

**Collective Performing of Democracy in *The Vienna Trials***

Anran Xu

LMU München

Institut für Theaterwissenschaft

## **Kurzvita**

Anran Xu ist Masterstudentin der Theaterforschung und kulturellen Praxis (Hauptfach) sowie Intercultural Communication (Nebenfach) an der Ludwig-Maximilians-Universität München (Notendurchschnitt 1,3). Sie absolvierte einen Austausch an der Albert-Ludwigs-Universität Freiburg (Vollstipendium) und einen Bachelor in Germanistik sowie Art and Visual Culture an der Universität Nanjing (1,3). Berufliche Erfahrungen umfassen Tätigkeiten als wissenschaftliche Hilfskraft (LMU), Hospitantin an den Münchner Kammerspielen sowie Projektarbeit im internationalen Theaterkontext in Hangzhou.

## **Abstract**

This thesis takes *The Vienna Trials* (later renamed *The Vienna Congress*), a key project of the Wiener Festwochen, as a case study in relational aesthetics and political performance. Through its careful staging—solemn venues, celebrity performers, and extended exchanges of dense information—it produced a highly active and open form of audience participation. Rather than a conventional two-hour theater evening, the Trials unfolded over three consecutive days, two to three weekends per year, thus fundamentally reshaping theatrical temporality.

Drawing on auto-ethnographic recollection, video documentation, and dramaturgical materials, I argue that the event was not only a theatrical simulation of democratic practices but also a collective performance of democracy itself—and, at times, of its failures. The spectators' presence, fatigue, attention shifts, and negotiations with the format turned the audience into co-performers. The theater space thus expanded beyond the stage, generating an unusual density of interaction that blurred the line between performer and spectator.

Equally, the economic structure of the project—low ticket prices stretched over exceptionally long performance durations—deliberately challenged the commodification and entertainment-orientation of contemporary theater. Instead, it created temporary, localized “micro-utopias” where empathy and laughter coexisted with scrutiny, critique, and endurance. The tension between the dramaturgical team's intended effects and the actual audience experience are central to my analysis, revealing achieved, failed, and unexpectedly realized theatrical outcomes.

Rather than focusing solely on the invited speakers (politicians, activists, intellectuals), I propose to interpret the *Trials* as performative democracy emerging from the audience's collective imagination of justice and fairness. Unlike politicians, who often arrived with strategic agendas, spectators spent entire weekends together simply out of interest in presence and engagement. Without their embodied attention—sitting, watching, being recorded in the official livestream—the most dramatic speeches risked collapsing

into mere spectacle. Ultimately, the seriousness and impact of the performance were evaluated and co-produced by the audience's unconscious performances.

The thesis will consist of a close reading of the opening session of *The Vienna Trials: Attacks on Democracy* (2024). Drawing on primary materials such as video documentations, transcripts of proceedings compiled by the author, and ethnological notes, the study further integrates contextual sources including interviews with dramaturgs and scholars as well as audience testimonies. Secondary literature encompasses research on courtroom drama, theories of realism, relational aesthetics, and the intersections of theater and politics, while engaging only marginally, if at all, with Milo Rau's published writings.

The study will be framed through four key concepts frequently referenced in scholarship on Rau and related works—Realism, Tribunal, Pre-enactment, and Utopia. Clarifying these terms in specific cases will help situate *The Vienna Trials* within broader traditions of political theater, from Greek tragedy to Brechtian realism, while also highlighting its engagement with contemporary relational aesthetics, where human interaction itself becomes the artistic medium. The analysis focuses on dramaturgical strategies such as opening statements, cross-examinations, and verdicts, exploring how these formal elements shape audience reception and influence perceptions of justice, legitimacy, and democracy. Situating *The Vienna Trials* within the broader lineage of performative legal interventions and political theater, the thesis ultimately seeks to articulate its distinctive contribution to contemporary debates on democracy in the arts.

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## Introduction

This thesis takes *The Vienna Trials* (later renamed *The Vienna Congress*), a key project of the Vienna Art Week, as a case study in relational aesthetics and political performance. Every trial unfolded over three consecutive days, spanning two to three weekends each year, thus fundamentally reshaping theatrical temporality. *The Vienna Trials: Attacks on Democracy* was one of the three-day tribunal performances created by Milo Rau during Vienna Art Week 2024. Structured as a symbolic court proceeding, politicians, lawyers, journalists and experts debated whether the FPÖ posed a threat to Austrian democracy, and if the FPÖ should be entitled to state funding for political parties. The defense was represented by Frauke Petry<sup>1</sup> and Markus Pretzell<sup>2</sup>, the prosecution by Alfred Noll<sup>3</sup> and Veronika Sengmüller<sup>4</sup>. Unlike conventional theatre, the performance delegated judgement to a citizen jury while continuously exposing the audience to conflicting political positions.

Several crucial incidents during the opening session destabilized the tribunal's appearance as a conventional legal hearing. Three key moments in which this framework was explicitly challenged. The first occurred during the opening statement of the invited witness Heide Schmidt, whose reflections questioned the practical possibility of determining democratic legitimacy through such a procedure. The second emerged in the speech of Christoph Plöchinger, who openly disrupted the courtroom format and reframed the entire event as a meta-experiment directed at the audience itself. The third and most direct contest took place as Frauke Petry raised a direct procedural objection against the fairness of the trial's structure. These challenges resulted in the court's authority being continuously

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<sup>1</sup> Frauke Petry is a German chemist and former politician, who served as federal chair of the Alternative für Deutschland and as a member of the German Bundestag and resigned in 2017.

<sup>2</sup> Markus Pretzell is a lawyer and former politician, who served as a Member of the European Parliament for the AfD and as a member of the Landtag of North Rhine–Westphalia, where he also held the position of state party chair.

<sup>3</sup> Alfred Noll is an Austrian jurist, lawyer, university lecturer, editor, non-fiction author, and former politician. From 2017 to 2019, he served as a member of the Austrian National Council representing the Liste Pilz.

<sup>4</sup> Veronika Sengmüller is a lawyer based in Salzburg, specializing in criminal law, family law, and marital and partnership law.

negotiated within the performative situation. Meanwhile, spectators of this event are frequently and continuously captured on camera and projected onto the large screen on stage, transforming the audience's act of watching and reflecting upon their own presence into an indispensable component of the work. It also fixes the image of spectators who do not necessarily wish to actively intervene in the performance as an integral part of the work within the online livestream.

Through its careful staging, the *Trials* produced a highly active and open form of audience participation. This created effects of complex, mediated self-observation that influenced audiences' perception of their incorporation into democratic practice, as well as the conditions under which democracy can—or cannot—be sustained as a performative process through the audience. Similarly, the economic structures of the project, such as low-priced performances stretching over exceptionally long durations, deliberately challenged the commodification and entertainment orientation of contemporary theater. Instead, it created temporary, localized “micro-utopias” where empathy and laughter coexisted with scrutiny, critique, and endurance. The tension between the intended effects of the dramaturgical team and the actual audience experience is central to my analysis, revealing (theatrical and democratic) outcomes that were achieved, failed, or realized in unexpected ways.

The article argues that the event, including both parties on- and off-stage, was a theatrical reproduction of democratic practices and a collective performance of democracy itself—and, at times, of its failures. The presence, fatigue, attention shifts, and negotiations with the format of the spectators turned them into co-performers. As this performative democracy emerges from the collective imagination of the audience with regard to justice and fairness, the audience functions as a crucial and fundamental democratic body. Unlike involved politicians who often arrived with strategic agendas, spectators spent entire weekends together simply out of interest in presence and engagement. Without their embodied attention, as they sat, watched, and were recorded in the official livestream, the most dramatic speeches risked collapsing into mere spectacle. Ultimately, the seriousness and impact of the performance were evaluated and co-produced by the audience's

unconscious co-performance.

Research on Milo Rau has predominantly emphasized his position within contemporary political and documentary theatre. Across these perspectives, recurring keywords structure the discourse: realism, documentary, tribunal theatre, *reenactment*, performative intervention, globality, and direct democracy.

A striking feature of the existing scholarship is its strong emphasis on political effect. The majority of studies foreground Rau's capacity to intervene in social conflicts, to generate media resonance, and to produce real-world consequences. The focus lies on activism, institutional critique, and the blurring of art and reality. What frequently remains in the background is a more differentiated analysis of how democratic legitimacy is produced within these theatrical procedures. Participation is often equated with agency; visibility with empowerment; intervention with efficacy. The structural asymmetries embedded within the tribunal format, such as hierarchies of speech, authorship, framing, are comparatively less examined. This tendency becomes particularly visible in discussions of the tribunal projects, where the emphasis on real political outcomes overshadows the internal dynamics of authority and participation within the performative event itself.

By shifting the analytical focus from political effect to procedural legitimacy, the study approaches the democratic dimension of tribunal theatre from a procedural perspective. The central thesis is that, in his latest trial series, Rau no longer primarily uses the tribunal form as a symbolic representation of institutions; instead, he uses it as a reflexive enactment of democratic legitimacy itself. In this procedure, the audience acts as a democratic body, and their participation becomes a constitutive element of the performance. This process reveals the fragility of participatory legitimacy and the structural tensions between representation, authority and collective agency.

## Collective Performing a Democratic Public

The legal trial is one of the most long-standing institutionalized attempts to organize an alignment of democratic legitimacies. Drawing on the theoretical perspectives of Jürgen Habermas, Hannah Arendt, and Antoine Garapon, trials and tribunals can be understood as functioning as democratic mechanisms in at least three interrelated ways: procedural legitimacy, through practices of reason-giving and adversarial exchange;<sup>5</sup> public visibility, through the exposure of authority to public scrutiny;<sup>6</sup> and symbolic affirmation, through ritualized forms that sustain collective trust.<sup>7</sup>

The public trial institutionalizes the democratic principle that authority must justify itself to a plurality of observers. It demonstrates that judgment does not emerge from arbitrary force, but from a visible and contestable process. In this sense, the trial is a political performance of legitimacy as well as a legal procedure, embodying both democratic visibility and hierarchical decision-making. Of course, these do not guarantee justice, nor do they eliminate structural inequalities. The paradox of the trial as a democratic mechanism lies in its highly centralized structure of authority: decision-making power resides with the judge, and the process reflects a clear hierarchical order.

### Performing Democracy in *The Vienna Trials*

Jürgen Habermas writes that “only those statutes may claim legitimacy that can meet with the assent of all citizens in a discursive process of legislation that in turn has been legally constituted.”<sup>8</sup> In this view, the validity of law depends not merely on its enactment by formal authority but on its susceptibility to rational justification within public processes

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<sup>5</sup> Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge, MA: MIT Press, 1996), 107–10.

<sup>6</sup> Hannah Arendt, *The Human Condition*, 2nd ed. (Chicago: University of Chicago Press, 1998), 198–200.

<sup>7</sup> Antoine Garapon, *Well Judged: On the Rituals of the Courtroom*, trans. Iain McLean (Stanford: Stanford University Press, 2001), 3–7.

<sup>8</sup> Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge, MA: MIT Press, 1996), 110.

of argumentation. The public character of the trial therefore signals that justice is not an opaque act of sovereign will but a procedure exposed to scrutiny and contestation. The first way in which *The Vienna Trials* gains democratic legitimacy is through such procedural legitimacy created by structured procedure of a trial. Even when the tribunal framework itself is questioned or attacked, the process continues to unfold according to its internal rules. Prosecutors and defenders are required to present arguments and respond to objections, publicly defending their claims against counterarguments. The procedural structure places the audience in a role similar to that of citizens. Spectators are positioned within a structure that requires continuous evaluation of the arguments and testimonies the speakers present with careful strategy.

However, the procedural inclusiveness remains fundamentally performative. The tribunal produces the experience of citizenship without granting actual political power.

One of the core principles of democratic procedure is competitive elections and uncertainty of outcome: democratic decisions must involve genuine competition, and their results cannot be predetermined. However, Rau's tribunal series has often been criticized precisely because its outcomes appear largely anticipated in advance, and this trial was no exception. The very first opening statement already indicated the likely result of the proceedings—an negative answer to the accusation, combined with a probable rejection of the proposal to withdraw public funding. The defense sought to challenge the legitimacy of the trial by attacking the arbitrariness of the procedure: “This ‘Communist collective movement’ has no constitution. Perhaps in the future it will establish political access criteria at an art festival and decide who may count as an artist. It also has no genuine procedural rules. The so-called procedural rules are merely a thirty-five-page director's script.”<sup>9</sup>

Even if the outcome of the trial is not predetermined, it is not the audience who decides the verdict, but rather the seven-member jury on stage, who represent the audience. The judgements formed by the audience do not produce institutional consequences. Spectators possess neither voting rights nor decision-making authority, and the tribunal's final

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<sup>9</sup> Exchange between Frauke Petry and the presiding judge, *The Vienna Trials: Attacks on Democracy*, Odeon Theater, Vienna, June 13, 2024. Author's transcript and translation.

conclusions do not alter existing political structures.

Participation therefore resembles a form of performative citizenship. What spectators experience is the process of judgement rather than the power to determine outcomes. Democracy is reproduced here as a structure of experience rather than as a structure of normative institutions. The audience participates in performing democracy while simultaneously remaining outside the sphere of any structural power. This paradox reveals an important dimension of democratic legitimacy: procedures themselves can generate the experience of participation, even when they are not accompanied by real political influence.

The second way in which *The Vienna Trials* performs democracy is through public visibility. During the performance, cameras continuously record the audience and project their images onto the screen. Spectators do not only observe the trial unfolding on stage; they also watch themselves as part of the spectacle, meanwhile becoming increasingly aware of their position as observers and as co-performers, and of that they are not only individual viewers but also part of a collective presence. At times, the audience incorporate themselves into the democratic scene, producing a form of psychological recognition and reinforcement of collective participation.

The space of appearance comes into being wherever men are together in the manner of speech and action.<sup>10</sup> Being seen and heard by others derive their significance from the fact that everybody sees and hears from a different position.<sup>11</sup> Within the theatrical situation of *The Vienna Trials*, public visibility emerges through roughly three interrelated conditions: shared temporality, shared attention, and mutual visibility. Spectators remain present at the same event at the same time, experiencing the unfolding discussion together over an extended period. This shared temporality concentrates attention on a common focal point; although spectators may hold different political positions, they follow the same debates and testimonies simultaneously. At the same time, spectators remain visible to one another,

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<sup>10</sup> Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), 199.

<sup>11</sup> Arendt, *The Human Condition*, 57.

observing not only the stage but also the presence and reactions of other viewers. The live camera further amplifies individual responses into a collective atmosphere. The public therefore emerges through the condition of appearing before and with others.<sup>12</sup>

Thirdly, *The Vienna Trials* temporarily reconstructs some of the symbolic conditions under which democratic legitimacy becomes possible. At the same time, the trial is not only a rational procedure but also a symbolic form. Legal theorist Antoine Garapon emphasizes the ritual dimension of the trial: “The staging of the judicial institution constitutes an essential ceremonial framework without which there can be no trial. The exercise of justice depends on ritual, which alone makes the act of judging plausible and credible.”<sup>13</sup> The spatial arrangement of the venue functioned as an embodiment of an imagined liberal Viennese polity, the “free republic of Vienna”. Within the broader framework of Vienna Art Week, whose programming appeared to construct a vision of a liberal cultural utopia, the tribunal performance played a particularly prominent role in materializing this vision. The monumental architecture of the Odeon Theatre evoked stability and the authority of law; the colorful flags in the auditorium and the unconventional lighting departed from the aesthetics of an ordinary courtroom and corresponded to an idealized imagination of pluralism; and the use of handwritten typography suggested grassroots, youthful, and approachable conception of democracy.

Meanwhile, the dramaturgy employed multiple strategies to construct this utopian image. In his opening remarks, Rau stated that the jury would “represent the people and examine the case both with regard to its factual truth and its republican usefulness.”<sup>14</sup> The comparatively low prices of tickets sought to evoke the idea of an accessible public sphere in which everyone has the right to participate. Likewise, the direct filming of the audience attempted to prompt spectators to imagine themselves as political subjects capable of

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<sup>12</sup> Hannah Arendt, *The Human Condition*, 2nd ed. (Chicago: University of Chicago Press, 1998), 199.

<sup>13</sup> Antoine Garapon, *Well Judged: On the Rituals of the Courtroom*, trans. Iain McLean (Stanford: Stanford University Press, 2001), 5.

<sup>14</sup> See appendix D: Rau’s Opening Speech in *The Vienna Trials*, 2nd weekend

exercising democratic judgment.

These mechanisms do not directly produce political decisions. Instead, they generate a symbolic collective experience among spectators. Collective reactions within the audience become part of the ritual structure itself, temporarily assembling a public at the level of affect. At the level of political opinion, the audience likely contains significant disagreement, and spectators may hold entirely different evaluations of the speakers. Yet even under conditions of political division, the emotional reactions of the audience often display a striking degree of synchronization. When certain statements provoke anger, the anger often spreads quickly across the auditorium. When tense or sensational remarks occur, similar bodily reactions appear among spectators, such as sighs or shifts in posture. These responses generate a collective emotional rhythm through which spectators share the same moment at the level of bodily experience. The public that emerges here is therefore an affective, symbolic public.

Climenhaga further argues that the political significance of Rau's reenactment projects cannot be measured simply through their direct political consequences. Instead, their political dimension often lies in the collective experience generated during the performance. Drawing on Jill Dolan's concept of the "utopian performative," she suggests that such experiences do not necessarily translate into immediate social action but create temporary moments in which spectators sense the possibility of a different political reality.<sup>15</sup> Seen from this perspective, the symbolic structure of *The Vienna Trials* enables spectators to share a collective experience through procedural and affective synchronization for a limited period of time. Democracy here appears neither as institutional decision-making nor solely as rational debate, but as a public condition that is temporarily produced through symbolic and emotional processes.

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<sup>15</sup> Lily M. Climenhaga, *Performing Global Justice: Cultural Interventions on the International Criminal Court and Beyond* (PhD diss., University of Toronto, 2021), 273; Jill Dolan, *Utopia in Performance: Finding Hope at the Theater* (Ann Arbor: University of Michigan Press, 2005), 5–7.

## The Audience as Democratic Body

In Climenhaga's research, Rau's tribunal series is described as a form of *pre-enactment*: by constructing symbolic institutional structures, these works respond to the absence or failure of real political institutions and create models of institutional practice that can be repeated and expanded—a political structure oriented toward the future.<sup>16</sup> Within this framework, Rau's tribunal performances act as sites of institutional experimentation and construct political institutions that does not yet exist. I suggest that such *pre-enactments* take place not only at the institutional level but also at the level of the public. Performing democratic institutions require not only formal structures but also a collective audience that is capable of listening, sustaining discussion and co-performing.

Within the frame of the *Trial*, the audience shall be comprehended as a public in the Arendtian sense. As Arendt argues, politics emerges through a condition of appearance in which individuals become political actors by appearing together in a shared space of mutual visibility.<sup>17</sup> When spectators enter the venue, the identity they carry is primarily individual and aesthetic. Before arriving at the performance, they browse websites, select a production, purchase tickets, and decide to attend. Until stepping into the solemn yet hybrid courtroom-like space of the performance, the audience occupies the position of cultural consumers. During the performance, however, this identity gradually begins to change. When the opening speeches can hardly balance between the internal frame of the performance and external political references, or when a politician begins promoting his conspiracy theory, spectators are compelled to recalibrate their positions. They must reconsider which version of truth they believe: the authority of the courtroom framework or the resistance against it.

This process, occurring in the minds of individual spectators, is captured and externalized by the cameras as a series of concentrated faces. Because everyone shares the same situation, each spectator can imagine others undergoing a similar process of democratic judgement, allowing an imagined community to emerge. Shared presence, attention, and

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<sup>16</sup> Climenhaga, *Performing Global Justice*, 288–289.

<sup>17</sup> Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), 50–58.

emotional responses thus become components of this temporary public. One might imagine the auditorium of *The Vienna Trial* completely empty: the questions and appeals addressed to the audience would lose their meaning, since no responses would be generated in spectators' minds. Without these responses and the assumption that others are undergoing similar reflections, the performance of democracy would not exist.

### **The Economy of Participation**

Democratic participation is often evaluated against a normative ideal of democracy. This ideal presupposes the broadest possible political inclusion, equal weighting of citizens' votes, genuine electoral competition, conditions that allow citizens to freely express and communicate their political preferences, etc. However, *The Vienna Trials* had very specific participation conditions that differed from the above, based on the distribution of resources, such as time, attention and presence. Although the performance tries its best to, symbolically and substantively, provide an open framework for participation, a "full participation" is structurally impossible. The practical conditions described above effectively filter the audience, producing a problematically homogeneous group of spectators.

Among the various resources required for participation in the performance, sustained attention appears to be one of the most decisive. Listening over extended periods demands cognitive engagement, emotional regulation, and patience. Building on the analysis above, I propose to understand the hyper-attention that was demanded in *The Vienna Trials* not as a by-product of theatrical entertainment, but as a form of democratic labor.

Compared with the fragmented attention characteristic of social media environments, the temporal structure of *The Vienna Trials* imposes a radically different mode of engagement. As Jonathan Crary argues, contemporary capitalism increasingly fragments and accelerates human attention, thereby eroding the temporal conditions necessary for sustained reflection and collective deliberation.<sup>18</sup> When attention is continuously divided and

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<sup>18</sup> Jonathan Crary, *24/7: Late Capitalism and the Ends of Sleep* (London: Verso, 2013), 13–18.

commodified, the capacity to sustain long public discussions becomes increasingly fragile. In this context, *The Vienna Trials* unfolds in a continuous timeframe that spectators cannot easily interrupt or accelerate, creating a theatrical situation that temporarily reconstructs a condition that contemporary media environments often undermine: the bodily manifestations of long, collective attention.

The realism of the performance manifests itself precisely through this experiential process: The *Trials* generates what might be described as procedural realism. Throughout the performance, spectators must remain present within a shared public space while maintaining attention toward the ongoing discussion. As time passes, irritative speeches and intensified arguments take place on stage, not in the name of theater, but in the name of reality. They force the audience to reconsider their attitude towards every expressed or implied idea, to relocate themselves in the sea of testimonies, and to make choices between numerous possibilities of reality. On one hand, huge amount of dense information was provided in the speeches and proceedings; on the other hand, the audience was still continuously lost due to too little information to be sure of what's happening.

The tense atmosphere and the conflict that seemed ready to erupt at any moment further compelled the audience to watch the trial with their full attention and physical engagement. Unlike in conventional theatre performances, where spectators know that the actors remain ultimately safe regardless of the intensity of the staged emotions or conflicts, the confrontations I witnessed demanded attention precisely because they did not appear purely performative. In this situation, attentiveness felt less like voluntary participation than a form of passive vigilance in response to perceived risk. The intensity of this immediate reaction integrates bodies and attention of spectators into the democratic process. The act of watching gradually transforms into something closer to labor of attention.

In conclusion, *The Vienna Trials* is not to be easily “consumed” in the typical manner of entertainment culture. Instead, the performance requires sustained temporal, physical and mental commitment. The publicness produced under these conditions is neither stable nor institutionalized, but temporary and contingent. The performance briefly reconstructs several

conditions necessary for democratic deliberation—shared time, collective attention, and mutual visibility—before these conditions inevitably dissolve again.

## **Evaluating Democratic Participation in *The Vienna Trials***

### **Democratic Legitimacy: Participation, Agency, (Self-)Efficacy**

What constitutes democratic participation in the context of *The Vienna Trials*? Is the inclusion of spectators in an open format sufficient, or must participation result in effective influence and political impact? In order to determine whether the *Trials* embody democracy or merely simulate its procedures, this chapter distinguishes between three interrelated yet analytically distinct dimensions: participation, agency and efficacy. Together, these dimensions provide criteria for evaluating democratic legitimacy.

Participation designates inclusion within collective decision-making procedures. In its minimal procedural definition, democracy is an institutional arrangement in which individuals gain decision-making power through competitive struggle for the people's vote.<sup>19</sup> Participation thus refers to structured access to voting, deliberation, and contestation. As Carole Pateman argues, participation also carries an educative dimension: through engagement in democratic processes, citizens develop competence and political capacity.<sup>20</sup> Participation concerns entry into a regulated arena of decision-making—but not necessarily control over it.

Agency refers to the capacity to act within and upon those structures. Anthony Giddens defines agency as the ability of actors to “make a difference” in a given social context.<sup>21</sup> Robert Dahl similarly emphasizes that democracy requires not merely participation but

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<sup>19</sup> Joseph A. Schumpeter, *Capitalism, Socialism and Democracy*, 3rd ed. (New York: Harper & Brothers, 1950), 269.

<sup>20</sup> Carole Pateman, *Participation and Democratic Theory* (Cambridge: Cambridge University Press, 1970), 24–43, esp. 42.

<sup>21</sup> Anthony Giddens, *The Constitution of Society: Outline of the Theory of Structuration* (Berkeley: University of California Press, 1984), 14–16.

effective control over political agendas and outcomes.<sup>22</sup> Agency therefore implies effective influence: the ability to shape decisions, initiate processes, and assume responsibility. A system may guarantee participatory rights while centralizing decision-making authority elsewhere. In such cases, participation exists without meaningful agency.

Efficacy introduces a further distinction. Political efficacy can be understood as the objective effectiveness of participation, i.e. whether actions actually produce consequences. By contrast, self-efficacy refers to the subjective belief in one's ability to effect change. Albert Bandura conceptualizes self-efficacy as the conviction that one's actions can produce desired outcomes.<sup>23</sup> Empirical studies show that such beliefs significantly influence political engagement.<sup>24</sup> In short, agency relates to the structural capacity to influence, efficacy relates to whether influence actually occurs, and self-efficacy concerns whether actors believe influence can occur. Without efficacy, agency remains merely formal, and without self-efficacy, participation risks becoming inert.

Beyond these distinctions lies the question of “publicness”. Democratic participation presupposes inclusion and influence, as well as a shared space in which claims can be made visible and contested. In his account of the public sphere, Jürgen Habermas describes democracy as being dependent on spaces for rational and critical debate, where private individuals come together as a public.<sup>25</sup> Although later critiques have exposed the exclusions embedded within such a model, the concept remains central: democracy requires a publicly accessible space where judgments can be formed and authority can be scrutinized. This dimension is particularly relevant for theatrical forms that explicitly present themselves as public forums.

From the perspective of democratic theory, both the procedural and the agonistic models converge on one point: that legitimacy does not arise automatically from

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<sup>22</sup> Robert A. Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989), 109–131, esp. 113–15.

<sup>23</sup> Albert Bandura, *Self-Efficacy: The Exercise of Control* (New York: W. H. Freeman, 1997), 3.

<sup>24</sup> Stephen C. Craig, Richard G. Niemi, and Glenn E. Silver, “Political Efficacy and Trust,” *Political Behavior* 12, no. 3 (1990): 289–314.

<sup>25</sup> Jürgen Habermas, *The Structural Transformation of the Public Sphere* (Cambridge, MA: MIT Press, 1989), 27–30.

participation. Procedural accounts, such as those articulated by Schumpeter and Dahl, ground legitimacy in regulated competition and institutionalized inclusion.<sup>26</sup> Agonistic approaches, as developed by Chantal Mouffe, emphasize the structured expression of conflict within shared democratic rules.<sup>27</sup>

Legitimacy can therefore be understood as the alignment of three levels: formal inclusion (participation), effective influence (agency and efficacy), and perceived meaningfulness (self-efficacy). When these levels diverge, i.e. when participation is offered without influence, or influence exists without perceived meaningfulness, democratic practice risks appearing symbolic rather than substantive.

The above alignment can be evaluated either normatively or performatively.

From a normative perspective, democratic procedures are considered legitimate because they are perceived as meaningful and fulfil substantive criteria such as equality of voice, effective influence over outcomes, and institutional accountability. When applied to political theatre, this perspective considers whether participation extends beyond mere symbolic inclusion to encompass structures of genuine agency. Are participants granted meaningful influence over proceedings, or does inclusion remain primarily procedural? In other words, normative legitimacy asks whether staged procedures approximate democratic standards beyond their aesthetic framing.

By contrast, from a performative perspective, legitimacy does not precede political practice as an external benchmark; rather, it emerges within the practice itself. Democratic legitimacy depends on whether participants experience the procedures as meaningful, responsive, and consequential. In the context of political theatre, the question becomes how performative structures generate—or fail to generate—a shared sense of agency and consequence. Here, legitimacy does not appear as a fixed norm to be fulfilled, but rather as a fragile achievement sustained through participation.

It is within this structural tension that the legitimacy of performed democracy emerges.

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<sup>26</sup> Dahl, *Democracy and Its Critics*, 221-35.

<sup>27</sup> Chantal Mouffe, *The Democratic Paradox* (London: Verso, 2000), 102–5.

Normative standards and lived experience do not always align. Democratic procedures may satisfy formal criteria yet be experientially hollow, or generate powerful recognition without institutional effect. The format of a performed trial makes these dynamics particularly observable. By focusing on visibility, procedure and role distribution within a defined framework, the performance reveals how legitimacy is produced, perceived or withheld.

To systematically assess democratic participation in *The Vienna Trials*, the following chapters return to this theoretical framework and tries clarify to what degree the event constitutes a factual or perceived democratic practice, and in what sense it fails or remains primarily symbolic. Through the analysis, it becomes clear that democratic legitimacy in *The Vienna Trials* emerges less through institutional decision-making than through the audience's collective performance as a democratic body.

### **Participation Through Observation**

Formally, *The Vienna Trials* appears to realize a highly open form of participation. The outcome of the trial is determined by seven witnesses, who attempt to represent the audience in making a decision and to simulate the audience's potential response. In selecting these witnesses, the dramaturgical team sought to include representatives of different social groups. However, in every respect, the decisions made by witnesses cannot substitute for those made by the audience. From the symbolic separation between the witness stand and the audience seating, to the fact that witnesses may have access to more information or instructions prior to the trial, to the audience forming an internal collective and being projected in real time, generating distinct external image—all of these factors demonstrate the unfeasibility of using witnesses to represent the audience in democratic practices. The audience thus appears as a collective that observes another collective—one it did not choose for itself—making a democratic decision on its behalf, while remaining free to retain its own opinions beyond the verdict.

From a normative perspective, this cannot be regarded as procedural participation in a

strict sense. The audience does not possess the authority to determine speaking order, set the agenda, or shape the framework of discussion, nor do spectators hold voting rights or the capacity to influence the direction of the debate. The selection of speakers, the formulation of questions, and the temporal structure of discussion are all arranged in advance by the curatorial team and the moderator. The public sphere presented by the performance is therefore itself a carefully constructed dramaturgical *dispositif*. From a performative perspective, however, spectators arguably do experience a genuine sense of participation. Such a sense does not necessarily require the actual distribution of political power. Being included within a procedure and being given the opportunity to exercise one's judgment within a shared setting can already produce a strong experience of involvement. The audience's silence does not signify absence; rather, precisely this silent observation constitutes a condition that allows the procedure to unfold.

### **Distributed Agency**

The question of agency can be concluded as follow: Who is actually able to influence the development of the event?

In *The Vienna Trials*, agency appears unevenly distributed among different roles. The defense and prosecution exercise strong and visible agency through their confrontation on stage. At the same time, the agency of the moderator and the curatorial team forms a more implicit tension with that of the invited speakers. In comparison, the scope for action available to the audience appears limited.

However, this does not mean that spectators entirely lack agency; rather, their agency is not given an explicitly performative outlet. Through collective reactions, the audience continuously influences the atmosphere and rhythm of the event. Applause may reinforce the authority of certain arguments, while silence or visible fatigue may weaken a speaker's persuasiveness. At times the audience remains restrained; at other moments it reacts with visible anger. When these expressions are magnified on screen, they acquire a particular

intensity, and the circulation of emotions can draw attention to logical inconsistencies or rhetorical shifts that might otherwise have gone unnoticed.

Audience agency also extends beyond the performance itself. During the proceedings, some spectators quietly exchange views with their companions; during breaks and after the event, spontaneous discussions emerge outside the theatre; some attendees express indignation at the fact that right-wing speakers were allowed to present their arguments. These reactions indicate that the performance activates a certain degree of agency among spectators. The limitation, however, is that this agency remains highly diffused and does not consolidate into a collective capacity for action. Such dispersed agency constitutes an important characteristic of the democratic practice enacted in *The Vienna Trials*. When the capacity to act is distributed across the entire audience, it becomes difficult to determine what exactly counts as a decision and who has made it. At the same time, this diffusion allows space for individual spectators to form and maintain their own judgments.

### **Experiential Efficacy**

Does this form of agency produce tangible consequences? From an institutional perspective, *The Vienna Trials* possesses no formal political authority. The verdict of the tribunal does not change the law nor directly influence government policy, and the dispersed judgments formed among the audience carry no binding force. However, the effects of the event may emerge after the performance itself, often in contingent and unpredictable ways.

For instance, following the session, a video excerpt of Frauke Petry's speech circulated widely online as a short clip, attracting attention from viewers who were otherwise unfamiliar with the performance. From a strictly political perspective, the impact of this circulation appears limited. Yet at the level of media dynamics, the event arguably contributed to the wider visibility of right-wing discourse.

More broadly, the efficacy of the performance may lie in the transformation of participants' understanding of political issues. Through the prolonged experience of

collective viewing and discussion, spectators may deepen their reflection on democratic practice. In this sense, the tribunal produces a performative efficacy that operates primarily on the cognitive and perceptual level. Participants gain a form of political experience: encountering political conflict, reflecting on complex issues within a shared public space, and engaging in sustained deliberation.

### **Self-Efficacy: The Experience and Sustainability of Democracy**

Research in political psychology suggests that people's willingness to engage in public affairs depends largely on whether they believe their participation can make a difference.<sup>28</sup> The political economist Anthony Downs famously argued in *An Economic Theory of Democracy* that voters often rely on information shortcuts when making electoral decisions.<sup>29</sup> Such decisions can remain relatively stable even when political knowledge is incomplete.<sup>30</sup> Judging specific public issues, however, is considerably more demanding. Participants must gather information, evaluate facts, weigh competing values, and assess long-term consequences that are inherently uncertain.<sup>31</sup> These cognitive demands can make democratic decision-making appear distant, complex, or even disempowering, sometimes reducing citizens' willingness to participate.

By transforming complex political questions into a public event that can be collectively witnessed, discussed, and evaluated, *The Vienna Trials* allows participants to re-experience the possibility of public deliberation. It may reinforce an important belief: that even in a time of political polarization, public discussion remains meaningful and capable of producing shared orientations. In my own experience, the event opened new perspectives on the details of democratic decision-making. After the session, we continued discussing the issues for

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<sup>28</sup> Stephen C. Craig, Richard G. Niemi, and Glenn E. Silver, "Political Efficacy and Trust: A Report on the NES Pilot Study Items," *Political Behavior* 12, no. 3 (1990): 289–314; Albert Bandura, *Self-Efficacy: The Exercise of Control* (New York: W. H. Freeman, 1997), 3-6.

<sup>29</sup> Anthony Downs, *An Economic Theory of Democracy* (New York: Harper & Row, 1957), 206–212.

<sup>30</sup> Samuel L. Popkin, *The Reasoning Voter: Communication and Persuasion in Presidential Campaigns* (Chicago: University of Chicago Press, 1991), 7–14.

<sup>31</sup> James S. Fishkin, *When the People Speak: Deliberative Democracy and Public Consultation* (Oxford: Oxford University Press, 2009), 33–38.

several hours. This may represent one of the performance's most valuable effects: it provides a sufficiently novel and complex situation that encourages extended and trusting conversation among participants.

Of course, different spectators may perceive their own degree of participation, agency, and self-efficacy very differently. Some may consider their reactions insignificant, since applause or silence appears unlikely to alter the overall trajectory of the discussion. Others may interpret their reactions as part of a collective response, believing that the accumulation of similar responses can influence the atmosphere of the event. The existence of a shared public situation therefore does not automatically translate into an individual sense of influence. It is precisely this plurality of perceived efficacy that, I argue, constitutes the democratic value of *The Vienna Trials*. By accommodating divergent experiences of participation and influence, the performance transforms spectatorship into a site where the meaning of democratic agency itself becomes open to negotiation.

## **Conclusion**

The analysis above shows that *The Vienna Trials* does not truly reproduce democratic institutions. Nevertheless, it reactivates several basic mechanisms on which democratic legitimacy depends. The procedures of public debate, the mutual visibility among spectators, and the symbolic authority generated by the ritual structure of the tribunal together produce a distinctive political experience. Public judgement in *The Vienna Trials* was not the result of institutional decision-making, but was performatively generated through the mutually visible reactions of the audience and their shared presence.

Yet within the theatrical context these mechanisms remain in a paradoxical state. Procedures exist, but no decisions follow; a public appears, but it possesses no institutional power; emotional resonance emerges, yet it does not necessarily produce political consensus. Democracy is therefore both activated and suspended.

For this reason, *The Vienna Trials* is neither an attempt to represent democracy nor the concrete legal procedures. It functions more like an experimental device that uses theatrical form to reveal the structural conditions on which democratic legitimacy depends. What spectators experience is not a complete democratic practice but the fragility and tensions inherent in democratic mechanisms themselves. Within this tension, *The Vienna Trials* highlights an important feature of democratic participation: Democracy only exists in practice when it is constantly reassembled through procedures, visibility and public presence.

Thus, *The Vienna Trials* reveals a fundamental paradox of performative democracy: The performance activates key mechanisms of democratic legitimacy while simultaneously suspending their institutional consequences. Democracy appears both present and absent: spectators experience the process of public judgment, yet remain excluded from the structures of decision-making. Notably, the performance does not attempt to resolve this contradiction. Instead, it seeks to render it perceptible.

From this perspective, the significance of *The Vienna Trials* lies in its capacity to generate real democratic effects through an imaginative and challenging simulation. It exposes the fragile foundations of democratic participations, demonstrating that democratic legitimacy does not automatically arise from institutions but depends on practices that must be continually enacted, by listening to opposing viewpoints, sustaining attention to shared concerns, and recognizing others as participants in a common public world. The performance normatively generates a form of self-efficacy, where participants are able to perceive themselves as members engaged in collective judgment. The democratic value of the event therefore lies less in its political outcomes than in its successful reconstruction of a shared public space. Theatre, through its capacity to organize co-presence and visibility, provides a particularly effective medium for making these practices observable.

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