These news criteria also determine which sources are heard in the media. It is plain to see that it is considerably easier for persons in formal positions of power to get airtime than is the case for other actors. For instance, it is difficult for ordinary MPs to get their message out in the national media. As a consequence, politicians are forced to include the news criteria of the media in their own strategies: How do I shape the story to get airtime in the major media? Media savvy therefore becomes important, which favors specific types of politicians (Hansen & Wagener, 2003).

Finally, the news criteria affect the framing of the stories we are presented with. There is a tendency that both specific cases and more basic questions become personal issues, both when the stories are framed as "little man against the system" and as a personal conflict between two politicians. This style draws attention to the politician's person and away from the issue as such. Another tendency is that the political "game" overshadows the actual point of the conflict.

A good example of the effect of the news criteria is EU coverage in Danish media. Denmark has regularly held referenda concerning different aspects of EU membership, most recently in September 2000 regarding membership of the EMU (Denmark rejected membership of the EMU). Each referendum stirs extensive coverage in the printed as well as the electronic media. In contrast, the EU coverage is very limited in the normal periods between referenda. In these quieter periods, the EU is primarily covered when Danish ministers go to Brussels, and the sources are usually official and pro-EU. The referenda on EU-matters not only provoke a dramatic increase in coverage, but the framing of the stories becomes much more EU-critical. In addition to this recurrent trend, the tactics used in connection with the EMU referendum dominated the media coverage in the summer of 2000. The framing of the EU material was thus different up to and during the referendum than is normally the case (Lund, 2001; Togeby, 2004: 78ff).

Studies of Danish media consumption show that it varies considerably among people with long and short educations, but both groups nevertheless have a critical-analytical approach to the messages presented in the printed and the electronic media (Philips & Schrøder, 2004). This does not mean, however, that the news criteria's distortion of the political communication is insignificant. A critical attitude towards the media is not sufficient if people receive information with a systematic bias or if certain stories are simply never told. It is characteristic that general attitudes towards the EU fluctuate with the referenda. In 2000, support for the EMU and the EU in general dropped

significantly prior to the referendum and afterwards returned to the level where it was before the referendum was called (Togeby, 2004: 78ff).

Over the past 50 years, the mass media have gained increasing significance in political communication. The parliamentary chain of governance is weakened when the media affect the people's political agenda and attitudes towards political conflicts via their selection of stories, sources and frames. The media have not taken over power, but they have become an independent player, which is at odds with the idea of the primacy of the chain of governance.

Globalization and the Parliamentary Chain of Governance

In its purest form, the parliamentary chain of governance functions in a closed, national system. The question is therefore whether globalization challenges – or even undermines – the logic of the chain of governance. This can occur in several ways. One is through political internationalization, which has increased dramatically, especially since the early 1970s when Denmark joined the EU. Is it possible that political internationalization has reduced the opportunities for the actors in the chain of governance to make sovereign political decisions? Another way is that economic globalization can lead to a de facto undermining of national sovereignty, because it makes it impossible for a small nation state like Denmark to make and effectuate its own political decisions.

For as long as Denmark has been a nation state, its political decisions have been affected by decisions in other nation states. Over the course of the last century, the growth in international organizations such as the UN, WTO, NATO, the International Human Rights Convention etc., has given rise to a long list of international commitments. However, none of them surpass the EU in scope or depth. EU membership not only entails cooperation among sovereign nations, but also an actual surrender of national sovereignty.

The consequences for the actors in the parliamentary chain of governance are visible in terms of several different key indicators. In 1981/82, three percent of the legislation produced in the Folketing was a direct consequence of EU regulation. Today this figure is twelve percent. Add to this the legislation that is a result of non-mandatory compliance with EU regulation, which made up eleven percent of all laws in 1981/82 compared to 25 percent in 2000/01. To gain a comprehensive sense of the extent of political internationalization, allow us to add the share of the legislation over the two years that came from other international commitments, respectively three and five percent. In 2000, 42 percent of all laws referred directly or indirectly to Denmark's international commitments (Togeby et al., 2003: 120ff). Blom-Hansen & Christensen (2004: 68)

measured EU influence on the national body of laws in a different manner. They reveal that although the EU does issue a large body of regulations applying to Denmark, not even in agriculture , which is the most affected policy area, it never amounts to more than 27 percent of the total, valid body of regulation.

Of course, these numbers should be interpreted with care. On the one hand, they do indicate significant EU influence on national political processes, while on the other they reflect considerable national latitude. Moreover, the interpretation of the development must not be too static. First of all, political integration in the EU has also provided influence to Denmark on decisions that could not be affected without EU membership. Second of all, in a hypothetical situation with no ceding of sovereignty, it is not certain that Denmark would have maintained full sovereignty. In many ways, the EU can be regarded as the nation states' guard against an undermining of sovereignty due to economic globalization.

Regardless of these considerations, the EU continues to embody formidable challenges to the national parliamentary chain of governance. These challenges are underlined, not least by the fact that the Folketing, as describe above, has trouble effectively controlling the government's EU policy. In addition, like most other EU citizens, the Danes are very skeptical of EU political institutions – despite a thorough democratization process in these institutions. Voter turnout for elections to the European Parliament (48 percent in 2004) is, as mentioned, much lower than turnout for national elections (87 percent in 2001).

Political internationalization challenges the parliamentary chain of governance, but does not undermine it. But what about economic internationalization?

Development regarding economic internationalization has been less drastic than has been the case with political internationalization. For several hundred years, Denmark has been deeply dependent on international trade. The commodity trade share of GNP remains at the same level as in 1913 (approximately 30 percent). This does not mean that Denmark's economic transactions with the world have not changed. Direct foreign investments across the Danish borders have grown significantly over the past 20 years, and the Danish capital markets are naturally affected by the sharp rise in financial speculation. The liberalization of capital trade has robbed Denmark of a number of traditional economic instruments.

Nevertheless, it appears as though economic globalization has only had limited negative consequences in relation to the chain of governance. Denmark is traditionally among the countries with least economic disparity. Moreover, in contrast to most other Western countries, economic globalization has not increased economic inequality over the

past 20 years (Andersen, 2003). For the same reason, Denmark has not experienced the tendency towards growing economic and political marginalization that characterizes most other countries. It appears as though Denmark, despite globalization, has managed to preserve most of the key features of the welfare state. The consequences of globalization are largely a result of national choices.

The Relationship between the People and the Administration
In Johan P. Olsen's original model for the parliamentary chain of governance, there is only one arrow from the administration to the people. As mentioned, Olsen's model portrays the citizenry as passive objects for the decisions of the administration. They are not active in relation to the decisions that affect them. We have expanded the model in Figure 1 with an active relation from the citizens to the administration. If the basis of the model is the notion of the sovereign people in possession of final control with public decisions via the parliamentary chain of governance, it must be in accordance with the model to demand that the people – in addition to the indirect influence on the administration's decisions – also have more direct opportunity to affect the decisions that ultimately affect their lives. The people ought to be involved in the implementation of decision.

This demand seems particularly obvious when we consider the conditions for democracy in the Scandinavian countries, where one of the most important democratization strategies for many years has been to bring the decisions "closer to the citizens." This was the idea behind the extensive decentralization of power to the local authorities in Denmark and behind the further decentralization to the institutional level and the establishment of user boards in schools, day-care institutions, etc. It also entails a considerable expansion of the scope for informal user influence. We can say that the essence of participatory democracy is that the individual citizen has influence on the conditions affecting his or her own everyday life (Andersen, 2004: 163). We will therefore look at the opportunities of the people to affect conditions in the health care system, in childcare institutions and in schools. We will also examine influence in the workplace, although the relation to the parliamentary chain of governance is less obvious here.

In 2000, a citizen survey describing the relations of the citizenry with the public authorities was carried out in Denmark as part of a large comparative study. In a twelve-month period, approximately half of the parents attempted to influence childcare or conditions at their child's school, while about one fifth of those suffering from illness (or

their relatives) had attempted to influence the healthcare system. No less than two-thirds had actively attempted to influence conditions at their workplace.

When it comes to schools, Danish users are more active than is the case in the eleven other European countries in the study, with the exception of Norway. Germany is at the other end of the scale, where only eighteen percent of the parents have attempted to influence the school. In healthcare, however, Denmark is below the mean, but at the very top in terms of influencing workplace conditions. If we look at perceived opportunities for influence, Danish parents are at the top. The same is true for the workplace, but not for the healthcare system. With healthcare as the exception, the Danes' informal participation must be described as extremely high. In particular, very few dissatisfied people feel they cannot do anything at all (Togeby et al., 2003: 64ff; Andersen, 2004: 163ff). In addition, the social inequality in this kind of participation is surprisingly low. It is actually no higher than in connection with voter turnout, meaning that it is lower than in most other forms of political participation (Andersen, 2004: 184; cf. Togeby, 2002: 93ff).

Unfortunately, we cannot go very far back in time on this subject, but comparison with 1990 indicates a slight increase in activity up through the 1990s, especially in connection with influence in the workplace (Andersen, 2004: 176). There is hardly any doubt that participation has been growing in the long term, since many of the forms of participations used here did not exist 30 or 40 years ago.

In general, forms of political participation appear to have changed with shifts from the input side to the output side, i.e. from actions targeted at the creation of political decisions towards actions targeted at their practical implementation; from cases with collective goals towards cases concerning the individual citizen and his/her family; there have also been changes from the formal political channels to the informal and situational and from collective actions to more individualized participation (Togeby et al., 2003: 66). Political participation has doubtlessly become more individualized, but participation and influence do not appear to have dwindled.

So what are the consequences of individualized participation? A common fear is a decline in social solidarity and greater focus on personal interests. This is not confirmed by our analyses, however. A comparison with the groups that have sought influence on the implementation of political decisions or on the workplace rejects, after control for relevant background factors, that persons using the individualized forms of activity are more negative towards collective activities or exhibit less social solidarity than others. On the contrary, it is the same people who participate on the output and on the input side (Andersen, 2004: 185ff).

We cannot conclude that the increased opportunities for participation in implementation strengthen the parliamentary chain of governance, but it is fair to say that the increased direct influence on the implementation of decisions compensates for the weakening of the chain of governance caused by the declining membership in political parties.

Conclusion

Measured in relation to the parliamentary chain of governance, recent developments in Danish democracy have been surprisingly positive. This is not to say that developments in all areas have headed in the right direction – on the contrary, we have also identified negative elements. However, we cannot claim that the development – as was expected by the committee that launched the Danish Democracy and Power Study – has resulted in a systematic weakening of the parliamentary chain of governance.

Among the positive elements is a growing political interest, a growing sense of efficacy and in recent years a high degree of political trust. Furthermore, there has been an observable increase in participation in connection with the implementation of political decisions, and more people exercise the right to have the authorities' decisions tried in court. Another positive aspect is that Denmark has maintained its very high voter turnout. As far as the relationship between the Folketing and the government is concerned, the ability of the Folketing to influence the preparation of legislation, as well as its ability to control the government, have increased, with the exception of EU matters, and the decline of the corporatist system has also shifted the balance of power in favor of the Folketing. Likewise, we conclude that the options of the politically responsible to govern the administration have been strengthened, just as the political responsiveness of the administration has increased. Overall, the capacity to govern appears to have grown. A final positive aspect worth mentioning is that economic globalization has not had a negative impact on the ability of Danish society to maintain a highly redistributive welfare state.

Among the negative aspects is that, in some areas, the individualization of political participation has augmented the social inequality, including slightly increasing inequality in voter turnout. In addition, the threat to the parliamentary chain of governance primarily stems from institutions outside the chain. The increased competence of national and international courts is one example. Another example is EU membership, which in many respects challenges the parliamentary chain of governance. A growing share of the political decisions in Denmark directly or indirectly refer to decisions made in the EU; however, the Folketing's control of the government in EU matters has suffered. A final

negative aspect worth mentioning is the increased impact of the media on politics, i.e. political communication increasingly takes place on the media's terms.

It can be difficult to weigh all these elements against one another, but it is definitely fair to conclude that the chain of governance has not been subjected to a systematic weakening; rather, the overall trend seems to be a marked individualization of political life. The political parties play a lesser role in their capacity as link between people and political and administrative authorities than previously was the case, while the more direct interaction between a resourceful population and the authorities plays a greater role. This development is unfortunate, especially on the grounds that it further undermines the resources of those who are already disadvantaged, thus rendering it more difficult for them to be heard in the political game. In contrast, other aspects of this development have benefited the disadvantaged, e.g. increased court control with the conduct of authorities.

The parliamentary chain of governance appears to have escaped serious damage, but it faces new challenges. The problems are different than they were 30-40 years ago. Moreover, Danish society as a whole is facing new challenges, which have nothing to do with the parliamentary chain of governance. One of the greatest challenges are linked to the increased immigration from third world countries – something Danish society has had a hard time coping with thus far.

A Norwegian power study has been running in parallel with the Danish study, and the final report was also published in the fall of 2003. The conclusions in the digest, which was written by a majority in the Norwegian steering committee, are far more negative than the Danish conclusions. It states "that the parliamentary chain of governance from voter to passage has been narrowed or broken into several links" (Østerud, Engelstad & Selle, 2003: 89). Many people have expressed wonder as to how two simultaneous studies of the democratic conditions in Denmark and Norway can reach two such contradictory results, especially in light of the relative similarity between the two countries.

And there is good reason to wonder. But there are differences in the developments in Denmark and Norway, which can explain these very diverging conclusions to a certain extent: voter turnout in Norway has decreased significantly, unlike in Denmark, and it is now around 10 percent lower than the Danish turnout; local autonomy in Norway is experiencing serious problems that do not exist in Denmark; minority parliamentarism appears to function more proficiently in Denmark than in Norway, perhaps because Denmark, unlike Norway, has a broader experience with minority governments; and the relationship with the EU creates democratic problems in both Denmark and Norway, but

they probably seem graver in Norway, which is not a member, but via the EEC-protocol has to comply with many of EU's decisions.

The timing of several developments also differs in the two countries. One way to describe it is that all of the misfortunes have hit Denmark earlier than the other Scandinavian countries. The development in the political parties is a good example. In Denmark, membership declined primarily in the 1960s and 1970s, but stabilized in the 1990s. In Norway, the decline in membership took place in the 1990s. In Denmark, the parties have had time to adapt to the low membership, while Norway is experiencing a stronger sense of fiasco. Denmark has learned to live with the fact that the parties only organize five percent of the voters. This situation obviously poses problems, but there have been fewer consequences than feared (Bille & Elklit (eds.), 2003; Togeby et al., 2003: 187ff).

When the Danish Democracy and Power Study considers recent developments, the natural basis for comparison is the political life in the 1970s, at which time the party system was dissolving, the governments unstable, and mistrust and voter movements at the max, the public sector was growing exponentially, and the economy was out of control. Conversely, the basis for comparison in the Norwegian power study would appear to be a sort of golden age of politics in which the parliamentary chain of governance appeared to work, and the great popular movements had a firm grip on the population.

Whatever the explanation, the Danish Democracy and Power Study is not as pessimistic regarding the state of contemporary representative democracy as is the Norwegian study. Looking back at the past 30-40 years, we cannot find evidence to conclude that the parliamentary chain of governance has suffered severe damage.

Notes:

[1] In this and subsequent cases translation from Danish sources is ours.
[2] The members of the Steering Committee were: Lise Togeby, Department of Political Science, University of Aarhus (chairman), Jørgen Goul Andersen, Department of Economics, Politics and Public Administration, Aalborg University, Peter Munk Christiansen, Department of Political Science, University of Southern Denmark at Odense, Torben Beck Jørgensen, Department of Political Science, University of Copenhagen, and Signild Vallgårda, Department of Health Services, Research Institute of Public Health, University of Copenhagen.
[3] A short version of the conclusions (Togeby et al., 2003b) can be downloaded at www.magtudredningen.dk. The site contains general information on the Democracy and Power Study, including a complete list of project publications.

[4] In many countries, voter turnout calculation is quite complicated, since not all countries maintain central records on eligible voters. Denmark has a complete civil register comprising the entire population, and voter turnout is simply calculated as the ratio of votes cast to number of eligible voters.

[5] 89 percent is the highest turnout ever measured.

[6] The Folketing can express a vote of non-confidence in an individual minister, who must then resign. This rule has never been exercised, but several ministers have resigned in anticipation of such a vote.

[7] All parties winning a minimum two percent of the general vote are represented in the Folketing by a number corresponding to their percentage of the general vote.

[8] For an English presentation of Danish party coalitions, see Miller (1996).

[9] The Folketing also demanded that important interest organizations be involved in negotiations on the formulation of these administratively determined rules. In so doing, the Folketing exercises an "external" check of the minister's administration.

[10] Cf. Frits Scharpf's (1997) concept of the "Shadow of Hierarchy."

[11] The Tvind Co-op consists of a number of educational institutions that also take in children and young people with a range of personal problems. Tvind has received extensive public subsidies for many years, but has always been politically controversial. Tvind's leadership is currently involved in extensive litigation, including charges of tax evasion and the like.

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