

## Summaries

*Justitiële verkenningen* (Judicial explorations) is published nine times a year by the Research and Documentation Centre of the Dutch Ministry of Justice in cooperation with Boom Juridische uitgevers. Each issue focuses on a central theme related to judicial policy. The section *Summaries* contains abstracts of the internationally most relevant articles of each issue. The central theme of this issue (nr. 2, 2007) is *Five years after Fortuyn*.

### **The glass house of democracy; political stardom after Fortuyn**

*D. Pels*

Pim Fortuyn literally embodied a major breakthrough in the ongoing process of mediatization and personalization of Dutch political culture. His spectacular performance exemplified the emergence of a new type of political celebrity, which has meanwhile become more common (in a less exuberant form). The enhanced public visibility furnished by the media enabled him to pose a significant challenge to the party-dominated political establishment. Since 2002 and the murder of Fortuyn we have accumulated five years of experience with the new politics of style and celebrity. It is interesting to reassess this phenomenon, since we are now in a better position to discern its true range of variation and its 'limit risks' across the broad spectrum which connects Balkenende (content without form) to Verdonk (form without content).

### **The heritage of four years of Leefbaar Rotterdam**

*J.J.C. van Ostaaijen and P.W. Tops*

Pim Fortuyn achieved his first electoral success in Rotterdam. His party Leefbaar Rotterdam became the biggest in Rotterdam in 2002. He succeeded in breaking the tradition of social-democratic rule. Four years later however the social democrats would be back in power. In this article the authors conclude that within these four years, Leefbaar Rotterdam had an impact on three areas. In the first place, it succeeded in making safety a main priority, establishing an overall approach based on a connection between prevention and repression. This helped to restore confidence of citizens in their city government. Secondly, more attention was given to implementation. Civil servants or projects that could show they focused on implementation were

given more resources and political support. Finally, especially near the end of its legislative term, Leefbaar Rotterdam focused on integration as its main issue. Negative announcements about Islam however made more immigrants cast their vote, which is one of the reasons why the social democrats and not Leefbaar Rotterdam became the biggest political party in 2006.

### **Fortuyn's heritage: the emancipated immigrant; the healing aspects of the debate on islam**

#### *A. Ellian*

Pim Fortuyn was the first politician to stress the need for a dialogue or polemic between the west and the Islam. After the killing of Fortuyn the emancipation of muslims and the essential aspects of Islam in relation to the Dutch legal order became an important theme in public debate. It is noteworthy that the driving forces behind this debate were intellectuals from the Islamic world itself. Nowhere in Europe did so many migrants participate in this social debate as in Holland. The debate did not lead to social isolation, on the contrary, it led to more muslim political participation. The author concludes with a call for respect for muslim dignity by not sparing them in a critical debate on Islam and multiculturalism.

### **On some developments in criminal law and the will of the people**

#### *C. Kelk*

Although criminal law is based on the will of the people, one of its classical principles is that it should be used sparingly and as a last resort. In the past decades, an increasing belief in the instrumental force of the criminal law already led to a substantial number of specific new provisions in the Criminal Code, and in general to an increasingly severe penal climate. This trend has been reinforced in the current social discourse of security and risk. Spurred on by the thinking articulated by Pim Fortuyn, the *vox populi* has become an expression of serious disenchantment, not only with too lenient sentencing, but also with a lack of influence by the people. Among other things, this has led to a call for lay participation in criminal process. Meanwhile, the pressures of spending cuts and a preoccupation with security have dealt a severe blow to the quality of life in prison and other criminal justice institutions. This coincides with the fear so often expressed by Fortuyn's party, that punishment in this country is too lenient.

### **Fortuyn was unique, his ideas weren't; an analysis of right wing populist parties in Europe**

*P. Lucardie*

Pim Fortuyn was a rare kind of politician, but his ideas were not very idiosyncratic at all. His combination of populism, liberal nationalism and economic liberalism may characterize a new family of political parties in Europe, as a brief survey will show. Some are more conservative in moral and cultural issues, however. Their electoral success can be attributed to convergence between the established parties, which often neglect issues like immigration, as well as to national traditions, charismatic leadership and institutional factors like the electoral system.

### **Between populism and right wing radicalism; similarities and differences between the 'Leefbaren', the 'fortuynisten' and Wilders**

*H.A. Wansink*

The Dutch 'Leefbaar' movement (established in 1994) and the 'Lijst Pim Fortuyn' (2002) can be characterized as classic populists. A typical populist movement consists of outsiders who, in the name of the 'common people', turn against the status quo political system which, in their view, does not take a sufficient interest in the problems of the voters. The mistrust of status quo political parties and elites is coupled with a broader critique on the functioning of representative democracy. The affective ties between the leader and his followers are more important than the content of the program. The aim of these populist parties is to put things right in one voting period – two at the most – after which the leader can focus on 'real life' again. In Holland the new right wing Partij voor de Vrijheid is more akin to right-extremist parties in other European countries. Its leader, Geert Wilders, is not at all a political outsider. In contrast to the movement of the 'leefbaren' and the 'fortuynisten', this party very well fits in the pattern of the European 'third wave of extreme right wing parties' as distinguished in contemporary political science.