

# Democracy in Times of Populism

5<sup>th</sup> biannual German-South African dialogue on democracy

7 February 2020, Stellenbosch University, South Africa

In recent years, the term “populism” has moved from the periphery to the centre of democratic political thought. In Germany, it has been triggered by a range of global, European and internal events, including democratic backsliding in Poland and Hungary, the rise of right-wing (anti-EU and anti-immigration) populist parties across Europe, including in Germany, and of course Brexit. In South Africa, the interest in populism has also been triggered by a diverse range of phenomena. These include the growth in support of identity-based political parties, the xenophobic statements made by politicians from different political parties, and the low voter turnout during the May 2019 general election.

Populism is often portrayed as a threat to democracy, and is identified with new forms of authoritarianism

and “democratic backsliding”. Populist leaders and movements tend not only to criticize but to question the legitimacy and/or undermine the independence of a range of established institutions that perform key roles in constitutional democracies. These may include legislatures, political parties, courts, and law-enforcement agencies. It is thus tempting to view populism simply as a perversion of democracy, which erodes the commitment to open and pluralistic processes of deliberation and undermines the independence of institutions on which constitutional democracies depend. However, some authors caution that we should not be too quick to dismiss populism. Populism often arises from legitimate concerns. These include the weakening of the link between voters and their representatives, the introduction of new forms and levels of governance that lack democratic legitimacy, rises in social inequality and the weakening position of the working class. Secondly, it is sometimes claimed that the best strategy in the face of populist challenges

is for democratic institutions to become more open, accountable, participatory, pluralistic and responsive.

The 5<sup>th</sup> biannual conference is part of an ongoing dialogue between German and South African public law scholars on challenges facing democracy in their respective countries. It will use a legal-comparative lens to examine the relationship between populism and democracy, and the question how democracy and the democratic process are changed and need to be changed in times of rising populism. The conference’s reflections shall yield insights into the dynamics of populism and its implications for democracy that cut across the different contexts that frame the German and South African experiences.

## CONFERENCE PROGRAM

### Friday, February 7, 2020

9:30 - 10:30 Uhr  
Registration

10:30 - 10:45 Uhr  
Welcome Address

#### 1<sup>st</sup> panel: “Demos vs. Populus – The (Democratic) Beauty and the (Populist) Beast?”

10:45 - 11:15 Uhr  
Sen. Lect. Sanele Sibanda, School of Law, University of the Witwatersrand

10:15 - 11:45 Uhr  
Dr. Martin Heidebach, Institute for Politics and Public Law, Ludwig Maximilian University of Munich

11:45 - 12:45 Uhr  
Discussion

12:45 - 14:00 Uhr  
Lunch break (lunch served at the conference venue)

#### 2<sup>nd</sup> panel: “The Will of the People – And How to Find It”

14:00 - 14:30 Uhr  
Adj. Prof. Firoz Cachalia, School of Law, University of the Witwatersrand

14:30 - 15:00 Uhr  
Jun.-Prof. Dr. Anika Klafki, Chair of Public Law  
Friedrich-Schiller-University Jena

15:00 - 16:00 Uhr  
Discussion

16:00 - 16:30 Uhr  
Coffee break

#### 3<sup>rd</sup> panel: “Multilateralism in Times of Emerging Nationalism – Challenges to International Law Through Populism”

16:30 - 17:00 Uhr  
Prof. Dr. Dire Tladi, Department of Public Law and Institute for Comparative and International Law, University of Pretoria

17:00 - 17:30 Uhr  
Prof. Dr. Jörg Philipp Terhechte, Department of Public, European and International Law, Leuphana University Lüneburg

17:30 - 18:30 Uhr  
Discussion

18:30 - 18:35 Uhr  
Closing Address: Towards the 2022 meeting

## Organisation

Prof. Dr. Henk Botha, Professor of Constitutional Law, University of Stellenbosch

Prof. Dr. Wessel le Roux, Professor of Public Law, University of the Western Cape

Prof. Dr. Jelena Bäuml, Professor of Public and International Law, Leuphana University Lüneburg

Prof. Dr. Nils Schaks, Assistant Professor of Public Law, University of Mannheim

Prof. Dr. Dominik Steiger, Professor of International, European and Public Law, Technical University Dresden

## Registration & Further Information

There is no registration fee.

Please confirm your attendance by 15 January 2020 by contacting Ms Erika Dlephu via [elrikawhite@sun.ac.za](mailto:elrikawhite@sun.ac.za)

### Date & Place:

February 7, 2020  
Stellenbosch University, South Africa  
Conference Venue:  
Room 1028, Ou Hoofgebou, c/o Ryneveld and Victoria Streets

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