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WHAT DEMOCRACY IS
. . . AND IS NOT

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For some time, the word democracy has been circulating as a debased currency in the political marketplace. Politicians with a wide range of convictions and practices strove to appropriate the label and attach it to their actions. Scholars, conversely, hesitated to use it—without adding qualifying adjectives—because of the ambiguity that surrounds it. The distinguished American political theorist Robert Dahl even tried to introduce a new term, "polyarchy," in its stead in the (vain) hope of gaining a greater measure of conceptual precision. But for better or worse, we are "stuck" with democracy as the catchword of contemporary political discourse. It is the word that resonates in people's minds and springs from their lips as they struggle for freedom and a better way of life; it is the word whose meaning we must discern if it is to be of any use in guiding political analysis and practice.

The wave of transitions away from autocratic rule that began with Portugal's "Revolution of the Carnations" in 1974 and seems to have crested with the collapse of communist regimes across Eastern Europe in 1989 has produced a welcome convergence towards a common definition of democracy.[1] Everywhere there has been a silent abandonment of dubious adjectives like "popular," "guided," "bourgeois," and "formal" to modify "democracy." At the same time, a remarkable consensus has emerged concerning the minimal conditions that polities must meet in order to merit the prestigious appellation of "democratic." Moreover, a number of international organizations now monitor how well these standards are met; indeed, some countries even consider them when formulating foreign policy.[2]

What Democracy Is

Let us begin by broadly defining democracy and the generic *concepts* that distinguish it as a unique system for organizing relations between rulers and the ruled. We will then briefly review *procedures*, the rules and arrangements that are needed if democracy is to endure. Finally, we will discuss two operative *principles* that make democracy work. They are not expressly included among the generic concepts or formal procedures, but the prospect for democracy is grim if their underlying conditioning effects are not present.

One of the major themes of this essay is that democracy does not consist of a single unique set of institutions. There are many types of democracy, and their diverse practices produce a similarly varied set of effects. The specific form democracy takes is contingent upon a country's socioeconomic conditions as well as its entrenched state structures and policy practices.

Modern political democracy is a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives.[3]

A *regime* or *system of governance* is an ensemble of patterns that determines the methods of access to the principal public offices; the characteristics of the actors admitted to or excluded from such access; the strategies that actors may use to gain access; and the rules that are followed in the making of publicly binding decisions. To work properly, the ensemble must be institutionalized—that is to say, the various patterns must be habitually known, practiced, and accepted by most, if not all, actors. Increasingly, the preferred mechanism of institutionalization is a written body of laws undergirded by a written constitution, though many enduring political norms can have an informal, prudential, or traditional basis.[4]

For the sake of economy and comparison, these forms, characteristics, and rules are usually bundled together and given a generic label. Democratic is one; others are autocratic, authoritarian, despotic, dictatorial, tyrannical, totalitarian, absolutist, traditional, monarchic, oligarchic, plutocratic, aristocratic, and sultanistic.[5] Each of these regime forms may in turn be broken down into subtypes.

Like all regimes, democracies depend upon the presence of *rulers*, persons who occupy specialized authority roles and can give legitimate commands to others. What distinguishes democratic rulers from nondemocratic ones are the norms that condition how the former come to power and the practices that hold them accountable for their actions.

The *public realm* encompasses the making of collective norms and choices that are binding on the society and backed by state coercion. Its content can vary a great deal across democracies, depending upon preexisting distinctions between the public and the private, state and society, legitimate coercion and voluntary exchange, and collective needs and individual preferences. The liberal conception of democracy advocates circumscribing the public realm as narrowly as possible, while the socialist or social-democratic approach would extend that realm through regulation, subsidization, and, in some cases, collective ownership of property. Neither is intrinsically more democratic than the other—just *differently* democratic. This implies that measures aimed at "developing the private sector" are no more democratic than those aimed at "developing the public sector." Both, if carried to extremes, could undermine the practice of democracy, the former by destroying the basis for satisfying collective needs and exercising legitimate authority; the latter by destroying the basis for satisfying individual preferences and controlling illegitimate government actions. Differences of opinion over the optimal mix of the two provide much of the substantive content of political conflict within established democracies.

Citizens are the most distinctive element in democracies. All regimes have rulers and a public realm, but only to the extent that they are democratic do they have citizens. Historically, severe restrictions on citizenship were imposed in most emerging or partial democracies according to criteria of age, gender, class, race, literacy, property ownership, taxpaying status, and so on. Only a small part of the total population was eligible to vote or run for office. Only restricted social categories were allowed to form, join, or support political associations. After protracted struggle—in some cases involving violent domestic upheaval or international war—most of these restrictions were lifted. Today, the criteria for inclusion are fairly standard. All native-born adults are eligible, although somewhat higher age limits may still be imposed upon candidates for certain offices. Unlike the early American and European democracies of the nineteenth century, none of the recent democracies in southern Europe, Latin America, Asia, or Eastern Europe has even attempted to impose formal restrictions on the franchise or eligibility to office. When it comes to informal restrictions on the effective exercise of citizenship rights, however, the story can be quite different. This explains the central importance (discussed below) of procedures.

Competition has not always been considered an essential defining condition of democracy. "Classic" democracies presumed decision making based on direct participation leading to consensus. The assembled citizenry was expected to agree on a common course of action after listening to the alternatives and weighing their respective merits and demerits. A tradition of hostility to "faction," and "particular interests" persists in democratic thought, but at least since *The Federalist Papers* it has become widely accepted that competition among factions is a necessary evil in democracies that operate on a more-than-local scale. Since, as James Madison argued, "the latent causes of faction are sown into the nature of man," and the possible remedies for "the mischief of faction" are worse than the disease, the best course is to recognize them and to attempt to control their effects.[6] Yet while democrats may agree on the inevitability of factions, they tend to disagree about the best forms and rules for governing factional competition. Indeed, differences over the preferred modes and boundaries of competition contribute most to distinguishing one subtype of democracy from another.

The most popular definition of democracy equates it with regular *elections*, fairly conducted and honestly counted. Some even consider the mere fact of elections—even ones from which specific parties or candidates are excluded, or in which substantial portions of the population cannot freely participate—as a sufficient condition for the existence of democracy. This fallacy has been called "electoralism" or "the faith that merely holding elections will channel political action into peaceful contests among elites and accord public legitimacy to the winners"—no matter how they are conducted or what else constrains those who win them.[7] However central to democracy, elections occur intermittently and only allow citizens to choose between the highly aggregated alternatives offered by political parties, which can, especially in the early stages of a democratic transition, proliferate in a bewildering variety. During the intervals between elections, citizens can seek to influence public policy through a wide variety of other intermediaries: interest associations, social movements, locality groupings, clientelistic arrangements, and so forth. *Modern democracy, in other words, offers a variety of competitive processes and channels for the expression of interests and values—associational as well as partisan, functional as well as territorial, collective as well as individual. All are integral to its practice.*

Another commonly accepted image of democracy identifies it with *majority rule*. Any governing body that makes decisions by combining the votes of more than half of those eligible and present is said to be democratic, whether that majority emerges within an electorate, a parliament, a committee, a city council, or a party caucus. For exceptional purposes (e.g., amending the constitution or expelling a member), "qualified majorities" of more than 50 percent may be required, but few would deny that democracy must involve some means of aggregating the equal preferences of individuals.

A problem arises, however, when *numbers* meet *intensities*. What happens when a properly assembled majority (especially a stable, self-perpetuating one) regularly makes decisions that harm some minority (especially a threatened cultural or ethnic group)? In these circumstances, successful democracies tend to qualify the central principle of majority rule in order to protect minority rights. Such qualifications can take the form of constitutional provisions that place certain matters beyond the reach of majorities (bills of rights); requirements for concurrent majorities in several different constituencies (confederalism); guarantees securing the autonomy of local or regional governments against the demands of the central authority (federalism); grand coalition governments that incorporate all parties (consociationalism); or the negotiation of social pacts between major social groups like business and labor (neocorporatism). The most common and effective way of protecting minorities, however, lies in the everyday operation of interest associations and social movements. These reflect (some would say, amplify) the different intensities of preference that exist in the population and bring them to bear on democratically elected decision makers. Another way of putting this intrinsic tension between numbers and intensities would be to say that "in modern democracies, votes may be counted, but influences alone are weighted."

Cooperation has always been a central feature of democracy. Actors must voluntarily make collective decisions binding on the polity as a whole. They must cooperate in order to compete. They must be capable of acting collectively through parties, associations, and movements in order to select candidates, articulate preferences, petition authorities, and influence policies.

But democracy's freedoms should also encourage citizens to deliberate among themselves, to discover their common needs, and to resolve their differences without relying on some supreme central authority. Classical democracy emphasized these qualities, and they are by no means extinct, despite repeated efforts by contemporary theorists to stress the analogy with behavior in the economic marketplace and to reduce all of democracy's operations to competitive interest maximization. Alexis de Tocqueville best described the importance of independent groups for democracy in his *Democracy in America*, a work which remains a major source of inspiration for all those who persist in viewing democracy as something more than a struggle for election and re-election among competing candidates.[8]

In contemporary political discourse, this phenomenon of cooperation and deliberation via autonomous group activity goes under the rubric of "civil society." The diverse units of social identity and interest, by remaining independent of the state (and perhaps even of parties), not only can restrain the arbitrary actions of rulers, but can also contribute to forming better citizens who are more aware of the preferences of others, more self-confident in their actions, and more civic-minded in their willingness to sacrifice for the common good. At its best, civil society provides an intermediate layer of governance between the individual and the state that is capable of resolving conflicts and controlling the behavior of members without public coercion. Rather than overloading decision makers with increased demands and making the system ungovernable,[9] a viable civil society can mitigate conflicts and improve the quality of citizenship—without relying exclusively on the privatism of the marketplace.

Representatives—whether directly or indirectly elected—do most of the real work in modern democracies. Most are professional politicians who orient their careers around the desire to fill key offices. It is doubtful that any democracy could survive without such people. The central question, therefore, is not whether or not there will be a political elite or even a professional political class, but how these representatives are chosen and then held accountable for their actions.

As noted above, there are many channels of representation in modern democracy. The electoral one, based on territorial constituencies, is the most visible and public. It culminates in a parliament or a presidency that is periodically accountable to the citizenry as a whole. Yet the sheer growth of government (in large part as a byproduct of popular demand) has increased the number, variety, and power of agencies charged with making public decisions and not subject to elections. Around these agencies there has developed a vast apparatus of specialized representation based largely on functional interests, not territorial constituencies. These interest associations, and not political parties, have become the primary expression of civil society in most stable democracies, supplemented by the more sporadic interventions of social movements.

The new and fragile democracies that have sprung up since 1974 must live in "compressed time." They will not resemble the European democracies of the nineteenth and early twentieth centuries, and they cannot expect to acquire the multiple channels of representation in gradual historical progression as did most of their predecessors. A bewildering array of parties, interests, and movements will all simultaneously seek political influence in them, creating challenges to the polity that did not exist in earlier processes of democratization.

Procedures That Make Democracy Possible

The defining components of democracy are necessarily abstract, and may give rise to a considerable variety of institutions and subtypes of democracy. For democracy to thrive, however, specific procedural norms must be followed and civic rights must be respected. Any polity that fails to impose such restrictions upon itself, that fails to follow the "rule of law" with regard to its own procedures, should not be considered democratic. These procedures alone do not define democracy, but their presence is indispensable to its persistence. In essence, they are necessary but not sufficient conditions for its existence.

Robert Dahl has offered the most generally accepted listing of what he terms the "procedural minimal" conditions that must be present for modern political democracy (or as he puts it, "polyarchy") to exist:

> 1) Control over government decisions about policy is constitutionally vested in elected officials.
>
> 2) Elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon.
>
> 3) Practically all adults have the right to vote in the election of officials.
>
> 4) Practically all adults have the right to run for elective offices in the government. . . .
>
> 5) Citizens have a right to express themselves without the danger of severe punishment on political matters broadly defined. . . .
>
> 6) Citizens have a right to seek out alternative sources of information. Moreover, alternative sources of information exist and are protected by law.
>
> 7) . . . . Citizens also have the right to form relatively independent associations or organizations, including independent political parties and interest groups.[10]

These seven conditions seem to capture the essence of procedural democracy for many theorists, but we propose to add two others. The first might be thought of as a further refinement of item (1), while the second might be called an implicit prior condition to all seven of the above.

8) Popularly elected officials must be able to exercise their constitutional powers without being subjected to overriding (albeit informal) opposition from unelected officials. Democracy is in jeopardy if military officers, entrenched civil servants, or state managers retain the capacity to act independently of elected civilians or even veto decisions made by the people's representatives. Without this additional caveat, the militarized polities of contemporary Central America, where civilian control over the military does not exist, might be classified by many scholars as democracies, just as they have been (with the exception of Sandinista Nicaragua) by U.S. policy makers. The caveat thus guards against what we earlier called "electoralism"—the tendency to focus on the holding of elections while ignoring other political realities.

9) The polity must be self-governing; it must be able to act independently of constraints imposed by some other overarching political system. Dahl and other contemporary democratic theorists probably took this condition for granted since they referred to formally sovereign nation-states. However, with the development of blocs, alliances, spheres of influence, and a variety of "neocolonial" arrangements, the question of autonomy has been a salient one. Is a system really democratic if its elected officials are unable to make binding decisions without the approval of actors outside their territorial domain? This is significant

even if the outsiders are themselves democratically constituted and if the insiders are relatively free to alter or even end the encompassing arrangement (as in Puerto Rico), but it becomes especially critical if neither condition obtains (as in the Baltic states).

Principles That Make Democracy Feasible

Lists of component processes and procedural norms help us to specify what democracy is, but they do not tell us much about how it actually functions. The simplest answer is "by the consent of the people"; the more complex one is "by the contingent consent of politicians acting under conditions of bounded uncertainty."

In a democracy, representatives must at least informally agree that those who win greater electoral support or influence over policy will not use their temporary superiority to bar the losers from taking office or exerting influence in the future, and that in exchange for this opportunity to keep competing for power and place, momentary losers will respect the winners' right to make binding decisions. Citizens are expected to obey the decisions ensuing from such a process of competition, provided its outcome remains contingent upon their collective preferences as expressed through fair and regular elections or open and repeated negotiations.

The challenge is not so much to find a set of goals that command widespread consensus as to find a set of rules that embody contingent consent. The precise shape of this "democratic bargain," to use Dahl's expression,[11] can vary a good deal from society to society. It depends on social cleavages and such subjective factors as mutual trust, the standard of fairness, and the willingness to compromise. It may even be compatible with a great deal of dissensus on substantive policy issues.

All democracies involve a degree of uncertainty about who will be elected and what policies they will pursue. Even in those polities where one party persists in winning elections or one policy is consistently implemented, the possibility of change through independent collective action still exists, as in Italy, Japan, and the Scandinavian social democracies. If it does not, the system is not democratic, as in Mexico, Senegal, or Indonesia.

But the uncertainty embedded in the core of all democracies is bounded. Not just any actor can get into the competition and raise any issue he or she pleases—there are previously established rules that must be respected. Not just any policy can be adopted—there are conditions that must be met. Democracy institutionalizes "normal," limited political uncertainty. These boundaries vary from country to country. Constitutional guarantees of property, privacy, expression, and other rights are a part of this, but the most effective boundaries are generated by competition among interest groups and cooperation within civil society. Whatever the rhetoric (and some polities appear to offer their citizens more dramatic alternatives than others), once the rules of contingent consent have been agreed upon, the actual variation is likely to stay within a predictable and generally accepted range.

This emphasis on operative guidelines contrasts with a highly persistent, but misleading theme in recent literature on democracy—namely, the emphasis upon "civic culture." The principles we have suggested here rest on rules of prudence, not on deeply ingrained habits of tolerance, moderation, mutual respect, fair play, readiness to compromise, or trust in public authorities. Waiting for such habits to sink deep and lasting roots implies a very slow process of regime consolidation—one that takes generations—and it would probably condemn most contemporary experiences *ex hypothesi* to failure. Our assertion is that contingent consent and bounded uncertainty can emerge from the interaction between antagonistic and mutually suspicious actors and that the far more benevolent and ingrained norms of a civic culture are better thought of as a *product* and not a producer of democracy.

How Democracies Differ

Several concepts have been deliberately excluded from our generic definition of democracy, despite the fact that they have been frequently associated with it in both everyday practice and scholarly work. They are, nevertheless, especially important when it comes to distinguishing subtypes of democracy. Since no single set of actual institutions, practices, or values embodies democracy, polities moving away from authoritarian rule can mix different components to produce different democracies. It is important to recognize that these do not define points along a single continuum of improving performance, but a matrix of potential combinations that are *differently* democratic.

1) *Consensus:* All citizens may not agree on the substantive goals of political action or on the role of the state (although if they did, it would certainly make governing democracies much easier).

2) *Participation:* All citizens may not take an active and equal part in politics, although it must be legally possible for them to do so.

3) *Access:* Rulers may not weigh equally the preferences of all who come before them, although citizenship implies that individuals and groups should have an equal opportunity to express their preferences if they choose to do so.

4) *Responsiveness:* Rulers may not always follow the course of action

preferred by the citizenry. But when they deviate from such a policy, say on grounds of "reason of state" or "overriding national interest," they must ultimately be held accountable for their actions through regular and fair processes.

5) *Majority rule:* Positions may not be allocated or rules may not be decided solely on the basis of assembling the most votes, although deviations from this principle usually must be explicitly defended and previously approved.

6) *Parliamentary sovereignty:* The legislature may not be the only body that can make rules or even the one with final authority in deciding which laws are binding, although where executive, judicial, or other public bodies make that ultimate choice, they too must be accountable for their actions.

7) *Party government:* Rulers may not be nominated, promoted, and disciplined in their activities by well-organized and programmatically coherent political parties, although where they are not, it may prove more difficult to form an effective government.

8) *Pluralism:* The political process may not be based on a multiplicity of overlapping, voluntaristic, and autonomous private groups. However, where there are monopolies of representation, hierarchies of association, and obligatory memberships, it is likely that the interests involved will be more closely linked to the state and the separation between the public and private spheres of action will be much less distinct.

9) *Federalism:* The territorial division of authority may not involve multiple levels and local autonomies, least of all ones enshrined in a constitutional document, although some dispersal of power across territorial and/or functional units is characteristic of all democracies.

10) *Presidentialism:* The chief executive officer may not be a single person and he or she may not be directly elected by the citizenry as a whole, although some concentration of authority is present in all democracies, even if it is exercised collectively and only held indirectly accountable to the electorate.

11) *Checks and balances:* It is not necessary that the different branches of government be systematically pitted against one another, although governments by assembly, by executive concentration, by judicial command, or even by dictatorial fiat (as in time of war) must be ultimately accountable to the citizenry as a whole.

While each of the above has been named as an essential component of democracy, they should instead be seen either as indicators of this or that type of democracy, or else as useful standards for evaluating the performance of particular regimes. To include them as part of the generic definition of democracy itself would be to mistake the American polity for the universal model of democratic governance. Indeed, the parliamentary, consociational, unitary, corporatist, and concentrated arrangements of continental Europe may have some unique virtues for guiding polities through the uncertain transition from autocratic to democratic rule.[12]

What Democracy Is Not

We have attempted to convey the general meaning of modern democracy without identifying it with some particular set of rules and institutions or restricting it to some specific culture or level of development. We have also argued that it cannot be reduced to the regular holding of elections or equated with a particular notion of the role of the state, but we have not said much more about what democracy is not or about what democracy may not be capable of producing.

There is an understandable temptation to load too many expectations on this concept and to imagine that by attaining democracy, a society will have resolved all of its political, social, economic, administrative, and cultural problems. Unfortunately, "all good things do not necessarily go together."

First, democracies are not necessarily more efficient economically than other forms of government. Their rates of aggregate growth, savings, and investment may be no better than those of nondemocracies. This is especially likely during the transition, when propertied groups and administrative elites may respond to real or imagined threats to the "rights" they enjoyed under authoritarian rule by initiating capital flight, disinvestment, or sabotage. In time, depending upon the type of democracy, benevolent long-term effects upon income distribution, aggregate demand, education, productivity, and creativity may eventually combine to improve economic and social performance, but it is certainly too much to expect that these improvements will occur immediately—much less that they will be defining characteristics of democratization.

Second, democracies are not necessarily more efficient administratively. Their capacity to make decisions may even be slower than that of the regimes they replace, if only because more actors must be consulted. The costs of getting things done may be higher, if only because "payoffs" have to be made to a wider and more resourceful set of clients (although one should never underestimate the degree of corruption to be found within autocracies). Popular satisfaction with the new democratic government's performance may not even seem greater, if only because necessary compromises often please no one completely, and because the losers are free to complain.

Third, democracies are not likely to appear more orderly, consensual, stable, or governable than the autocracies they replace. This is partly a byproduct of democratic freedom of expression, but it is also a reflection of the likelihood of continuing disagreement over new rules and institutions. These products of imposition or compromise are often initially quite ambiguous in nature and uncertain in effect until actors have learned how to use them. What is more, they come in the aftermath of serious struggles motivated by high ideals. Groups and individuals with recently acquired autonomy will test certain rules, protest against the actions of certain institutions, and insist on renegotiating their part of the bargain. Thus the presence of antisystem parties should be neither surprising nor seen as a failure of democratic consolidation. What counts is whether such parties are willing, however reluctantly, to play by the general rules of bounded uncertainty and contingent consent. Governability is a challenge for all regimes, not just democratic ones. Given the political exhaustion and loss of legitimacy that have befallen autocracies from sultanistic Paraguay to totalitarian Albania, it may seem that only democracies can now be expected to govern effectively and legitimately. Experience has shown, however, that democracies too can lose the ability to govern. Mass publics can become disenchanted with their performance. Even more threatening is the temptation for leaders to fiddle with procedures and ultimately undermine the principles of contingent consent and bounded uncertainty. Perhaps the most critical moment comes once the politicians begin to settle into the more predictable roles and relations of a consolidated democracy. Many will find their expectations frustrated; some will discover that the new rules of competition put them at a disadvantage; a few may even feel that their vital interests are threatened by popular majorities.

Finally, democracies will have more open societies and polities than the autocracies they replace, but not necessarily more open economies. Many of today's most successful and well-established democracies have historically resorted to protectionism and closed borders, and have relied extensively upon public institutions to promote economic development. While the long-term compatibility between democracy and capitalism does not seem to be in doubt, despite their continuous tension, it is not clear whether the promotion of such liberal economic goals as the right of individuals to own property and retain profits, the clearing function of markets, the private settlement of disputes, the freedom to produce without government regulation, or the privatization of state-owned enterprises necessarily furthers the consolidation of democracy. After all, democracies do need to levy taxes and regulate certain transactions, especially where private monopolies and oligopolies exist. Citizens or their representatives may decide that it is desirable to protect the rights of collectivities from encroachment by individuals, especially propertied ones, and they may choose to set aside certain forms of property for public or cooperative ownership. In short, notions of economic liberty that are currently put forward in neoliberal economic models are not synonymous with political freedom—and may even impede it.

Democratization will not necessarily bring in its wake economic growth, social peace, administrative efficiency, political harmony, free markets, or "the end of ideology." Least of all will it bring about "the end of history." No doubt some of these qualities could make the consolidation of democracy easier, but they are neither prerequisites for it nor immediate products of it. Instead, what we should be hoping for is the emergence of political institutions that can peacefully compete to form governments and influence public policy, that can channel social and economic conflicts through regular procedures, and that have sufficient linkages to civil society to represent their constituencies and commit them to collective courses of action. Some types of democracies, especially in developing countries, have been unable to fulfill this promise, perhaps due to the circumstances of their transition from authoritarian rule.[13] The democratic wager is that such a regime, once established, will not only persist by reproducing itself within its initial confining conditions, but will eventually expand beyond them.[14] Unlike authoritarian regimes, democracies have the capacity to modify their rules and institutions consensually in response to changing circumstances. They may not immediately produce all the goods mentioned above, but they stand a better chance of eventually doing so than do autocracies.

NOTES

1. For a comparative analysis of the recent regime changes in southern Europe and Latin America, see Guillermo O'Donnell, Philippe C. Schmitter, and Laurence Whitehead, eds., *Transitions from Authoritarian Rule*, 4 vols. (Baltimore: Johns Hopkins University Press, 1986). For another compilation that adopts a more structural approach, see Larry Diamond, Juan Linz, and Seymour Martin Lipset, eds., *Democracy in Developing Countries*, vols. 2, 3, and 4 (Boulder, Colo.: Lynne Rienner, 1989).

2. Numerous attempts have been made to codify and quantify the existence of democracy across political systems. The best known is probably Freedom House's *Freedom in the World: Political Rights and Civil Liberties*, published since 1973 by Greenwood Press and since 1988 by University Press of America. Also see Charles Humana, *World Human Rights Guide* (New York: Facts on File, 1986).

3. The definition most commonly used by American social scientists is that of Joseph Schumpeter: "that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote." *Capitalism, Socialism and Democracy* (London: George Allen and Unwin, 1943), 269. We accept certain aspects of the classical procedural approach to modern democracy, but differ primarily in our emphasis on the accountability of rulers to citizens and the relevance of mechanisms of competition other than elections.

4. Not only do some countries practice a stable form of democracy without a formal constitution (e.g., Great Britain and Israel), but even more countries have constitutions and legal codes that offer no guarantee of reliable practice. On paper, Stalin's 1936 constitution for the USSR was a virtual model of democratic rights and entitlements.

5. For the most valiant attempt to make some sense out of this thicket of distinctions, see Juan J. Linz, "Totalitarian and Authoritarian Regimes" in Fred I. Greenstein and Nelson W. Polsby, eds., *Handbook of Political Science*, vol. 3 (Reading, Mass.: Addison Wesley, 1975), 175–411.

6. "Publius" (Alexander Hamilton, John Jay, and James Madison), *The Federalist Papers* (New York: Anchor Books, 1961). The quote is from Number 10.

7. See Terry Karl, "Imposing Consent? Electoralism versus Democratization in El Salvador," in Paul Drake and Eduardo Silva, eds., *Elections and Democratization in Latin America, 1980–1985* (San Diego: Center for Iberian and Latin American Studies, Center for US/Mexican Studies, University of California, San Diego, 1986), 9–36.

8. Alexis de Tocqueville, *Democracy in America*, 2 vols. (New York: Vintage Books, 1945).

9. This fear of overloaded government and the imminent collapse of democracy is well reflected in the work of Samuel P. Huntington during the 1970s. See especially Michel Crozier, Samuel P. Huntington, and Joji Watanuki, *The Crisis of Democracy* (New York: New York University Press, 1975). For Huntington's (revised) thoughts about the prospects for democracy, see his "Will More Countries Become Democratic?," *Political Science Quarterly* 99 (Summer 1984): 193–218.

10. Robert Dahl, *Dilemmas of Pluralist Democracy* (New Haven: Yale University Press, 1982), 11.

11. Robert Dahl, *After the Revolution: Authority in a Good Society* (New Haven: Yale University Press, 1970).

12. See Juan J. Linz, "The Perils of Presidentialism," *Journal of Democracy* 1 (Winter 1990): 51–69, and the ensuing discussion by Donald Horowitz, Seymour Martin Lipset, and Juan Linz in *Journal of Democracy* 1 (Fall 1990): 73–91.

13. Terry Lynn Karl, "Dilemmas of Democratization in Latin America," *Comparative Politics* 23 (October 1990): 1–23.

14. Otto Kirchheimer, "Confining Conditions and Revolutionary Breakthroughs," *American Political Science Review* 59 (1965): 964–74.

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WHAT MAKES ELECTIONS FREE AND FAIR?

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It was late in the afternoon in Kampala on 31 March 1994. Journalists were waiting impatiently for an announcement from international election observers. United Nations officials stated for the third time their argument that the observers should declare the March 28 elections for Uganda's Constituent Assembly "free and fair." But the election observers avoided that phrase. They had monitored only part of the electoral process; moreover, they knew that calling the election "free and fair" would hinder or preclude discussion of the problems they had discovered. In the end, the elections in Uganda—which were no worse than many other elections that have taken place in emerging democracies—were not declared "free and fair."

As this incident shows, election observers encounter great pressure—and not just from overeager journalists—to judge whether the elections in question were "free and fair." Indeed, sometimes it seems that this is all people want to know. "Free and fair" has become the catchphrase of UN officials, journalists, politicians, and political scientists alike. It exemplifies what Giovanni Sartori once called "conceptual stretching": "The wider the world under investigation, the more we need conceptual tools that are able to travel."[1] But what actually constitutes a "free and fair" election? Does the phrase mean only that the election was "acceptable," or does it imply something more?

International organizations have long been involved in monitoring and assessing elections and referendums. Especially notable has been the UN's role in referendums on independence, which began to take place in the late 1950s. Before the UN could recognize former colonies and trust territories as independent states, it had to know whether these votes had been "free and fair."[2] This concept supposedly made its first appearance in a report on Togoland's 1956 independence referendum.[3]

The UN's involvement in the November 1989 referendum in Namibia was fundamentally different: In that case the vote was not just an element of the colony's long liberation process but also an integral part of the UN's peacekeeping efforts in the area. In February 1990, the UN supervised presidential and legislative elections in Nicaragua. Interestingly, this was done at the request of the country itself, and as part of an assessment of the entire electoral process, not just of election-day events. Thus the UN acquired a major role in the electoral process of an independent member country—something that not all UN members saw as a positive development.

Subsequent elections and referendums in which the UN has been directly involved, either as part of peacekeeping efforts or because the countries in question sought its approval, include those in Haiti (December 1990), Angola (September 1992), Cambodia (May 1993), and Mozambique (October 1994). One might add to that list Eritrea (April 1993), South Africa (April 1994), and Malawi (June 1993 and May 1994), though the UN's involvement in these cases was less extensive and due in part to other factors.[4]

Besides the civil war–torn countries noted above, many other nations have taken dramatic steps toward democracy during the past decade. In many cases, individual Western countries have provided support for these developments; in other cases, the primary actors have been international organizations other than the UN (especially the Organization of American States, the European Union, the Organization for Security and Co-operation in Europe, the Inter-Parliamentary Union, and the Commonwealth Secretariat). Both national and international nongovernmental organizations (NGOs) have also become involved. Many of these NGOs have received substantial funding from governments and other public sources.[5]

Over the past decade, countless election observers have been dispatched to every region of the globe. This increased activity has been accompanied by an intensified demand for standardized assessment criteria, but the development of "checklists" has been hindered by disagreement over what should be included.[6] In addition, cooperation among different countries, organizations, and election authorities has been uneven. Thus a discussion of the basis on which an election or referendum can be labeled "free and fair," or at least "acceptable," is long overdue.

Although criteria for declaring an election "free and fair" have been developed in various contexts, translating such theoretical concepts into a comprehensive list of factors to consider has proved difficult. Equally daunting are the methodological problems of determining whether a particular electoral process meets the established criteria and combining the different "measurements" on various dimensions into a single score.[7] One approach is to study various aspects of the process (for example, the electoral system, the voter-registration system, media access, campaign rules, ballot counting) and then assess whether conditions within each area promote or hamper the freedom and fairness of the election.[8] Here we take a different approach. Drawing on the work of Robert Dahl, we start by examining the relationship between elections and democratic development. This provides a basis for defining the concepts "free" and "fair." We then present a list of assessment criteria and examine the value of such a list in actual practice.

Voting and Democratic Transitions

It is not surprising that politicians and voters in formerly colonized or nondemocratic countries—as well as individuals, countries, and international organizations that subscribe to democratic principles—take a great interest in elections and referendums. Yet this has contributed to the development of a distorted picture of the process of democratic transition: The poll itself has become the focus of attention, acquiring an importance that has no basis in either democratic theory or practical politics.[9]

A common misperception is that any country in which elections have been held without too many obvious irregularities can be called a "democracy." This attitude has been most easily discerned in U.S. policy toward some South and Central American countries, but it can also be identified in the foreign policy of other nations.[10] Yet if the ultimate objective is to encourage continuous development toward a well-functioning democracy, the *prerequisites* of democratic elections must not be ignored.

Robert Dahl has identified a number of "institutional prerequisites" of democracy. One of these is free and fair elections. Yet Dahl does not indicate what he means by "free and fair," other than that "elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon."[11] This leaves several questions unanswered: Can elections be free and fair if part of the adult population has no right to vote? What if not all adult citizens have the opportunity to run for office? And what if there is no freedom of speech, assembly, or movement? In other words, do "free and fair" elections not require the fulfillment of all of Dahl's other prerequisites of democracy? Dahl himself has argued that elections should be held later in the democratic-transition process than has often been the case. This implies that a number of other preconditions of democracy must be met, at least in part, before free and fair elections can be held.[12]

The concepts "free" and "fair," then, must be clearly defined and distinguished from other preconditions of democracy. They must also be translated into specific criteria that can be used to evaluate elections. The electoral process itself must be broken down into its component phases, each of which corresponds with certain evaluation criteria.

Freedom, as Dahl notes, contrasts with coercion. Freedom entails the right and the opportunity to choose one thing over another. Coercion implies the absence of choice, either formally or in reality: Either all options but one are disallowed, or certain choices would have negative consequences for one's own or one's family's safety, welfare, or dignity.

Fairness means impartiality. The opposite of fairness is unequal treatment of equals, whereby some people (or groups) are given unreasonable advantages. Thus fairness involves both *regularity* (the unbiased application of rules) and *reasonableness* (the not-too-unequal distribution of relevant resources among competitors).

In practice, it is not always easy to distinguish between freedom and fairness, and any categorization of various elements of the electoral process should be approached with caution. In general, however, the "freedom" dimension should include elements relating to voters' opportunity to participate in the election without coercion or restrictions of any kind (with the possible exception of economic limitations). Thus "freedom" primarily deals with the "rules of the game."

Which of the two dimensions is more important? We hold that freedom must be given priority, because it is a precondition for democracy and for elections as a means to that end. Without rules granting formal political freedoms, the question of the fair application of rules is meaningless, and the question of equality of resources, irrelevant.

It may be just as difficult to distinguish between the two aspects of fairness as between freedom and fairness, because both regularity and reasonableness involve the notion of impartiality. Yet they should be separated to the extent possible. Regularity—which involves impartial application of the election law, constitutional provisions, and other regulations—is the more specific of the two and must be present in a high degree before an election can be accepted. Reasonableness—which concerns securing roughly equal opportunities for the exercise of political freedoms—is more general, and is impossible to achieve in full or even to a high degree. In fact, we know of no democracy that has distributed relevant political resources equally among political competitors.

Thus in assessing the fairness of an election or a referendum, it is more important to discern how the rules are applied than to determine whether individuals and groups have ideal opportunities. This does not mean that reasonableness is unimportant. Indeed, a broadening of access to relevant political resources and opportunities is a clear indication of a regime's progress toward democracy. In competitive elections, the opportunities available to various groups are especially important. There should be no question of any particular group or political party having a greater chance of winning the election than any other group. The standard formulation used in the preparatory phase of the April 1994 elections in South Africa—the notion of "leveling the playing field"—epitomizes this aspect of "fairness."[13]

In addition to clarifying core concepts, it is important to distinguish among events before, during, and after the actual polling. The election day itself is only part of the electoral process; thus observation missions consisting of short stays around election day are fundamentally flawed. The preelection period is especially important: It is at this stage that observers must assess whether the election law and the constitution guarantee the freedom of the voters, and verify that relevant resources are not too unequally distributed among competing parties and candidates. The importance of evaluating pre-election day events has been increasingly acknowledged by the UN and other organizations, particularly since the Nicaraguan operation of 1990.

The period after the actual polling must also be considered. At this stage, the crucial issue is the fair and regular application of rules. The counting of ballots should be carefully controlled to prevent fraud, the results should be reported immediately, and complaints about the electoral process should be handled impartially.

The Assessment Process

Combining the two principal dimensions of election assessment with the three observational phases yields the checklist presented in the Table on the following page. The checklist is a useful device, but it is not without problems. Although it is based both on relevant literature[14] and on practical experience, it is certainly not exhaustive. Moreover, it represents a schematic outline of the assessment process, not a detailed and unambiguous set of instructions. This gives rise to a twofold problem of reliability. First, election observers may disagree on the extent to which the individual criteria have been fulfilled. Second, the list does not indicate the relative importance of the various criteria. If some criteria have been fulfilled, while others have not, or if a certain criterion has been fulfilled only partially, the observers must rely heavily on their own judgment. Nevertheless, some general guidelines can be provided.

Although the election law (and related regulations) of the country in question may not be ideal in the eyes of international election observers, the observers' main duty is to determine whether or not the electoral process conforms to that law. The checklist in the Table should prove useful in this regard: It can help observers keep track of the various components of the electoral process and compare them against the election law (with which the observers should be thoroughly familiar).

TABLE—CHECKLIST FOR ELECTION ASSESSMENT

	DIMENSION	
TIME PERIOD	"FREE"	"FAIR"
Before Polling Day	Freedom of movement Freedom of speech (for candidates, the media, voters, and others) Freedom of assembly Freedom of association Freedom from fear in connection with the election and the electoral campaign Absence of impediments to standing for election (for both political parties and independent candidates) Equal and universal suffrage	A transparent electoral process An election act and an electoral system that grant no special privileges to any political party or social group Absence of impediments to inclusion in the electoral register Establishment of an independent and impartial election commission Impartial treatment of can-didates by the police, the army, and the courts of law Equal opportunities for political parties and independent candidates to stand for election Impartial voter-education programs An orderly election campaign (observance of a code of conduct) Equal access to publicly controlled media Impartial allotment of public funds to political parties (if relevant) No misuse of government facilities for campaign purposes
On Polling Day	Opportunity to participate in the election	Access to all polling stations for representatives of the political parties, accredited local and international election observers, and the media Secrecy of the ballot Absence of intimidation of voters Effective design of ballot papers Proper ballot boxes Impartial assistance to voters (if necessary) Proper counting procedures Proper treatment of void ballot papers Proper precautionary measures when transporting election materials Impartial protection of polling stations
After Polling Day	Legal possibilities of complaint	Official and expeditious announcement of election results Impartial treatment of any election complaints Impartial reports on the election results by the media Acceptance of the election results by everyone involved

Of course, electoral processes differ, as do political and social conditions and democratic-transition processes themselves. Thus it is not possible to attach absolute weights to the various criteria listed in the Table, for their importance varies with the electoral context. In general, however, items in the "free" column are more important than those in the "fair" column, and within the "fair" column, correct and impartial application of the election law and other relevant regulations is more important than ideal opportunities for political competition. Whereas freedom is a necessary—though not sufficient—condition for an election's acceptability, the combination of freedom *and* the fair application of electoral rules is both necessary and sufficient for such acceptability. For an election to be free and fair, however, the main competitors should have had at least some access to campaign resources and the media, even if that access was not fully equal.

What happens before and after polling day is at least as important as what happens on polling day itself. In particular, the observance of political freedoms in the preelection period is a prerequisite for the acceptability of an election, and even for the mounting of an electoral observation. If these rules are broken, the election cannot be declared acceptable, much less free and fair. After the election, all that is required is voluntary acceptance of the outcome by all serious political contenders. If the results are disputed, it is essential to analyze the reasons for the disagreement and to observe how complaints are treated.

Of course, what happens on polling day is also important. Yet election-day activities are often overemphasized; moreover, they are not always reported adequately. It is not enough merely to observe and report irregularities; rather, they must be evaluated in relation to reasonable expectations. What matters is how widespread they are, how serious they are, whether they represent a clear tendency (especially in favor of current officeholders), and how significant they are in affecting the final results.

To be sure, irregularities should be noted, and suggestions for remedying them should be given. But irregularities that are a result of deficits in technical capacity or experience are less serious than deliberate attempts to manipulate the results. In fact, irregularities on polling day seriously threaten freedom and fairness only to the extent that they are extensive, systematic, or decisive in a close race.

In addition to determining which criteria have been fulfilled and deciding on the relative importance of the various items, observers should also judge whether the election or referendum under the given circumstances reflects the expressed will of the people. This is, after all, the main reason for conducting elections, and irregularities and technical problems should be assessed from this perspective.

Observers should also evaluate the election in the context of the specific democratic-transition process. Will the election—despite possible "technical" shortcomings—stimulate further democratization by increasing respect for political freedoms, strengthening adherence to the election law, enhancing political contestation through broader access to relevant resources, involving more people in the political process, or improving the quality of the political debate? Although some would categorize this as a "political" judgment, it can be argued that it legitimately falls within the domain of election observation. If observers are to view an election not as an isolated event but as part of the democratization process, they cannot avoid considering whether and how it contributes to that process.

It should be emphasized, however, that while observers may go beyond a narrow technical assessment of elections to evaluate the degree to which the preferences of the electorate have been expressed and the role that the election played in the democratization process, they still do not have license to pass judgments of a broader nature. An election should not be deemed acceptable *because* it contributes to political stability or law and order in the country or the region. Such judgments may be both relevant and expedient, but it is not the role of election observers to make them. All they can do is deliver relevant information about the electoral component of the overall situation; it is up to national governments and international bodies to draw the appropriate political conclusions.

It is not easy to establish the precise line between legitimate and illegitimate assessments; moreover, not all election observers acknowledge the distinction. This is readily apparent when a delegation of election observers includes a number of parliamentarians, who are used to making political judgments and willing to take responsibility for them. Such observers often refuse to accept the inherent limitations of their role. A similar problem of demarcation arises when international organizations or national governments have difficulty separating the electoral assessment from an analysis of the political consequences of that assessment. Again, these are two different kinds of activities, which should be carried out by different organizations.

Some Examples

A few examples will illustrate some of the problems of election observation and assessment mentioned above.

The June 1992 parliamentary elections in Mongolia were praiseworthy in at least one respect: The only slightly reformed, former communist Mongolian People's Revolutionary Party (MPRP) had introduced a by-and-large exemplary election law, which was observed in all essentials. Yet the MPRP had also installed an electoral system that was perhaps the most undemocratic in the world (majority elections in multimember constituencies, with each voter required to cast exactly the same number of votes as the number of parliamentary seats to be filled by the constituency).[15] Predictably, the MPRP won 93 percent of the available seats with only 57 percent of the vote. Of course, 57 percent is a clear majority. Yet this left more than 40 percent of the electorate virtually without parliamentary representation at a time when their country's social and political systems were being totally reformed. What does this mean for the election's status as "free and fair"? Can an election conducted under such a system even be termed "acceptable"? Fortunately, the electoral system was replaced with an ordinary first-past-the-post system for the June 1996 parliamentary elections.

In the case of Kenya's December 1992 presidential, parliamentary, and local elections, many elements of the electoral process were questionable.[16] There was considerable evidence of manipulation on the part of President Daniel arap Moi and his party, the Kenya African National Union (KANU). Yet the situation appeared to improve as polling day approached, resulting in a relatively orderly vote, all things considered. The poor showing of the opposition parties was due largely to their own failure to work together and only in part to the various tricks of KANU, the chairman of the electoral commission, and others. Can such elections be termed "free and fair"?[17] To what extent can a degree of progress toward democracy compensate for irregularities and disregard of the rules?

In elections for Uganda's Constituent Assembly in March 1994, political parties—which had been associated with the country's bloody ethnic clashes—were forbidden to field candidates, while individual candidates were given *carte blanche*, a decision that provoked considerable dissatisfaction. Moreover, a serious voter-registration problem arose. The plan was to complete the voting in one day and count the ballots before dark. The voters were therefore distributed among polling stations of no more than 600 electors. Technical difficulties, however, prevented the voter lists from being published; consequently, people did not know which polling station to go to. This resulted in a good deal of confusion on election day. Does the exclusion of political parties from the electoral process preclude an election from being "free and fair?" And do technical problems with voter registration render an election unacceptable?

In South Africa's April 1994 elections for parliament and regional assemblies, considerable efforts were made to involve all citizens and parties in the process of democratization and reconciliation. Yet it was difficult to ensure equality of opportunity for the country's many different political formations and social groups. There were plenty of administrative and procedural problems as well. What are we to make of the dual character of this particular electoral process? Was it appropriate that the South African Independent Electoral Commission (IEC) itself issued the verdict of "substantially free and fair"?

In Tanzania's October 1994 local elections, only about half the electorate registered to vote—a disappointing figure compared with those of previous local elections. On the other hand, candidates from parties other than the autocratic Revolutionary Party of Tanzania (CCM) were nominated, and some were actually elected. Yet because the full election results were not reported, it was impossible to know the extent to which the opposition had succeeded in wresting local-council seats from the CCM, and how strong the opposition parties were nationally. It is difficult to regard such an election as "free and fair," but might it not pass as "acceptable?"

Making Analytical Distinctions

These and other cases make it clear that it is difficult—perhaps impossible—to establish precise guidelines for assessing elections wherever they occur. Nevertheless, it is possible to establish some analytical distinctions.

If we consider the two main dimensions of freedom and fairness, it seems evident that some elections can be characterized as free and fair, even if they are not perfect. All or almost all elections in well-established democracies presumably fit this description. In these cases, however, there is no perceived need to invite international observers, making this first category mainly of academic interest.

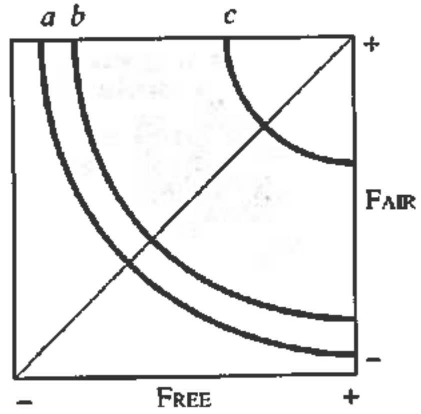
It is also evident that some elections are not "free and fair" owing to the violation of a large number of key criteria. In many cases the countries conducting such elections do not even bother to invite international observers, who would in any case be unlikely to come, for fear of being seen as endorsing the elections. In other cases, observers may declare the election not free and fair. Albania's parliamentary balloting of May 1996 is a recent case in point. Most village-committee elections in the People's Republic of China also fall into this category.[18]

Between the extremes, however, lie many cases in which elections cannot be labeled "free and fair" because of any number of shortcomings, but in which it would be unreasonable explicitly to declare them *not* "free and fair." Perhaps they are free in a formal sense, but fairness is limited in practice—or perhaps they are free only to some extent, but rather fairly conducted within those particular limits.

When observers take circumstances into account and adopt a broad view—especially in terms of the possibility of progress toward greater political competition and participation—they may deem such elections "acceptable," even if they fall short of being "free and fair." These are not only the most difficult cases to assess, but also the ones that international observers are most likely to witness: The governments in these countries are eager to obtain the international community's stamp of approval as a means of boosting their internal legitimacy and gaining external recognition.[19]

In practice, then, elections and referendums are most likely to fall within the shaded area (between curves a and c) of the Figure on the following page, representing balloting that is neither clearly free and fair nor clearly *not* free and fair, but acceptable when technical limitations and prospects for progress toward democracy are taken into account. In these cases, analysis of the application of a country's election law should take into account not only the criteria listed in the Table, but other factors that may help observers determine how strictly those criteria should be applied. For example, if the election is the first in a country undergoing a transition from authoritarianism to democracy, a relatively loose application of the criteria may be indicated (curve a). On the other hand, if there is reason to believe that the authorities have rigged the election, a stricter application is justified (curve b). Even under more favorable conditions, it is neither reasonable nor methodologically feasible to insist on complete fulfillment of all the criteria before declaring an election or a referendum "free and fair." Something less (curve c) may suffice, as long as basic freedoms exist, the election law is for the most part applied impartially, and the main competitors have reasonable access to campaign resources and the media.

FIGURE



Given the prevalence of elections and referendums that fall within the shaded area (between curves a and c), these special considerations deserve close attention. Because of the difficulty of distinguishing clearly between the dimensions of "free" and "fair," assessments of such ballots can be represented by a straight line connecting the two most extreme points (the diagonal line in the Figure). Thus the crucial point is where the diagonal leaves the shaded area (in a southwestern direction): It is here that we find the threshold between "acceptable" and "not acceptable."

In determining the acceptability of a given election, observers should focus on the degree of conformance to the country's election law and related regulations, considering not just election-day events but also the periods before and after the balloting. Also important are whether the preferences of the voters have been adequately expressed and what contribution the electoral process has made to the overall process of democratization.

Yet another issue to consider is the closeness of the electoral race. Should observers be more permissive in cases in which the winner triumphs by a wide margin, possibly indicating that irregularities would not have affected the outcome? This argument, while plausible, is nevertheless problematic. Even huge wins can be manufactured; moreover, the distinction between wide and narrow margins is subjective. Finally, given the importance of elections as learning opportunities for voters as well as for candidates, political parties, and election authorities, a strong case can be made for not setting electoral standards too low in newly emerging democracies.

A Complex Process

The phrase "free and fair" cannot denote compliance with a fixed, universal standard of electoral competition: No such standard exists, and the complexity of the electoral process makes the notion of any simple formula unrealistic. Election observation requires the simultaneous use of multiple scales to achieve valid and reliable measurements of complex phenomena. These problems especially affect the large segment of elections that are neither clearly free and fair nor clearly *not* free and fair.

Election observers, therefore, face a dilemma. They might simply avoid using the phrase "free and fair," but at the cost of opening the door to its use by others who have less knowledge or understanding of the situation. Alternatively, observers can elect to use the phrase as a convenient shorthand, but at the cost of exposing themselves to all manner of criticism grounded in intellectual or moral considerations.

This does not mean, however, that election observation and assessment are hopeless tasks. It is indeed possible to draw general conclusions about how best to conduct such activities. In the borderline cases described above—the crucial "in-between" category—observers should identify their evaluation criteria as clearly as possible while at the same time acknowledging that their conclusions rest to some degree on estimates and subjective judgments. In arriving at a conclusion, it is vital that they consider whether electoral competition shows qualitative improvements over previous elections (especially in terms of the freedom dimension and the regulatory aspect of the fairness dimension). Of course, it goes without saying that the course of events should reflect the preferences of the electorate.

The fulfillment of this last criterion is one reason for the widespread acceptance of the IEC's designation of the April 1994 elections in South Africa as "substantially free and fair."[20] This factor is also emphasized by Guy Goodwin-Gill, who tries to strike a balance between explicit standards (which he claims do indeed exist) and what he calls "the special conditions of the general situation"—that is, whether the elections reflect the will of the people and are conducted in a positive atmosphere.[21]

The decision to declare an election "acceptable" also involves the election observer's willingness to enter into a dialogue, not with the political authorities of the country in question, but with himself as to the possibilities of the situation. If the election, despite irregularities, seems to reflect progress toward a more democratic government, observers may choose to give it the benefit of the doubt. This may displease more moralistic observers who take a black-and-white view of the world, but so be it.

This essay has sought to develop a checklist with greater practical application than the ones that have emerged so far. Yet we do not consider it possible to develop a set of guidelines that is equally applicable to all elections and referendums in emerging democracies. The September 1996 elections in Bosnia-Herzegovina provide a good illustration of the complexity of the electoral process and the difficulty of rendering a final judgment. Before polling day, many freedoms were grossly violated, both in the Bosnian Federation and in Republika Srpska. Among them was the freedom of movement, which is usually taken for granted and therefore not included on checklists of assessment criteria.[22] The election authorities were, of course, aware of this state of affairs, but decided to proceed cautiously in order to avoid jeopardizing the entire electoral process, which was seen as crucial to achieving peace and stability in the long term. Other major preelection problems concerned voter registration, freedom of speech, media access, and intimidation of voters. On polling day itself, local reports of orderly elections abounded; at the counting stage, however, rumors of fraud in some areas began to circulate.

Questions can also be raised about the situation after polling day, especially with regard to the electoral authorities' willingness to address complaints and the acceptance of the election results. Of course, the problems that arose in the latter area may have been due to some people's refusal to acknowledge the legitimacy of the new political institutions.

On the whole, then, the evidence would seem to indicate that the elections in Bosnia-Herzegovina were not free and fair, or even acceptable. Yet they were accepted by the international community owing to their presumed importance for stability and peace in the region. The lesson is clear: Elections vary so much from one case to another, with new and complicated political situations constantly arising, that previous observation experiences can provide only limited help. Despite the rapid growth of election observation over the past decade, the task of establishing criteria for evaluating elections still has a long way to go.

NOTES

1. Giovanni Sartori, "Concept Misformation in Comparative Politics," *American Political Science Review* 64 (December 1970): 1034.

2. A good overview of such efforts is provided in Yves Beigbeder, *International Monitoring of Plebiscites, Referenda and National Elections: Self-Determination and Transition to Democracy* (Dordrecht, the Netherlands: Martinus Nijhoff, 1994), 94–143.

3. Jon M. Ebersole, "The United Nations Response to Requests for Assistance in Electoral Matters," *Virginia Journal of International Law* 13 (Fall 1992): 94. See also Beigbeder, *International Monitoring of Plebiscites, Referenda and National Elections.*

4. Larry Garber and Clark Gibson, *Review of United Nations Electoral Assistance 1992–93* (Project INT/91/033, United Nations Development Programme, 18 August 1993).

5. Jon M. Ebersole, "United Nations Response"; Jennifer McCoy, Larry Garber, and Robert Pastor, "Pollwatching and Peacemaking," *Journal of Democracy* 2 (Fall 1991): 102–14.

6. See also *Lessons Learnt—International Election Observation: Seventeen Organizations Share Experiences on Electoral Observation* (Stockholm: International Institute for Democracy and Electoral Assistance, 1995), 13.

7. Jørgen Elklit, "Is the Degree of Electoral Democratization Measurable? Experiences from Bulgaria, Kenya, Latvia, Mongolia and Nepal," in David Beetham, ed., *Defining and Measuring Democracy* (London: Sage, 1994), 89–111.

8. Guy S. Goodwin-Gill, *Free and Fair Elections: International Law and Practice* (Geneva: Inter-Parliamentary Union, 1994), 27–80; William C. Kimberling, "A Rational Approach to Evaluating Voter Registration," in John C. Courtney, ed., *Registering Voters: Comparative Perspectives* (Cambridge, Mass.: Center for International Affairs, Harvard University, 1991), 3–11.

9. A good discussion of this point is found in Georg Sørensen, *Democracy and Democratization: Processes and Prospects in a Changing World* (Boulder, Colo.: Westview, 1993).

10. Philippe C. Schmitter and Terry Lynn Karl, "What Democracy Is . . . and Is Not," *Journal of Democracy* 2 (Summer 1991): 75–88.

11. Robert A. Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989), 221. Dahl actually refers not to "democracies" but to "polyarchies." We use the term "democracy" here—both for the ideology and for existing political regimes—in order to conform to ordinary usage.

12. Robert A. Dahl, "Democracy and Human Rights Under Different Conditions of Development," in Asbjørn Eide and Bernt Hagtvet, eds., *Human Rights in Perspective: A Global Assessment* (Oxford: Basil Blackwell, 1992), 235–51.

13. See, for example, Ron Gould and Christine Jackson, *A Guide for Election Observers* (Dartmouth, Aldershot, England: Commonwealth Parliamentary Association, 1995).

14. For example, Gould and Jackson, *A Guide for Election Observers*; Guy S. Goodwin-Gill, *Free and Fair Elections*; material on election monitoring from the South African IEC and a number of monitoring organizations; and *Democracy Forum: Report on the "Democracy Forum" in Stockholm, June 12–14, 1996* (Stockholm: International Institute for Democracy and Electoral Assistance, 1996), esp. 14–21.

15. This electoral system (the "mandatory bloc vote") is considered undemocratic because it produces particularly great discrepancies between the parties' vote shares and seat shares.

16. See, for example, Joel D. Barkan, "Kenya: Lessons from a Flawed Election," *Journal of Democracy* 4 (July 1993): 85–99; Gisela Geisler, "Fair? What Has Fairness Got to Do with It? Vagaries of Election Observation and Democratic Standards," *Journal of Modern African Studies* 31 (December 1993): 613–37; Patrick F.J. Macrory, Jørgen Elklit, and Rafael Sabat Mendez, *Facing the Pluralist Challenge: Human Rights and Democratization in Kenya's December 1992 Multi-Party Election* (Washington, D.C.: International Human Rights Law Group, 1992); and Jørgen Elklit, "Et valg i Afrika: Kenya 1992 som eksempel" (An election in Africa: Kenya 1992 as an example), in Gorm Rye Olsen, ed., *Afrika—det ukuelige kontinent* (Africa—the indomitable continent) (Copenhagen: Danmarks Radio Forlaget, 1994), 115–36.

17. None of the observer groups reporting on the elections used the words "free and fair." Subsequent discussion of the elections has focused on whether or not the criticism should have been more explicit.

18. See Melanie Manion, "The Electoral Connection in the Chinese Countryside," *American Political Science Review* 90 (December 1996): 736–48; and Jørgen Elklit, "The Chinese Village Committee Electoral System," *China Information* 11 (Spring 1997): 1–13.

19. Christopher Clapham, *Africa and the International System: The Politics of State Survival* (Cambridge: Cambridge University Press, 1996), 200.

20. Elling N. Tjønneland, "The Birth of Democracy in South Africa," in Tjønneland, ed., *South Africa's 1994 Elections: The Birth of Democracy, Its Future Prospects and Norwegian Development Aid* (Oslo: Norwegian Institute of Human Rights, 1994), 7–47; Jørgen Elklit, "Historisk valg med mange problemer" (Historical elections with many problems), *Udenrigs* 49 (Summer 1994): 1–11; Ron Gould, "Towards Free and Fair Elections—The Role of International Observers," *In Focus* 2 (1994): 4–7. For a more equivocal view, see R.W. Johnson, "How Free? How Fair?" in R.W. Johnson and Lawrence Schlemmer, eds., *Launching Democracy in South Africa: The First Open Election, April 1994* (New Haven: Yale University Press, 1996), 323–52.

21. Guy S. Goodwin-Gill, *Free and Fair Elections*, 81.

22. It does figure, however, in the discussion of liberalization in Guillermo O'Donnell and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions About Uncertain Democracies* (Baltimore: Johns Hopkins University Press, 1986), 7.

3

DELEGATIVE DEMOCRACY

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Here I depict a "new species," a type of existing democracy that has yet to be theorized. As often happens, it has many similarities with other, already recognized species, with cases shading off between the former and some variety of the latter. Still, I believe that the differences are significant enough to warrant an attempt at such a depiction. The drawing of neater boundaries between these types of democracy depends on empirical research, as well as more refined analytical work that I am now undertaking. But if I really have found a new species (and not a member of an already recognized family, or a form too evanescent to merit conceptualization), it may be worth exploring its main features.

Scholars who have worked on democratic transitions and consolidation have repeatedly said that, since it would be wrong to assume that these processes all culminate in the same result, we need a typology of democracies. Some interesting efforts have been made, focused on the consequences, in terms of types of democracy and policy patterns, of various paths to democratization.[1] My own ongoing research suggests, however, that the more decisive factors for generating various kinds of democracy are not related to the characteristics of the preceding authoritarian regime or to the process of transition. Instead, I believe that we must focus upon various long-term historical factors, as well as the degree of severity of the socioeconomic problems that newly installed democratic governments inherit.

Let me briefly state the main points of my argument: 1) Existing theories and typologies of democracy refer to representative democracy as

it exists, with all its variations and subtypes, in highly developed capitalist countries. 2) Some newly installed democracies (Argentina, Brazil, Peru, Ecuador, Bolivia, Philippines, Korea, and many postcommunist countries) *are* democracies, in the sense that they meet Robert Dahl's criteria for the definition of polyarchy.[2] 3) Yet these democracies are not—and do not seem to be on the path toward becoming—representative democracies; they present characteristics that prompt me to call them *delegative* democracies (DD). 4) DDs are not consolidated (i.e., institutionalized) democracies, but they may be *enduring*. In many cases, there is no sign either of any imminent threat of an authoritarian regression, or of advances toward representative democracy. 5) There is an important interaction effect: The deep social and economic crisis that most of these countries inherited from their authoritarian predecessors reinforces certain practices and conceptions about the proper exercise of political authority that lead in the direction of delegative, not representative democracy.

The following considerations underlie the argument presented above:[3]

A) The installation of a democratically elected government opens the way for a "second transition," often longer and more complex than the initial transition from authoritarian rule.

B) This second transition is supposed to be from a democratically-elected *government* to an institutionalized, consolidated democratic *regime*.

C) Nothing guarantees, however, that this second transition will occur. New democracies may regress to authoritarian rule, or they may stall in a feeble, uncertain situation. This situation may endure without opening avenues for institutionalized forms of democracy.

D) The crucial element determining the success of the second transition is the building of a set of institutions that become important decisional points in the flow of political power.

E) For such a successful outcome to occur, governmental policies and the political strategies of various agents must embody the recognition of a paramount shared interest in democratic institution building. The successful cases have featured a decisive coalition of broadly supported political leaders who take great care in creating and strengthening democratic political institutions. These institutions, in turn, have made it easier to cope with the social and economic problems inherited from the authoritarian regime. This was the case in Spain, Portugal (although not immediately after democratic installation), Uruguay, and Chile.

F) In contrast, the cases of delegative democracy mentioned earlier have achieved neither institutional progress nor much governmental effectiveness in dealing with their respective social and economic crises.

Before elaborating these themes in greater detail, I must make a brief excursus to explain more precisely what I mean by institutions and institutionalization, thereby bringing into sharper focus the patterns that fail to develop under delegative democracy.

On Institutions

Institutions are regularized patterns of interaction that are known, practiced, and regularly accepted (if not necessarily normatively approved) by social agents who expect to continue interacting under the rules and norms formally or informally embodied in those patterns. Sometimes, but not necessarily, institutions become formal organizations: They materialize in buildings, seals, rituals, and persons in roles that authorize them to "speak for" the organization.

I am concerned here with a subset: *democratic* institutions. Their definition is elusive, so I will delimit the concept by way of some approximations. To begin with, democratic institutions are political institutions. They have a recognizable, direct relationship with the main themes of politics: the making of decisions that are mandatory within a given territory, the channels of access to decision-making roles, and the shaping of the interests and identities that claim such access. The boundaries between what is and is not a political institution are blurred, and vary across time and countries.

We need a second approximation. Some political institutions are formal organizations belonging to the constitutional network of a polyarchy: These include congress, the judiciary, and political parties. Others, such as fair elections, have an intermittent organizational embodiment but are no less indispensable. The main question about all these institutions is how they work: Are they really important decisional points in the flow of influence, power, and policy? If they are not, what are the consequences for the overall political process?

Other factors indispensable for the workings of democracy in contemporary societies—those that pertain to the formation and representation of collective identities and interests—may or may not be institutionalized, or they may be operative only for a part of the potentially relevant sectors. In representative democracies, those patterns are highly institutionalized and organizationally embodied through pluralist or neocorporatist arrangements.

The characteristics of a functioning institutional setting include the following:

1) *Institutions both incorporate and exclude.* They determine which agents, on the basis of which resources, claims, and procedures, are accepted as valid participants in their decision-making and implementation processes. These criteria are necessarily selective: They fit (and favor) some agents; they may lead others to reshape themselves in order

to meet them; and for various reasons, they may be impossible to meet, or unacceptable, for still others. The scope of an institution is the degree to which it incorporates and excludes its set of potentially relevant agents.

2) *Institutions shape the probability distribution of outcomes.* As Adam Przeworski has noted, institutions "process" only certain actors and resources, and do so under certain rules.[4] This predetermines the range of feasible outcomes, and their likelihood within that range. Democratic institutions, for example, preclude the use or threat of force and the outcomes that this would generate. On the other hand, the subset of democratic institutions based on the universality of the vote, as Philippe Schmitter and Wolfgang Streeck have argued, is not good at processing the intensity of preferences.[5] Institutions of interest representation are better at processing the intensity of preferences, although at the expense of the universalism of voting and citizenship and, often, of the "democraticness" of their decision making.

3) *Institutions tend to aggregate, and to stabilize the aggregation of, the level of action and organization of agents interacting with them.* The rules established by institutions influence strategic decisions by agents as to the degree of aggregation that is more efficacious for them in terms of the likelihood of favorable outcomes. Institutions, or rather the persons who occupy decision-making roles within them, have limited information-processing capabilities and attention spans. Consequently, those persons prefer to interact with relatively few agents and issues at a time.[6] This tendency toward aggregation is another reason for the exclusionary side of every institution.

4) *Institutions induce patterns of representation.* For the same reasons, institutions favor the transformation of the many potential voices of their constituencies into a few that can claim to speak as their representatives. Representation involves, on the one hand, the acknowledged right to speak for some relevant others and, on the other, the ability to deliver the compliance of those others with what the representative decides. Insofar as this capability is demonstrated and the given rules of the game are respected, institutions and their various representatives develop an interest in their mutual coexistence as interacting agents.

5) *Institutions stabilize agents/representatives and their expectations.* Institutional leaders and representatives come to expect behaviors within a relatively narrow range of possibilities from a set of actors that they expect to meet again in the next round of interactions. Certain agents may not like the narrowing of expected behaviors, but they anticipate that deviations from such expectations are likely to be counterproductive. This is the point at which it may be said that an institution (which probably has become a formal organization) is strong. The institution is in equilibrium: it is in nobody's interest to change it, except in incremental and basically consensual ways.

6) *Institutions lengthen the time-horizons of actors.* The stabilization of agents and expectations entails a time dimension: Institutionalized interactions are expected to continue into the future among the same (or a slowly and rather predictably changing) set of agents. This, together with a high level of aggregation of representation and of control of their constituencies, is the foundation for the "competitive cooperation" that characterizes institutionalized democracies: One-shot prisoner's dilemmas can be overcome,[7] bargaining (including logrolling) is facilitated, various trade-offs over time become feasible, and sequential attention to issues makes it possible to accommodate an otherwise unmanageable agenda. The establishment of these practices further strengthens the willingness of all relevant agents to recognize one another as valid interlocutors, and enhances the value that they attach to the institution that shapes their interrelationships. This virtuous circle is completed when most democratic institutions achieve not only reasonable scope and strength but also a high density of multiple and stabilized interrelationships. This makes these institutions important points of decision in the overall political process, and a consolidated, institutionalized democracy thus emerges.

A way to summarize what I have said is that, in the functioning of contemporary, complex societies, democratic political institutions provide a crucial level of mediation and aggregation between, on one side, structural factors and, on the other, not only individuals but also the diverse groupings under which society organizes its multiple interests and identities. This intermediate—i.e., institutional—level has an important impact on the patterns of organization of society, bestowing representation upon some participants in the political process and excluding others. Institutionalization undeniably entails heavy costs—not only exclusion but also the recurring, and all too real, nightmares of bureaucratization and boredom. The alternative, however, submerges social and political life in the hell of a colossal prisoner's dilemma. This is, of course, an ideal typical description, but I find it useful for tracing, by way of contrast, the peculiarities of a situation where there is a dearth of democratic institutions. A noninstitutionalized democracy is characterized by the restricted scope, the weakness, and the low density of whatever political institutions exist. The place of well-functioning institutions is taken by other nonformalized but strongly operative practices—clientelism, patrimonialism, and corruption.

Characterizing Delegative Democracy

Delegative democracies rest on the premise that whoever wins election to the presidency is thereby entitled to govern as he or she sees fit, constrained only by the hard facts of existing power relations and by a constitutionally limited term of office. The president is taken to be the embodiment of the nation and the main custodian and definer of its interests. The policies of his government need bear no resemblance to the promises of his campaign—has not the president been authorized to govern as he (or she) thinks best? Since this paternal figure is supposed to take care of the whole nation, his political base must be a movement, the supposedly vibrant overcoming of the factionalism and conflicts associated with parties. Typically, winning presidential candidates in DDs present themselves as above both political parties and organized interests. How could it be otherwise for somebody who claims to embody the whole of the nation? In this view, other institutions—courts and legislatures, for instance—are nuisances that come attached to the domestic and international advantages of being a democratically elected president. Accountability to such institutions appears as a mere impediment to the full authority that the president has been delegated to exercise.

Delegative democracy is not alien to the democratic tradition. It is more democratic, but less liberal, than representative democracy. DD is strongly majoritarian. It consists in constituting, through clean elections, a majority that empowers someone to become, for a given number of years, the embodiment and interpreter of the high interests of the nation. Often, DDs use devices such as runoff elections if the first round of elections does not generate a clear-cut majority.[8] This majority must be created to support the myth of legitimate delegation. Furthermore, DD is strongly individualistic, but more in a Hobbesian than a Lockean way: Voters are supposed to choose, irrespective of their identities and affiliations, the individual who is most fit to take responsibility for the destiny of the country. Elections in DDs are very emotional and highstakes events: Candidates compete for a chance to rule virtually free of all constraints save those imposed by naked, noninstitutionalized power relations. After the election, voters/delegators are expected to become a passive but cheering audience of what the president does.

Extreme individualism in constituting executive power combines well with the organicism of the Leviathan. The nation and its "authentic" political expression, the leader and his "Movement," are postulated as living organisms.[9] The leader has to heal the nation by uniting its dispersed fragments into a harmonious whole. Since the body politic is in disarray, and since its existing voices only reproduce its fragmentation, delegation includes the right (and the duty) of administering the unpleasant medicines that will restore the health of the nation. For this view, it seems obvious that only the head really knows: The president and his most trusted advisors are the alpha and the omega of politics. Furthermore, some of the problems of the nation can only be solved by highly technical criteria. *Técnicos*, especially in economic policy, must be politically shielded by the president against the manifold resistance of society. In the meantime, it is "obvious" that resistance—be it from congress, political parties, interest groups, or crowds in the streets—has to be ignored. This organicistic discourse fits poorly with the dry arguments of the technocrats, and the myth of delegation is consummated: The president isolates himself from most political institutions and organized interests, and bears sole responsibility for the successes and failures of "his" policies.

This curious blend of organicistic and technocratic conceptions was present in recent bureaucratic-authoritarian regimes. Although the language (but not the organicistic metaphors) was different, those conceptions were also present in communist regimes. But there are important differences between these regimes and DDs. In DDs, parties, the congress, and the press are generally free to voice their criticisms. Sometimes the courts, citing what the executive typically dismisses as "legalistic, formalistic reasons," block unconstitutional policies. Workers' and capitalists' associations often complain loudly. The party (or coalition) that elected the president despairs about its loss of popularity, and refuses parliamentary support for the policies he has "foisted" on them. This increases the political isolation of the president, his difficulties in forming a stable legislative coalition, and his propensity to sidestep, ignore, or corrupt the congress and other institutions.

Here it is necessary to elaborate on what makes representative democracy different from its delegative cousin. Representation necessarily involves an element of delegation: Through some procedure, a collectivity authorizes some individuals to speak for it, and eventually to commit the collectivity to what the representative decides. Consequently, representation and delegation are not polar opposites. It is not always easy to make a sharp distinction between the type of democracy which is organized around "representative delegation" and the type where the delegative element overshadows the representative one.

Representation entails accountability: Somehow, representatives are held responsible for their actions by those they claim to be entitled to speak for. In institutionalized democracies, accountability runs not only vertically, making elected officials answerable to the ballot box, but also horizontally, across a network of relatively autonomous powers (i.e., other institutions) that can call into question, and eventually punish, improper ways of discharging the responsibilities of a given official. Representation and accountability entail the republican dimension of democracy: the existence and enforcement of a careful distinction between the public and the private interests of office holders. Vertical accountability, along with the freedom to form parties and to try to influence public opinion, exists in both representative and delegative democracies. But the horizontal accountability characteristic of representative democracy is extremely weak or nonexistent in delegative democracies. Furthermore, since the institutions that make horizontal accountability effective are seen by delegative presidents as unnecessary encumbrances to their "mission," they make strenuous efforts to hamper the development of such institutions.

Notice that what matters is not only the values and beliefs of officials (whether elected or not) but also the fact that they are embedded in a network of institutionalized power relations. Since those relations may be mobilized to impose punishment, rational actors will calculate the likely costs when they consider undertaking improper behavior. Of course, the workings of this system of mutual responsibility leave much to be desired everywhere. Still, it seems clear that the rule-like force of certain codes of conduct shapes the behavior of relevant agents in representative democracies much more than in delegative democracies. Institutions do matter, particularly when the comparison is not among different sets of strong institutions but between strong institutions and extremely weak or nonexistent ones.

Because policies are carried out by a series of relatively autonomous powers, decision making in representative democracies tends to be slow and incremental and sometimes prone to gridlock. But, by this same token, those policies are usually vaccinated against gross mistakes, and they have a reasonably good chance of being implemented: Moreover, responsibility for mistakes tends to be widely shared. As noted, DD implies weak institutionalization and, at best, is indifferent toward strengthening it. DD gives the president the apparent advantage of having practically no horizontal accountability. DD has the additional apparent advantage of allowing swift policy making, but at the expense of a higher likelihood of gross mistakes, of hazardous implementation, and of concentrating responsibility for the outcomes on the president. Not surprisingly, presidents in DDs tend to suffer wild swings in popularity: one day they are acclaimed as providential saviors, and the next they are cursed as only fallen gods can be.

Whether it is due to culture, tradition, or historically structured learning, the plebiscitary tendencies of delegative democracy were detectable in most Latin American (and, for that matter, many postcommunist, Asian, and African) countries long before the present social and economic crisis. This kind of rule has been analyzed as a chapter in the study of authoritarianism, under such names as caesarism, bonapartism, *caudillismo*, populism, and the like. But it should also be seen as a peculiar type of democracy that overlaps with and differs from those authoritarian forms in interesting ways. Even if DD belongs to the democratic genus, however, it could hardly be less congenial to the building and strengthening of democratic political institutions.

Comparisons with the Past

The great wave of democratization prior to the one we are now witnessing occurred after World War II, as an imposition by the Allied powers on defeated Germany, Italy, Japan, and to some extent Austria. The resulting conditions were remarkably different from the ones faced today by Latin America and the postcommunist countries: 1) In the wake of the destruction wrought by the war, the economic expectations of the people probably were very moderate. 2) There were massive injections of capital, principally but not exclusively (e.g., the forgiving of Germany's foreign debt) through the Marshall Plan. 3) As a consequence, and helped by an expanding world economy, the former Axis powers soon achieved rapid rates of economic growth. These were not the only factors at work, but they greatly aided in the consolidation of democracy in those countries. Furthermore, these same factors contributed to political stability and to stable public policy coalitions: It took about 20 years for a change of the governing party in Germany, and the dominant parties in Italy and Japan held sway for nearly half a century.

In contrast, in the transitions of the 1970s and 1980s, reflecting the much less congenial context in which they occurred, victory in the first election after the demise of the authoritarian regime guaranteed that the winning party would be defeated, if not virtually disappear, in the next election. This happened in Spain, Portugal, Greece, Argentina, Bolivia, Brazil, Ecuador, Peru, Uruguay, Korea, and the Philippines. But this pattern appears together with important variations in the social and economic performance of the new governments. Most of these countries inherited serious socioeconomic difficulties from the preceding authoritarian regimes, and were severely affected by the worldwide economic troubles of the 1970s and early 1980s. In all of them, the socioeconomic problems at some point reached crisis proportions and were seen to require decisive government action. Yet however serious the economic problems of the 1970s in Southern Europe may have been, they appear mild when compared to those besetting the newly democratized postcommunist and Latin American countries (with Chile as a partial exception). Very high inflation, economic stagnation, a severe financial crisis of the state, a huge foreign and domestic public debt, increased inequality, and a sharp deterioration of social policies and welfare provisions are all aspects of this crisis.

Again, however, important differences emerge among the Latin American countries. During its first democratic government under President Sanguinetti, the Uruguayan economy performed quite well: The annual rate of inflation dropped from three to two digits, while GNP, investment, and real wages registered gradual increases. The government pursued incremental economic policies, most of them negotiated with congress and various organized interests. Chile under President Aylwin has followed the same path. By contrast, Argentina, Brazil, and Peru opted for drastic and surprising economic stabilization "packages": the Austral Plan in Argentina, the Cruzado Plan in Brazil, and the Inti Plan in Peru. Bolivia, too, adopted this kind of stabilization package in the 1980s. Although this program—closer than the previously mentioned ones to the prescriptions of the international financial organizations—has been praised for its success in controlling inflation, GNP and investment growth remain anemic. Moreover, the brutality with which worker protests against the program were suppressed hardly qualifies as democratic.

These "packages" have been disastrous. They did not solve any of the inherited problems; rather, it is difficult to find a single one that they did not worsen. Disagreement lingers about whether these programs were intrinsically flawed, or suffered from corrigible defects, or were sound but undone by "exogenous" political factors. However that may be, it is clear that the experience of these failures reinforced the decision by the democratic leaders of Chile to avoid this ruinous road. This makes Uruguay—a country that inherited from the authoritarian regime a situation that was every bit as bad as Argentina's or Brazil's—a very interesting case. Why did the Uruguayan government not adopt its own stabilization package, especially during the euphoria that followed the first stages of the Austral and the Cruzado plans? Was it because President Sanguinetti and his collaborators were wiser or better informed than their Argentinean, Brazilian, and Peruvian counterparts? Probably not.

The difference is that Uruguay is a case of redemocratization, where Congress went to work effectively as soon as democracy was restored. Facing a strongly institutionalized legislature and a series of constitutional restrictions and historically embedded practices, no Uruguayan president could have gotten away with decreeing a drastic stabilization package. In Uruguay, for the enactment of many of the policies typically contained in those packages, the president must go through Congress. Furthermore, going through Congress means having to negotiate not only with parties and legislators, but also with various organized interests. Consequently, against the presumed preferences of some of its top members, the economic policies of the Uruguayan government were "condemned" to be incremental and limited to quite modest goals—such as achieving the decent performance we have seen. Looking at Uruguay—and, more recently, Chile—one learns about the difference between having or not having a network of institutionalized powers that gives texture to the policy-making process. Or, in other words, about the difference between representative and delegative democracy.

The Cycle of Crisis

Now I will focus on some South American cases of delegative democracy—Argentina, Brazil, and Peru. There is no need to detail the depth of the crisis that these countries inherited from their respective authoritarian regimes. Such a crisis generates a strong sense of urgency and provides fertile terrain for unleashing the delegative propensities that may be present in a given country. Problems and demands mount up before inexperienced governments that must operate through a weak and disarticulated (if not disloyal) bureaucracy. Presidents get elected by promising that they—being strong, courageous, above parties and interests, *machos*—will save the country. Theirs is a "government of saviors" *(salvadores de la patria)*. This leads to a "magical" style of policy making: The delegative "mandate" supposedly bestowed by the majority, strong political will, and technical knowledge should suffice to fulfill the savior's mission—the "packages" follow as a corollary.

The longer and deeper the crisis, and the less the confidence that the government will be able to solve it, the more rational it becomes for everyone to act: 1) in a highly disaggregated manner, especially in relation to state agencies that may help to alleviate the consequences of the crisis for a given group or sector (thus further weakening and corrupting the state apparatus); 2) with extremely short time-horizons; and 3) with the assumption that everyone else will do the same. In short, there is a general scramble for narrow, short-term advantage. This prisoner's dilemma is the exact opposite of the conditions that foster both strong democratic institutions and reasonably effective ways of dealing with pressing national problems.

Once the initial hopes are dashed and the first packages have failed, cynicism about politics, politicians, and government becomes the pervading mood. If such governments wish to retain some popular support, they must both control inflation and implement social policies which show that, even though they cannot rapidly solve most of the underlying problems, they do care about the fate of the poor and (politically more important) of the recently impoverished segments of the middle class. But minimal though it may be, this is a very tall order. These two goals are extremely difficult to harmonize, at least in the short run—and for such flimsy governments little other than the short run counts.

Governments like to enjoy sustained popular support, and politicians want to be reelected. Only if the predicaments described above were solvable within the brief compass of a presidential term would electoral success be a triumph instead of a curse. How does one win election and how, once elected, does one govern in this type of situation? Quite obviously—and most destructively in terms of the building of public trust that helps a democracy to consolidate—by saying one thing during the campaign and doing the contrary when in office. Of course, institutionalized democracies are not immune to this trick, but the consequences are more devastating when there are few and weak institutions and a deep socioeconomic crisis afflicts the country. Presidents have gained election in Argentina, Bolivia, Ecuador, and Peru by promising expansionist

economic policies and many other good things to come with them, only to enact severe stabilization packages immediately or shortly after entering office. Whatever the merits of such policies for a given country at a given time, their surprise adoption does nothing to promote public trust, particularly if their immediate and most visible impact further depresses the already low standard of living of most of the population.

Moreover, the virtual exclusion of parties and congress from such momentous decisions has several malign consequences. First, when the executive finally, and inevitably, needs legislative support, he is bound to find a congress that is resentful and feels no responsibility for policies it had no hand in making. Second, the congress is further weakened by its own hostile and aloof attitude, combined with the executive's public condemnations of its slowness and "irresponsibility." Third, these squabbles promote a sharp decline in the prestige of *all* parties and politicians, as opinion polls from many Latin American and postcommunist countries abundantly show. Finally, the resulting institutional weakness makes it ever more difficult to achieve the other magical solution when the packages fail: the socioeconomic pact.

From Omnipotence to Impotence

If we consider that the logic of delegation also means that the executive does nothing to strengthen the judiciary, the resulting dearth of effective and autonomous institutions places immense responsibility on the president. Remember that the typical incumbent in a DD has won election by promising to save the country without much cost to anyone, yet soon gambles the fate of his government on policies that entail substantial costs for many parts of the population. This results in policy making under conditions of despair: The shift from wide popularity to general vilification can be as rapid as it is dramatic. The result is a curious mixture of governmental omnipotence and impotence. Omnipotence begins with the spectacular enactment of the first policy packages and continues with a flurry of decisions aimed at complementing those packages and, unavoidably, correcting their numerous unwanted consequences. This accentuates the anti-institutional bias of DDs and ratifies traditions of high personalization and concentration of power in the executive. The other side of the coin is extreme weakness in making those decisions into effective long-term regulations of societal life.

As noted above, institutionalized democracies are slow at making decisions. But once those decisions are made, they are relatively more likely to be implemented. In DDs, in contrast, we witness a decision-making frenzy, what in Latin America we call *decretismo*. Because such hasty, unilateral executive orders are likely to offend important and politically mobilized interests, they are unlikely to be implemented. In the midst of a severe crisis and increasing popular impatience, the upshot is usually new flurries of decisions which, because of the experience many sectors have had in resisting the previous ones, are even less likely to be implemented. Furthermore, because of the way those decisions are made, most political, social, and economic agents can disclaim responsibility. Power was delegated to the president, and he did what he deemed best. As failures accumulate, the country finds itself stuck with a widely reviled president whose goal is just to hang on until the end of his term. The resulting period of passivity and disarray of public policy does nothing to help the situation of the country.

Given this scenario, the "natural" outcome in Latin America in the past would have been a successful coup d'état. Clearly, DDs, because of their institutional weaknesses and erratic patterns of policy making, are more prone to interruption and breakdown than representative democracies. At the moment, however—for reasons mostly linked to the international context, which I cannot discuss here—DDs exhibit a rather remarkable capacity for endurance. With the partial exception of Peru, where the constitutional breakdown was led by its delegative president, no successful coups d'état have taken place.

The economic policy undertaken by DDs is not always condemned to be widely perceived as a failure, particularly in the aftermath of hyperinflation or long periods of extremely high inflation.[10] This is the case in Argentina today under President Menem, although it is not clear how sustainable the improved economic situation is. But such economic achievements, as well as the more short-lived ones of Collor (Brazil), Alfonsín (Argentina), and García (Peru) at the height of the apparent successes of their economic packages, can lead a president to give the ultimate proof of the existence of a delegative democracy.

As long as their policies are recognized as successful by electorally weighty segments of the population, delegative presidents find it simply abhorrent that their terms should be constitutionally limited; how could these "formal limitations" preclude the continuation of their providential mission? Consequently, they promote—by means that further weaken whatever horizontal accountability still exists—constitutional reforms that would allow their reelection or, failing this, their continuation at the apex of government as prime ministers in a parliamentary regime. Oddly enough, successful delegative presidents, at least while they believe they are successful, may become proponents of some form of parliamentarism. In contrast, this kind of maneuver was out of the question in the cases of the quite successful President Sanguinetti of Uruguay and the very successful President Aylwin of Chile, however much they might have liked to continue in power. Again, we find a crucial difference between representative and delegative democracy.[11]

As noted, among the recently democratized countries of Latin America only Uruguay and Chile, as soon as they redemocratized, revived earlier political institutions that the other Latin American countries (as

well as most postcommunist ones) lack. This is the rub: Effective institutions and congenial practices cannot be built in a day. As consolidated democracies show, the emergence, strengthening, and legitimation of these practices and institutions take time, during which a complex process of positive learning occurs. On the other hand, to deal effectively with the tremendous economic and social crisis faced by most newly democratized countries would require that such institutions already be in place. Yet the crisis itself severely hinders the arduous task of institutionalization.

This is the drama of countries bereft of a democratic tradition: Like all emerging democracies, past and present, they must cope with the manifold negative legacies of their authoritarian past, while wrestling with the kind of extraordinarily severe social and economic problems that few if any of the older democracies faced at their inception.

Although this essay has been confined largely to a typological exercise, I believe that there is some value in identifying a new species, especially since in some crucial dimensions it does not behave as other types of democracy do. Elsewhere I have further elaborated on the relationship between DDs and socioeconomic crisis and on related theoretical issues,[12] and I intend to present more comprehensive views in the future. Here I can only add that an optimist viewing the cycles I have described would find that they possess a degree of predictability, thus supplying some ground on which longer-term perspectives could be built. Such a view, however, begs the question of how long the bulk of the population will be willing to play this sort of game. Another optimistic scenario would have a decisive segment of the political leadership recognizing the self-destructive quality of those cycles, and agreeing to change the terms on which they compete and govern. This seems to me practically the only way out of the problem, but the obstacles to such a roundabout but ultimately happy outcome are many.

NOTES

This essay is a revised and abridged version of a text of the same title published in Portuguese by Novos Estudos CEBRAP 31 (October 1991): 25–40, and as Kellogg Institute Working Paper No. 172 (March 1992). Some of the ideas in this essay originated in conversations I had in the 1980s with Luis Pásara concerning the emerging patterns of rule in several Latin American countries. For the preparation of the present version I was privileged to receive detailed comments and suggestions from David Collier.

1. Terry Lynn Karl and Philippe C. Schmitter, "Modes of Transition and Types of Democracy in Latin America, Southern and Eastern Europe," *International Social Science Journal* 128 (May 1991): 269–84.

2. See Robert A. Dahl, *Polyarchy: Participation and Opposition* (New Haven: Yale University Press, 1971); and idem., *Democracy and Its Critics* (New Haven: Yale University Press, 1989). I draw further distinctions concerning various characteristics of polyarchies in a recent paper entitled "On the State, Democratization and Some Conceptual Problems (A Latin American View with Glances at Some Post-Communist

Countries)," World Development 21 (1993): 1355–69 (also published as Kellogg Institute Working Paper No. 192, April 1993).

3. For a more detailed discussion, see my essay "Transitions, Continuities and Paradoxes" in Scott Mainwaring, Guillermo O'Donnell, and J. Samuel Valenzuela, eds., *Issues in Democratic Consolidation: The New South American Democracies in Comparative Perspective* (Notre Dame, Ind.: University of Notre Dame Press, 1992), 17–56.

4. Adam Przeworski, "Democracy as a Contingent Outcome of Conflicts," in Jon Elster and Rume Slagstad, eds., *Constitutionalism and Democracy* (Cambridge: Cambridge University Press, 1988), 59–80.

5. Wolfgang Streeck and Philippe C. Schmitter, "Community, Market, State—and Associations? The Prospective Contribution of Interest Governance to Social Order," in Wolfgang Streeck and Philippe C. Schmitter, eds., *Private Interest Government: Beyond Market and State* (London: Sage Publications, 1985), 1–29.

6. See James March and Johan Olsen, *Rediscovering Institutions: The Organizational Basis of Politics* (New York: The Free Press, 1989).

7. A prisoner's dilemma exists when, even if all of the agents involved could make themselves better off by cooperating among themselves, it nonetheless proves rational for each of them, irrespective of what the others decide, not to cooperate. In this sense, institutions may be seen as social inventions that serve to make cooperation the rational preference.

8. Arturo Valenzuela, "Latin America: Presidentialism in Crisis," *Journal of Democracy* 4 (October 1993): 17, notes that "all of the countries (except for Paraguay) that drafted new constitutions in the 1980s and early 1990s (Guatemala, El Salvador, Colombia, Ecuador, Peru, Chile, and Brazil) instituted the French system of a *ballotage*, or second round, for presidential races." Of these countries, Guatemala and El Salvador did not qualify as polyarchies, Chile's constitution was a product of the Pinochet regime, and Ecuador, Peru, and Brazil are among the purest cases of DD.

9. Giorgio Alberti has insisted on the importance of *movimientismo* as a dominant feature of politics in many Latin American countries. See his "Democracy by Default, Economic Crisis, and Social Anomie in Latin America" (Paper presented to the Twenty-fifth World Congress of Political Science, Buenos Aires, 1991).

10. I discuss these themes in my essay "On the State, Democratization, and Some Conceptual Problems," cited in note 2 above.

11. I do not ignore the important discussions currently underway about various forms of presidentialism and parliamentarism, of which recent and interesting expressions are Scott Mainwaring and Matthew Shugart, "Juan Linz, Presidentialism, and Democracy: A Critical Appraisal," Kellogg Institute Working Paper No. 200 (July 1993); Alfred Stepan and Cindy Skach, "Constitutional Frameworks and Democratic Consolidation: Parliamentarism versus Presidentialism," *World Politics* 46 (October 1993): 1–22; and Arturo Valenzuela, "Latin America: Presidentialism in Crisis," cited in note 8 above. In the present text I discuss patterns that are independent of those institutional factors, although they may be convergent in their consequences. Clearly, presidentialism has more affinity with DD than parliamentarism. However, if delegative propensities are strong in a given country, the workings of a parliamentary system could be rather easily subverted or lead to impasses even worse than the ones discussed here.

12. I must refer again to my essay "On the State, Democratization, and Some Conceptual Problems," cited in note 2 above.

4

HOW FAR CAN FREE GOVERNMENT TRAVEL?

Giovanni Sartori

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There is no doubt that the theory and practice of liberal democracy are Western products rooted in Western history and culture. Thus as democracy is exported from the West to other areas and cultures we hear references made to "cultural imperialism" and to a "biased, Western-centric model." But I do not think that ideas should be rejected on the basis of where they originated. That democracy is a Western invention does not entail that it is a bad invention, or a product suitable only for Western consumption. That my own writings on democracy are Western-centric does not give me any particular guilt complex.[1] I do recognize, however, that the prescription of democracy for non-Western areas confronts us with "traveling issues." First, can democracy be exported to any place, regardless of "import conditions," that is, of conditions in the importing countries? Second, can and should democracy be exported *in toto* and in its most advanced (Western) formulation, or should we first break the concept of liberal democracy down into its *necessary* (defining) and *contingent* (variable) elements?

The question whether democracy can be implanted in any soil is generally answered by pointing to India and Japan—both decidedly non-Western cultures and yet convincing instances of a successful implant. I bow to this grand evidence; nonetheless, I am not entirely satisfied by it. What about Africa, for instance? Close study would reveal that India and Japan did meet "minimal conditions" for the import of democratic forms, conditions that may not exist in other areas. Further exploration of the exportability of democracy, however, requires that we first take up the second question and look at the component elements of the concept.

At the outset I referred to "liberal democracy," and I must emphasize that "democracy" is only a shorthand—and a misleading one at that—for an entity composed of two distinct elements: 1) freeing the people (liberalism) and 2) empowering the people (democracy). One could equally say that liberal democracy consists of 1) "demo-protection," meaning the protection of a people from tyranny, and 2) "demo-power," meaning the implementation of popular rule. Historically, the creation of a free people was the accomplishment of liberalism (from Locke to, say, Benjamin Constant, the major French constitutionalist), and this element is generally singled out by the notions of constitutional democracy and/or liberal constitutionalism. A free *demos*, however, is also a *demos* that gradually enters the house of power, asserts itself, "demands" and "obtains." And this is democracy per se.

Which of the aforementioned elements is the more important one? If this question implies that what is more important must supersede what is less important, then it is a misguided question. If we take this road, we generally arrive at the answer that *freedom to* is more important than *freedom from*, that demo-power is more important than demo-protection, and thus that the democratic element takes priority over the liberal element.[2] But this conclusion would be wrong. Regardless of our own personal feelings about which element is more important, the issue is one of *procedural sequencing*, and thus of what is a prior condition of what else. And it cannot be doubted that—procedurally—*freedom from* (what Hobbes referred to as the absence of external impediments) and demo-protection (liberal constitutionalism) are the *necessary condition* of democracy per se.[3]

Of the two component elements of liberal democracy, then, demo-protection is the necessary and defining element. And I would also hold that this is the global or universal element, the one that *can* be exported anywhere and implanted in any kind of soil. As this element is concerned primarily with the structural and legal means of limiting and controlling the exercise of power, and thus of keeping arbitrary and absolute power at bay, we have here a political form that can be superimposed (since it is only a *form*) on any culture regardless of underlying socioeconomic configurations. This is not the case with the demo-power element, for here we enter the arena of policy content, of concrete inputs and outputs processed by, and within, the political form. The constitutional state intimates *how* decisions are made; demo-power bears on *what* is decided And, clearly, in the "will of the people" arena contingency and cultural factors are likely to engender a great deal of variance in the particular decisions that are made.

The standard objection to my argument for the universality (and hence exportability) of democracy as a constitutional form is that it assumes that freedom—as defined and protected by constitutionalism—is both a primary and a universal value, when in fact this may not be the case. In essence, then, the objection is that freedom is not "valued" by everybody everywhere. For instance, in theocratic and "submissive" cultures there is no place for valuing freedom.[4] The point is buttressed by arguing that the freedom in question actually is *individual* freedom, and therefore a freedom tainted by mean, even sordid, individualistic values. But the empirical evidence in support of this argument is invalid, and the individualistic indictment unwarranted.

How can we ascertain whether the state of "being free" is in fact appreciated by most people in most places? The caveat here is that, "if I ask someone whether he prefers to travel on horseback or by car, his reply is meaningless unless the respondent has at least seen a car and a horse. It is pointless to enquire about preferences vis-à-vis people who have never been offered alternatives, that is, anything to compare. . . . Innumerable people cannot prefer something to something else because they have no "else" in sight; they simply live with, and encapsulated within, the human (or inhumane) condition they find."[5]

Clearly, then, it is preposterous to assess the matter by asking illiterate peasants in primitive societies and Third World countries whether they "value freedom" and whether they prefer this value to others. The notions of value and freedom are highly abstract, analytic concepts that are utterly unintelligible to a large majority of the world's inhabitants.

This does not mean, however, that the issue must be dropped on the grounds that the universal desirability of freedom can be neither verified nor falsified by empirical findings. Rather, what must be dropped is the abstract (and surely Western-centric) vocabulary in which the case is being framed. Instead of speaking of *values*, let us speak of *harms*, thereby recasting the argument in terms of the harm principle. The contention thus becomes that nobody likes to be imprisoned, tortured, or killed, and that everybody tries to escape when confronted with harm. And political freedom is an abstract rendering of what the harm principle is concretely about. Liberal constitutionalism aims to ensure that no one can be harmed by the coercive instruments of politics without due process and in violation of *habeas corpus*.

The desirability, universality, and exportability of democracy as a constitutional form rest, then, on the *harm-avoidance* rule. This formulation clearly invalidates, *inter alia*, the "individualistic" charge. Individuals seek to avoid bodily harm (and what they perceive as harmful) in a communitarian setting just as much as in an atomistic one. A member of a tribal village will try to escape before allowing himself to be roasted over a fire or carved by a knife just as surely as his "individualistic," egocentric counterpart. Thus the contention that *freedom from* is of no interest to people whose belief system does not "value" the individual is without merit.

The analytic distinction that we are drawing between demo-protection and demo-power should not be understood, however, as amounting to a practical disjunction. The two are connected, a connection clearly established by voting and electing. Even so, the importance of voting tends to be exaggerated by authors who lack historical perspective. Take the claim—and by now the slogan—that full democracy is achieved only when universal (male and female) suffrage is achieved. Yes—but also no. For we should remind ourselves that liberal (constitutional) democracy was launched and long sustained by very small electorates. Voting is indeed a *necessary condition* of any free polity.[6] Yet the extent and extension of voting in a given polity are not as crucial as some would have us believe. Feminist outcries notwithstanding, I still hold that Switzerland was a full democracy in spite of its electoral exclusions. And if I had to choose between a country with universal suffrage but insecure rule of law and, conversely, a country with less-than-universal suffrage but secure rule of law, I would unhesitatingly choose the latter as a better democracy than the former.[7] Voting, then, is not *the* indicator of democracy. It does not adequately measure full democracy, and I will suggest below that it is a mistake to blindly impose voting on countries that are unfit for voting.

Preconditions of Democracy

Why deal extensively with the liberal *past* of liberal democracy? Because *initial* democracy in Asia and elsewhere confronts the same problems that democracy faced initially in the West. To be sure, once a political form has been invented and tried out somewhere, it takes less time to copy it elsewhere. Granted also that, in principle, creating a democracy "by imitation" is a relatively easy thing to do. The problem, however, is the gap between *calendar time* and *historical time*. Copying a political model is a synchronic process based on calendar time: We import today what exists today. But in terms of historical time, countries can be a thousand years apart. Historically, Afghanistan and millions of villages scattered across the underdeveloped (let alone the undeveloped) areas today are about where most of Europe was in the dark Middle Ages. Thus the import business is not as easy as it is often made to appear. Since it involves tricky "timing differences," it runs into trouble whenever an advanced model is abruptly imposed upon a lagging reality. Even though in calendar time today is the same day in Washington as it is in Kabul, a transplant from the former to the latter is a huge leap.

Let me rephrase this caveat in terms of preconditions. The notion of preconditions of democracy generally refers to economic preconditions. I will come to these shortly, but here I mean historical antecedents. There are two: One is secularization, and the other is what I call the "taming" of politics. Secularization occurs when the realm of God and the realm of Caesar—the sphere of religion and the sphere of politics—are separated. As a result, politics is no longer reinforced by religion: It loses both its religion-derived rigidity (dogmatism) and its religious-like intensity. Out of this situation arise the conditions for the taming of politics. By this I mean that politics no longer kills, is no longer a warlike affair, and that peacelike politics affirms itself as the standard *modus operandi* of a polity.

One need not look far to grasp the connection between these historical conditions and democracy. Democracy assumes that power is both given and revoked by electoral verdicts and thus routinely requires rotation in office. But if powerholders have reason to fear that relinquishing power could endanger their life and property, it is clear that they will not relinquish it. Therefore, until politics is secularized and "tamed"—that is, until there is sufficient protection for the human being as such—the stakes will be too high for politicians to surrender their power and step down.

All these preconditions were conspicuously absent in Algeria at the time of the 1991–92 elections. It was a grievous mistake, I believe, to cancel the second round and to nullify the elections. But the worse mistake was to call elections at all. The international community is ill-advised in asking countries currently facing the tide of Islamic fundamentalism to "certify" their democracy by calling for a vote. In a nonsecularized, warlike setting in which the loser expects to be killed, democracy of any kind is impossible.

It is possible, then, that nations coming late to democracy are actually *disadvantaged* by the availability of a prototype that they can simply copy. If the latecomers are expected to "catch up" (ignoring historical time) at an excessively rapid pace, they are likely to suffer from "overload," an unmanageable situation arising from too many simultaneous crises or burdens.[8] In this regard it is important to keep in mind that a century ago democracy was only a political form, and that the constitutional state did not provide, nor was it expected to provide, economic "goodies"; rather, it provided freedom and the "good things" that come in its wake. For well over a century, the case was never made that democracy had economic preconditions and that its sustainability depended on economic growth and prosperity. The point is, then, that the nineteenth-century demo-protection afforded by the liberal state did not have wealth requirements. To the extent that liberal democracy is conceived as a political form, a "poor democracy" is equally conceivable and possible.

As Western democracies developed and attained higher levels of democratization, however, demo-power became demo-appetite, and the policy content of the liberal-constitutional forms increasingly centered around distributive issues, around "who gets how much of what." This shift was probably inevitable. It has been mightily reinforced, however, by the withering away of ethics, by Marxist "materialism," and by the strongly utilitarian bent that has shaped the theory and practice of democracy in its Anglo-American unfolding. These are, to be sure, cultural factors that may be countered as democracy takes root in other cultures. Yet the fact remains that if democracy is imported as a system of demo-power eminently concerned with demo-distributions, then the fate of democracy becomes intertwined with economic performance.[9] Therefore, the crucial issue almost everywhere today is whether democracy also supplies economic growth.

Does Democracy Work Best?

Let us turn, then, to the question: Does democracy work best, economically speaking? Many would boldly answer with a resounding yes. As *The Economist* puts it, the evidence shows that "across scores of countries and centuries of history, democracy has promoted growth far more effectively and consistently than any other political system."[10] I wish that I could believe that. Alas, what this account completely misses is that growth came with technological advancement, and that technology is a by-product not of democracy but of the kind of logic and rationality forged by the ancient Greeks, which eventually gave rise to the "scientific spirit" and, in its wake, to the prodigious development of technology that uniquely occurred in the last two centuries in the Western world. It is true that Chinese civilization was marked by outstanding skills, and for a long time outpaced the West in technical inventions. Yet the science and technology that "modernize" today's world never blossomed in other cultures—neither in China nor, to cite another major example, in India. Hence the observed correlation between Western liberal democracy and affluence turns out to be spurious.

Correlations aside, what is the argument behind the thesis of democracy's "economic superiority"? According to *The Economist*, "one of the main reasons why democracy promotes growth is that it offers the security of property rights that is necessary for capitalistic progress."[11] In the wake of the disastrous collapse of Soviet-type planned economies, however, even dictators well realize by now that "the invisible hand works better than the visible boot."[12] Thus dictators too will find that promoting market systems and respecting property rights are in their own best interests.

As I look around, I see democracies "in growth" and democracies that are backsliding, just as I see dictatorships that are in economic ruins and dictatorships that are enjoying economic success. Taiwan, Singapore, South Korea, and now Malaysia as well have engineered their "economic miracles" under authoritarian monitoring. And what of Hong Kong, which is not a democracy but a colony ruled by a British governor? In Latin America, the economies of Chile and Peru collapsed under democratic rule and owe their comebacks to authoritarian governance (in Peru, President Alberto Fujimori did wonders for the economy, but at the cost of suspending and subsequently rewriting a dubiously democratic constitution). The overall pattern of the region is that military dictatorships and democratic governments have equally poor developmental records.[13] In the former Soviet Union and Eastern Europe, democratization has preceded economic reform and made the latter more difficult. China under Deng Xiaoping, on the other hand, has followed the opposite approach—with economic liberalization handed down from above under strict dictatorial control—and the success has been remarkable.

So the contention that democracy is not only a superior political system (I certainly concur in that) but also an "economic winner" is easily countered by the argument that, given equal market mechanisms, governments that are spared gridlock and popular pressures are in a better position to promote growth than governments encumbered by demo-demands and demo-distributions. To be sure, as people grow richer, democracy is one of the things they are likely to demand. But in this argument it is growth that entails democracy, not democracy that generates growth.

That democracy works best is not, then, a sort of natural law. Democracies *must be made to work* (through structural incentives and constraints, not merely good will). And here I would stress that the model itself, the Western political form, is in crying need of repair.[14] The danger of bankrupt democracy, of so-called democracy in deficit, is a very real one, and one that present-day constitutional structures are not equipped to deal with.

Let me once again place the problem in historical perspective. When the liberal-constitutional polities were conceived, the single major driving force behind their implementation was the principle "no taxation without representation." (As James Otis bluntly put it in 1761, "taxation without representation is tyranny.") Therefore, when parliaments became one of the pillars of the constitutional state, they held the "power of the purse"—that is, the power of raising monies and of granting them to the holder of the "power of the sword" (that is, the king). This division of competencies between parliamentary guardianship and executive spending achieved its purpose as long as parliaments represented (as they did throughout the nineteenth century) the actual taxpayers—that is, the "haves," not the "have-nots." Under these conditions, parliaments have in fact been effective expense controllers. Over the last century, however, the equilibrium between parliamentary brakes and executive accelerators has been lost. With universal suffrage and the subsequent general shift from law and order (what the "small state" was expected to deliver) to the need-attending welfare state, parliaments have become even greater spenders than governments. The natural dam that kept national budgets in equilibrium up to the middle of the twentieth century was the belief that a budget by definition is a *balance*, a balancing of revenues and expenditures. And it is this belief that accounts for the fact that the enormous debts created by two world wars were gradually absorbed.

The spell was broken when the message of John Maynard Keynes—deficit spending—got through to politicians. Free riding on borrowed money has since become an irresistible temptation. Across the structures of the constitutional state one no longer finds, at any point, a fiscally responsible gatekeeper. And if free-riding politicians can get away with incurring debts "for consumption" (not for investment), and therefore, in the end, with simply printing more money, then bad politics, bad economics, or both are virtual certainties. It is therefore crucial that control of the purse be reestablished, for what we now have is, on this score, a state without checks and balances.

I cannot discuss here the possible remedies.[15] I can only underscore that whether or not democracy performs (in economic terms) is crucially determined at the "control of the purse" juncture. It is here, as we move from form (the constitutional structure) to policy content (resulting from demo-demands), that democracy currently faces its greatest challenge.

The formal rights set forth in the original bills of rights were, by and large, costless. As formal rights have expanded to encompass material entitlements, they have become ever more costly. In recent decades, Western democracies have been able to meet escalating welfare expenditures by two means: deficit spending and protectionism. Both resources have since dried up. Many Western democracies today end up with "rigid budgets"—that is to say, they are so deeply in debt that different or additional allocations are almost impossible. And to the extent that a global economy inevitably exposes formerly protected producers (which were able to pass their fiscal burdens on to their consumers) to worldwide competition, the welfare state becomes unaffordable. The years to come will thus have to be years of retrenchment. Now more than ever, then, democracies must be capable of sustaining growth. But even if worst comes to worst and we are drawn into a negative-sum vortex—a game in which everybody loses—the thought that I offer in consolation is that liberal democracy is still worthwhile on its own and that to have demo-protection is still infinitely better than to have nothing.

A Final Question

A final question remains, namely, whether Asia and Africa may need their own "models" of democracy. At the core—that is, the constitutional techniques for protecting citizens and controlling (limiting) the exercise of political power—no alternative model is in sight, and I equally fail to see why anyone would want to discard a well-tested mechanism that works. But at the periphery—for instance, when it comes to party systems and the processes of articulation and aggregation of interests—I grant that the multiparty arrangements originally resulting from Western class cleavages make little sense where the loyalties are exclusively tribal. African leaders who make this argument have a point, but they are wrong when their solution is to ban multiparty politics and, in practice, establish a one-man, one-party rule.

When we come, on the other hand, to the "will of the people" element of liberal democracy, it is difficult to generalize. The world is made up of very different people embedded in very different cultures, worldviews, and value systems, not to mention circumstances.[16] Even in the West, *vox populi* is not necessarily understood as *vox Dei*; and I for one hold not that the people are always right but that the people have the right to be mistaken. Similarly, should we permit democracy to be "demo-killed"—that is, should we allow a power of the people that eliminates itself? This and a host of similar questions prompt a number of different responses, which in turn deeply affect the policy outputs of democratic experiments. Walter Bagehot praised, in his time, the "deferential stupidity" of the English. Is democracy better served by undeferential arrogance? These are, I suggest, matters best left to each *Volksgeist*, to each distinctive "spirit of the people."

The Western theory of democracy has evolved (often normatively and even perfectionistically) to reflect advanced levels of democratization. As this theory travels to new democracies in the making (and is disseminated by students trained in Western universities), the foundations of Western democracy itself are either taken for granted or overlooked entirely. This is, I submit, a bad beginning for beginners. Historically, as I have argued above, liberal democracy has grown to encompass two component elements: 1) demo-protection (which results in a free people), and 2) demo-power (which results in a self-asserting people). Demo-protection is secured by the "form" of liberal democracy—that is, its constitutional structures and procedures—whereas demo-power is the input-output "content" delivered by policy decisions. The first element is—in my argument—a necessary condition of democracy, whereas the second is an open-ended set of implementations.

It follows from the aforementioned distinctions that: 1) the form (the liberal-constitutional element) is the universally exportable element, whereas the content (what a people wills and demands) is the contingent, culturally dependent element; 2) "tamed" and peacelike politics is an essential precondition of electoral verdicts that are respected and bring about rotation in political office; 3) demo-protection is indifferent to economic conditions and thus allows, *ex hypothesi*, for a "poor" democracy, whereas a demo-power that demands demo-benefits crucially requires wealth and economic growth; and, therefore, 4) the outright identification of democracy with demo-distributions makes the present-day fiscal crisis of democracy—wherever it occurs—particularly worrisome.

NOTES

1. In the main, three: *Democratic Theory* (Detroit: Wayne State University Press, 1962; New York: Praeger, 1965); *The Theory of Democracy Revisited* (Chatham, N.J.: Chatham House, 1987), which extends and revises the earlier volume; and *Democrazia: cosa è* (Milan: Rizzoli, 1992), in which a new part discusses democracy after communism—that is, in victory.

2. It must be borne in mind that in this essay "liberal" is always used in its historical sense, not in the sense in which it is currently used in the United States—that is, as a synonym for "left."

3. For a more detailed analysis, see my *Theory of Democracy Revisited,* 301–10, 357–58, 386–93.

4. I use the term "submissive culture" rather than "subject culture," "deferential culture," or similar expressions because the word Islam means "submission," and because Islamic culture is currently the main antagonist of what Gabriel Almond and others have called "civic culture."

5. See my *Theory of Democracy Revisited,* 272, 273–79 passim.

6. Even Edmund Burke, who championed "virtual representation"—that is, representation without election—qualified his stance by noting in a 1792 letter to Sir Hercules Langrishe that "this sort of virtual representation cannot have a long or sure existence, if it has not a substratum in the actual. The member must have some relation to the constituent." Burke, *Works,* 9 vols. (Boston: Little, Brown, 1839), 3:521.

7. In much of Latin America, for instance, the right to vote is extended to all, but the independence of the judiciary is often dubious; and I do marvel at how "electoral democratization" can be given precedence over the rule-of-law requirement.

8. Reference is made here to the "sequencing of crises" theory that was developed in a series of volumes sponsored by the Social Science Research Council and published by Princeton University Press, which is summarized in the concluding volume of the series, by Leonard Binder et al., *Crises and Sequences in Political Development* (1971), especially the last chapter by Sidney Verba.

9. The debate about the relationship between democracy and economic development goes back to the seminal work of Seymour Martin Lipset, *Political Man: The Social Bases of Politics* (Garden City, N.Y.: Doubleday, 1959), especially ch. 2. For a more recent assessment, see Larry Diamond, "Economic Development and Democracy Reconsidered," in Gary Marks and Larry Diamond, eds., *Reexamining Democracy: Essays in Honor of Seymour Martin Lipset* (Newbury Park, Calif.: Sage, 1992), 93–139.

10. "Democracy Works Best," *Economist,* 27 August 1994, 9.

11. Ibid. A more sophisticated argument along the same lines is made (in terms of taxation) by Mancur Olson in "Dictatorship, Democracy, and Development," *American Political Science Review* 87 (September 1993): 567–76. According to Olson, a dictator (a "stationary bandit") will do well only "if he is taking an indefinitely long view," whereas the odds are that "an autocrat is only concerned about getting through the next year" (571). But is the time horizon of the democratic politician longer than that of the dictator? I very much doubt it.

12. "Democracy and Growth: Why Voting Is Good for You," *Economist,* 27 August 1994, 17.

13. In this essay I do not deal with the *sui generis* problems surrounding the importation of democracy into Latin America. A good overview can be found in Abraham F. Lowenthal, ed., *Exporting Democracy: The United States and Latin America* (Baltimore: Johns Hopkins University Press, 1991).

14. I deal at length with the repairs that democratic systems need in my *Comparative Constitutional Engineering: An Inquiry into Structures, Incentives and Outcomes* (New York: New York University Press; London: Macmillan, 1994). Here I must confine the argument to the economic feebleness, so to speak, of Western constitutional structures.

15. With regard to the constitutional solutions proposed in the United States, see Aaron Wildavsky, *How to Limit Government Spending* (Berkeley: University of California Press, 1980); and R.E. Wagner et al., *Balanced Budgets, Fiscal Responsibility and the Constitution* (Washington, D.C.: Cato Institute, 1982).

16. For a broad, cross-national treatment of the role of the cultural factor, see Larry Diamond, ed., *Political Culture and Democracy in Developing Countries* (Boulder, Colo.: Lynne Rienner, 1993).

5

FROM LIBERALISM TO LIBERAL DEMOCRACY

Marc F. Plattner

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Today the most liberal regimes in the world, those of the advanced Western countries, are typically referred to either as liberal democracies or, more often, simply as democracies. This reflects one of the most striking ways in which twentieth-century liberalism differs from the older liberalism that emerged in the late seventeenth and eighteenth centuries. Today, wherever one finds liberalism (understood as constitutional and limited government, the rule of law, and the protection of individual rights), it is almost invariably coupled with democracy (understood as the selection of government officials by universal suffrage). The converse proposition, however, has in recent decades been becoming less and less true. With the downfall since 1975 of scores of authoritarian regimes and their replacement by more or less freely elected governments, there are now many regimes that can plausibly be called democratic but not liberal. As a result, the relationship between liberalism and democracy has once again become a subject of intense intellectual and policy debate.

Perhaps the most prominent example of this is Fareed Zakaria's 1997 article in *Foreign Affairs* on "The Rise of Illiberal Democracy."[1] Zakaria emphasizes a point that had already been made by other observers more sympathetic than he to the struggles of new would-be liberal democracies in the postcommunist and developing worlds: Even among those regimes that have succeeded in holding genuinely free elections, many have compiled a poor record in terms of such criteria of liberalism as the rule of law and the protection of individual rights. The more sympathetic observers tend to stress the importance of "consolidating" these new democracies, preserving their electoral achievements while strengthening their liberal features.

Zakaria, however, concludes that the liberal deficit of these regimes has emerged not in spite of, but in some measure because of, their adoption of the democratic mechanism of popular elections. He thus questions the wisdom of encouraging countries to elect their rulers before the foundations of liberalism are firmly in place.

Zakaria puts heavy emphasis on the distinction between liberalism and democracy. Making it clear that he views the former as more important than the latter, he argues for the superiority of liberal autocracy over illiberal democracy. This in turn has prompted discussion of the viability of liberal autocracy (or, more generically, nondemocratic liberalism) in the contemporary world, for the only explicit twentieth-century example of liberal autocracy that Zakaria provides is Hong Kong under British colonial rule. His primary example is the constitutional monarchies of nineteenth-century Europe, which certainly did have many of the elements of liberalism in place before they adopted universal manhood suffrage. But it is also noteworthy that all of these pre–twentieth-century liberal nondemocracies have now become democratic. This raises the question of why liberal regimes have all tended to evolve in a democratic direction. Is it due merely to adventitious circumstances or extraneous factors, or is it somehow related to the intrinsic principles of liberalism? That is the issue I wish to explore.

Liberalism and Equality

Liberalism is essentially a doctrine devoted to protecting the rights of the individual to life, liberty, property, and the pursuit of happiness. Government is needed to protect those rights, but it can threaten them as well, so it is also essential to guard against their infringement by government. Thus liberalism entails a government that is limited by a constitution and by the rule of law. At first sight, however, there does not seem to be any reason in principle why such a government must be chosen by the people. A constitutional government of one man or of a few could rule in such a way as to protect the rights of individuals. Indeed, there is reason to fear that a government responsive to popular majorities will be tempted to violate the rights of unpopular individuals or minorities. Accordingly, many liberals in past centuries opposed the extension of the suffrage, fearing precisely such an outcome. Yet everywhere efforts to forestall the extension of the suffrage failed, and liberalism turned into liberal democracy. And far from being destroyed by its democratization, liberalism on the whole has flourished. This suggests that the tension between liberalism and democracy is not so great as some have thought. In fact, I would go further, and propose that the philosophy of liberalism contains within itself the seeds of its own democratization.

In the first place, one may point to the massive fact that the classic statements of liberal principles set forth not only the doctrines of individual rights and limited government but also the doctrine of human equality. The American Declaration of Independence proclaims as the first of its self-evident truths "that all men are created equal." The French Declaration of the Rights of Man and Citizen states in the very first of its 17 principles: "Men are born, and always continue, free and equal in respect of their rights." This intimate connection between the rights or freedom of men and their mutual equality can easily be traced back to the opening pages of the classic work of liberal political theory, John Locke's *Second Treatise of Government*. In elaborating the origins of legitimate political power, Locke begins by considering "what state all men are naturally in"; he argues that this is not only "a state of perfect freedom" but "a state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another."[2]

The connection between natural liberty and natural equality is clear. If men are not equal in their natural rights, that is, if some men have a right to rule over other men, then men cannot naturally be free. And correspondingly, if all men are naturally free, then none can have a natural right to rule over others. Locke's *Second Treatise* is, of course, the sequel to his *First Treatise*, a refutation of Sir Robert Filmer's doctrine of paternal power. According to Locke, the ground of Filmer's system is as follows: "Men are not born free, and therefore could never have the liberty to choose either governors or forms of government."[3] After showing the flaws in Filmer's argument for the natural subjection of men, Locke begins the *Second Treatise* by asserting that if fraud and violence are not to be the only basis for government, a new origin for political power must be found. He finds it in the consent of the people. Precisely because men are "by nature all free, equal, and independent, no one can be put out of this estate and subjected to the political power of another without his own consent."[4] Once other principles of political legitimacy are undermined, only the consent of the governed remains.

To say that legitimate government rests on the consent of the governed is to say that the people—a term that for Locke means not the many as opposed to the nobles, but all those who belong to the society—are ultimately sovereign. They are the founders of political society; they decide where to invest the power of making laws; and they have "a right to resume their original liberty" and to choose a new legislative power if the existing one betrays their trust.[5] Yet despite these egalitarian or democratizing aspects of Locke's doctrine, he does not draw from it the conclusion that the people themselves (or their elected representatives) should necessarily govern. Instead, he argues that when men first unite into political society, the majority may choose to invest the legislative power not in themselves (which Locke says would constitute a "perfect democracy") but in a few men, or in a single man, or in such "compounded and mixed forms of government, as they think good."[6] In England, for example, he suggests that it is the attachment of the people to their old constitutional

arrangements that keeps bringing them back to the "old legislative of king, lords, and commons."[7] In short, nondemocratic forms of government can be legitimate if they enjoy the consent of the people.

This is not unreasonable as theory, and it is a view that prevailed for at least a century among supporters of the rights of man and limited government. But gradually and inexorably the notion that government must be based on popular consent led to the notion that government must be of the people, by the people, and for the people. Why did this happen? Perhaps one may begin to address this question by asking why the people might consent to government that is *not* in the hands of themselves or their elected representatives. One may, of course, simply say that in earlier centuries the people were never really given a choice, and if they had been, they would have chosen popular government. Alternatively, one may conclude with Locke that "people are not so easily got out of their old forms as some are apt to suggest. They are hardly to be prevailed with to amend the acknowledged faults in the frame they have been accustomed to."[8] In the seventeenth and eighteenth centuries the monarchic and aristocratic principles still reigned not only in the world but in the minds of the people. One might say that the people were willing to consent to be ruled by others precisely because principles other than that of consent still held great sway. But the public espousal and growing acceptance of the principles of natural equality and government by consent were fated to erode the willingness of the people to consent to nondemocratic government.

In the American colonies, where Locke's teachings were most widely adopted and where monarchy and aristocracy enjoyed much less support than in the more traditional societies of Europe, it was clear after the Revolution that the people would accept nothing other than popular government.[9] The French Revolution quickly moved toward an outright rejection of any admixture of monarchy or aristocracy. Even in Britain, where popular attachment to the "old forms" remained much stronger, calls for universal manhood suffrage date back at least to the 1770s,[10] and the nineteenth century was marked by widespread and eventually successful agitation for expansion of the franchise.

Extending the Vote

One useful way to explore the dynamic that led to the democratization of liberalism is to consider the views expressed by some leading liberal thinkers of the late eighteenth and the nineteenth century. An early example of the invocation of natural equality and consent of the people as a basis for rejecting anything other than popular government can be found in the work of Thomas Paine, who can always be counted upon to draw the most radical conclusions from the Lockean teaching on natural rights. In his *Dissertation on First Principles of Government* (1795),[11] Paine argues that there are only two "primary divisions" of government: "First, government by election and representation; secondly, government by hereditary succession." The former, Paine contends, is "founded on the rights of the people," while the latter is "founded on usurpation." Hereditary government, according to Paine, "has not a right to exist." The English parliament may have had a right to call William and Mary to the throne in 1688, for "every Nation, for the time being, has a right to govern itself as it pleases." But Parliament had no right to bind future generations of Englishmen to be governed by the heirs of William and Mary.

As for representative government, its only true basis is equality of rights: "Every man has a right to one vote and no more in the choice of representatives." Though Paine does not address the question of female suffrage, he decries as unjust the view that property should be made the criterion for voting. Exclusion from voting is offensive because it "implies a stigma on the moral character of the persons excluded," and poverty does not justify such a stigma. "The right of voting for representatives," Paine holds, "is the primary right by which other rights are protected. To take away this right is to reduce a man to slavery, for slavery consists in being subject to the will of another, and he that has not a vote in the election of representatives is in this case."

Finally, I quote at some length a passage that, when allowances are made for Paine's excessive rhetoric, offers some insight into the historical process by which exclusion from voting came to seem intolerable:

> While men could be persuaded they had no rights, or that rights appertained only to a certain class of men, or that government was a thing existing in right of itself, it was not difficult to govern them authoritatively. The ignorance in which they were held and the superstition in which they were instructed furnished the means of doing it. But when the ignorance is gone and the superstition with it, when they perceive the imposition that has been acted upon them, when they reflect that the cultivator and the manufacturer are the primary means of all the wealth that exists in the world beyond what nature spontaneously produces, when they begin to feel their consequences by their usefulness and their right as members of society, it is then no longer possible to govern them as before. The fraud once detected cannot be reacted.

Another strand of support for extension of the suffrage came from utilitarianism, which, although it rejected the doctrine of natural rights, nonetheless took as a guiding principle Jeremy Bentham's dictum "Everyone to count for one, nobody for more than one." The classic expression of utilitarian political thought is considered to be James Mill's *Essay on Government* (1820).[12] Like Paine, James Mill regards the system of representation as the key to good government. Eschewing any language claiming the *right* of individuals to vote for their representatives, he argues that "the benefits of the representative system are lost in all cases in which the interests of the choosing body are not the same with those of the community." This coincidence of interests, however, may exist with less than universal suffrage, provided that the interests of those excluded from voting "are indisputably included in those of other individuals" who can vote. On this basis Mill justifies the exclusion of women, "the interest of almost all of whom is involved in that of their fathers or in that of their husbands," and is prepared to accept the exclusion of men under the age of forty, because "the men of forty have a deep interest in the welfare of the younger men."

James Mill also presents a long and convoluted argument on the question of property qualifications for voting. He rejects a high property qualification on the grounds that it would lead to a government of the few, who, given human nature, would pursue their own interests at the expense of the community's. Though he concedes that a very low qualification permitting the great majority of the people to vote would be "no evil," he also concludes that it would be "of no use," since admitting the small remainder to the suffrage would not change things much. Thomas Babington Macaulay, in his famous review (1829) of Mill's *Essay*, interprets Mill as being opposed to any property qualification, and takes issue with him on this point.[13] (Macaulay also objects to Mill's reasoning on the question of women's suffrage, charging that the latter "placidly dogmatises away the interests of one half of the human race.")

For Macaulay, who also fundamentally objects to Mill's deductive approach to politics and his rapacious view of human nature, the issue of a "pecuniary qualification" for the vote is "the most important practical question in the whole essay." He argues, contrary to Mill, that since "it happens that in all civilised communities there is a small minority of rich men, and a great majority of poor men," it would indeed be in the interests of the latter, if they enjoyed the franchise, to use their political power to plunder the rich. In a marvelous rhetorical flight, Macaulay paints the dangers of enfranchising the poor:

> [I]s it possible that in the bosom of civilisation itself may be engendered the malady which shall destroy it? Is it possible that institutions may be established which, without the help of earthquake, of famine, of pestilence, or of the foreign sword, may undo the work of so many ages of wisdom and glory, and gradually sweep away taste, literature, science, commerce, manufactures, everything but the rude arts necessary to the support of animal life? Is it possible that, in two or three hundred years, a few lean and half-naked fishermen may divide with owls and foxes the ruins of the greatest European cities, may wash their nets amidst the relics of her gigantic docks, and build their huts out of the capitals of her stately cathedrals? If the principles of Mr. Mill be sound, we say, without hesitation, that the form of government which he recommends will assuredly produce all this. But, if these principles be unsound, if the reasonings by which we have opposed them be just, the higher and middling orders are the natural representatives of the human race. Their interest may be opposed in some things to that of their poorer contemporaries; but it is identical with that of the innumerable generations which are to follow.

Macaulay's paeans to the splendors of civilization and his incomparable prose should not obscure the fact that this remains a dispute about "pecuniary qualification," which turns essentially on the likely fate of property under a regime of universal suffrage. This is a controversy that, one might say, is carried on within a wholly Lockean framework. The real issue is whether the right to property is endangered by the extension of the right to vote. As support for hereditary institutions faded with the triumph of the principles of natural equality and government by consent, the argument over democracy increasingly became an intraliberal dispute.

The Inevitability of Universal Suffrage

In the debate over the potential consequences of eliminating property qualifications, the example of America often figured prominently. In his critique of James Mill's argument for universal manhood suffrage, Macaulay states, "The case of the United States is not in point," because there, unlike in more settled countries, the poor have a reasonable hope of becoming rich. Then, invoking the Malthusian doctrine that increased population will lead to greater inequality of conditions, he concludes, "As for America, we appeal to the twentieth century."

Tocqueville, of course, provided powerful ammunition in his *Democracy in America* for those who believed that universal suffrage would be compatible with the security of property. Among the many passages in which Tocqueville remarks upon the respect of the Americans for property, we may cite the following: "In no country in the world is the love of property more active and more anxious than in the United States; nowhere does the majority display less inclination for those principles which threaten to alter, in whatever manner, the laws of property."[14]

In addition to the more general argument he makes that the world has for seven hundred years been undergoing a providential and irresistible democratic revolution, Tocqueville also offers a more specific argument as to why continuing expansion of the suffrage is inevitable:

> When a nation begins to modify the elective qualification, it may easily be foreseen that, sooner or later, that qualification will be entirely abolished. There is no more invariable rule in the history of society: the further electoral rights are extended, the greater is the need for extending them: for after each concession the strength of the democracy increases, and its demands increase with its strength. The ambition of those who are below the appointed rate is irritated in exact proportion to the great number of those who are above it. The exception at last becomes the rule, concession follows concession, and no stop can be made short of universal suffrage.[15]

In describing the process by which the property qualifications existing prior to the American Revolution were gradually eliminated, Tocqueville notes that it was men of the higher orders who voted these changes, pursuing the goodwill of the people at any price. This in some ways seems to have characterized the process in Britain as well. Historian Gertrude Himmelfarb describes the struggle over the Reform Act of 1867 between Disraeli's Tories and Gladstone's Liberals in the following terms: "What is interesting is the fact that it was not the reformers inside or outside the House who forced up the price of reform, but rather the party leaders themselves. [Liberal parliamentarian Robert] Lowe described the parties as competing against each other in a miserable auction with the constitution being 'knocked down to the lowest bidder.' A Conservative complained that his colleagues were trying to 'outbid the Liberal party in the market of liberalism.'"[16]

In the wake of the passage of the Reform Act, even those most dubious about universal suffrage acknowledged its inevitability. In *Liberty, Equality, Fraternity* (1873), James Fitzjames Stephen writes:

> The accepted theory of government appears to be that everybody should have a vote, that the Legislature should be elected by these votes, and that it should conduct all the public business of the country through a committee which succeeds for the time in obtaining its confidence. This theory, beyond all question, has gone forth, and is going forth conquering and to conquer. The fact of its triumph is as clear as the sun at noonday, and the probability that its triumphs will continue for a longer time than we need care to think about is as strong as any such probability can well be. . . . If I am asked, What do you propose to substitute for universal suffrage? Practically, What have you to recommend? I answer at once, Nothing. The whole current of thought and feeling, the whole stream of human affairs, is setting with irresistible force in that direction. The old ways of living, many of which were just as bad in their time as any of our devices can be in ours, are breaking down all over Europe, and are floating this way and that like haycocks in a flood. Nor do I see why any wise man should expend much thought or trouble on trying to save their wrecks. The waters are out and no human force can turn them back, but I do not see why as we go with the stream we need sing Hallelujah to the river god.[17]

Stephen's somewhat half-hearted criticisms of democracy mostly focus on the importance of specialized knowledge and steadiness in the business of government and on the ignorance and fickleness of the voting masses. He also echoes some of the concerns put forth by John Stuart Mill regarding the "mediocrity" of contemporary society and government.[18] And he attributes the enthusiasm for equality in part to "the enormous development of wealth in the United States." Like Macaulay, Stephen raises the question of how long the Americans "will continue to be equal when the population becomes dense," and concludes by wondering in any case whether "the rapid production of an immense multitude of commonplace, self-satisfied, and essentially slight people is an exploit which the whole world need fall down and worship."

Stephen's resigned and ineffectual grumblings largely reflect the subsequent course of opposition to universal suffrage, which turned from a political program into a cultural lament. With the first half of the twentieth century the exclusion of women from the suffrage also began to be swept away. Thus when in 1948 the United Nations adopted the Universal Declaration of Human Rights, Article 21 stated, "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. . . . The will of the people shall be the basis of the authority of the government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures." Obviously, most of the provisions of Article 21 have been consistently violated by many UN member states with one-party or other dictatorial governments, but even most of these (excepting, of course, South Africa under apartheid) have conducted their bogus elections under rules calling for universal and equal suffrage.

Democracy and the Liberal Revival

What conclusions may be drawn from this brief survey of the evolution of liberalism into contemporary liberal democracy? First, the spread of liberal ideas of the natural freedom and equality of all human beings doomed any special and substantial privileges enjoyed on the basis of heredity. Though monarchy and even an aristocratic branch of the legislature may in some places have been preserved in form, everywhere in the developed world they have been emptied of any substantial political power. Second, these same liberal ideas eventually undermined any effort to exclude people from political participation on the basis of such factors as race, religion, or sex. Third, the attempt to limit the franchise on the basis of property qualifications was the greatest potential obstacle to the democratization of liberalism, because it could claim some basis in the sacredness of private property endorsed by liberalism itself.

The real or perceived tension between political majoritarianism and policies that promote economic growth and prosperity is a theme that remains very much alive today, with many commentators claiming that effective economic reform requires the insulation of policy makers from electoral majorities. At the same time, the history of the past two centuries has made it unmistakably clear that the introduction of universal suffrage need not lead to the outright plunder of the rich and the destruction of a productive economy and a civilized society. Tocqueville was right and Macaulay was wrong. The case of the nineteenth-century United States was indeed "in point." Its economic vitality and political stability were not simply the product of a sparse population able to expand over a vast and fertile continent. In the Old World as well, liberal societies have tended to generate large middle classes rather than to become divided into a handful of the rich and a vast majority of the poor.

At the same time, until the past two decades it could plausibly have

been argued that, due to the social and economic policies enacted by popular majorities, liberalism was dying a slow death. With the spread of state-owned industry, the seemingly irreversible growth of the welfare state, and the increasing tax burden necessary to pay for it, it was not unreasonable to view the political empowerment of the masses as proceeding in tandem with the gradual socialization of the economy. The idea of property rights seemed to be falling into increasing disrepute. One striking symptom of this was the omission from the UN International Covenant on Economic, Social, and Cultural Rights (1966) of any mention of the right to property (which had still featured in the 1948 Universal Declaration). Those political forces identifying themselves as liberals (in the European sense) were a dwindling minority, and ruling parties in many democracies identified themselves as socialists or social democrats. The term social (or even socialist) democracy often superseded the term liberal democracy. And of course, the democratic world was threatened by a powerful communist adversary that proclaimed both its egalitarianism and its hostility to liberalism.

The last two decades, however, have seen a remarkable revival of liberalism. Market economics has come back into vogue. State-owned industries are being privatized, and welfare benefits trimmed. The critical importance of protecting property rights has been recognized not only in international agreements and new national constitutions but by an influential academic literature. Right-of-center and explicitly promarket parties governed the leading democracies during the 1980s. Left-of-center parties, many of which have returned to power in the 1990s, have largely abandoned statist economics and rediscovered the virtues of markets and entrepreneurship. And all this has been accompanied and accelerated by the downfall of communism.

How have these developments and the liberal revival they have promoted affected the political role of popular majorities? Here I believe a crucial distinction must be made, one that is rooted in the very principles of liberalism. For I would say that the principle of universal inclusion—that no one should be deprived of an equal voice in choosing those who govern—has only become more sacrosanct. At the same time, however, there has been a clear weakening of the view that popular majorities should play a more active role in deciding on governmental policies.

The latter is reflected in many ways, but perhaps not least in the unfavorable connotation that the word "populism" has come to acquire in the new democracies of the developing and postcommunist worlds. More generally, there has been no tendency, in either new or long-established democracies, to make governments more directly responsive to the electorate through such traditional devices as shortening terms of office. In fact, there has been an increasing trend toward giving greater power to judiciaries and autonomous agencies, the parts of government most insulated from the people. Judicial review was long viewed as an "antidemocratic" institution, giving power to unelected judges at the expense of popular majorities. In recent years, however, judicial review, once a peculiarity of the United States, has spread to old and new democracies alike. Not only has it encountered very little opposition, but in many postcommunist countries, public-opinion polls show that constitutional courts enjoy high levels of popular support.[19]

Perhaps even more striking has been the rise, especially in new democracies, of independent agencies explicitly meant to be free of control by the politically responsive branches of government. These include such institutions as central banks, electoral commissions, human rights commissions, anticorruption bodies, ombudsmen, and the like.[20] The new prominence of agencies of this kind obviously reflects in part a suspicion of the people's elected representatives, a sense that they cannot be trusted to refrain from seeking personal or partisan advantage at the expense of the public good. But it also reflects a triumph of liberal ways of thinking, a sense that limiting the excesses of government and protecting individual rights are of greater concern than translating immediate popular sentiment into public policy. Another sign of this same tendency is the increased emphasis being given today by political practitioners and political scientists alike to such concerns as constitutionalism, the rule of law, institutional checks and balances, and accountability. One may say that they are rediscovering the wisdom of the *Federalist* papers, seeking protection against the dangerous tendencies of popular government through remedies that are themselves compatible with popular government. In fact, the popularity of the attack on illiberal democracy may itself be regarded as a sign of the triumph of liberalism.

For the most part, the response to Zakaria's critique has not taken the form of arguments depreciating the importance of such liberal desiderata as constitutionalism, rule of law, and individual rights compared to that of popular elections. Virtually everyone joining the debate has agreed on the value of these liberal goals. The argument has instead focused on whether, in societies lacking a strong liberal tradition, authoritarian or elected government is a more promising road for achieving them. The real issue is whether the nineteenth-century sequence of first liberalism, then democracy, can work today, when the progress of liberal ideas has undermined traditional nondemocratic claims to political legitimacy.[21]

It is worth noting that, in contrast to the current widespread experimentation with various kinds of checks and balances and independent agencies, there have been virtually no experiments with limited suffrage (at least in liberal, self-governing societies). If anything, the right to universal and equal suffrage is more unchallenged today than it has ever been, and it is hard to see on what acceptable grounds limitations on suffrage might be introduced. If there is little clamor for more populist government, there is none at all for exclusionary government. It is precisely the triumph of the liberal principle that all men are created equal that makes it virtually impossible for nondemocratic liberalism to flourish in the contemporary world. For better or worse, the future of liberalism is indissolubly tied to the future of liberal democracy.

NOTES

1. Fareed Zakaria, "The Rise of Illiberal Democracy," *Foreign Affairs* 76 (November–December 1997), 22–43.

2. John Locke, *Second Treatise of Government*, ed. Thomas P. Peardon (Indianapolis: Bobbs-Merrill, 1952), ch. 2, sec. 4, p. 4.

3. John Locke, *First Treatise*, in Peter Laslett, ed., *Two Treatises of Government* (New York: New American Library, 1960), ch. 1, sec. 5, p. 178.

4. Locke, *Second Treatise*, ch. 8, sec. 95, p. 54.

5. Ibid., ch. 19, sec. 222, p. 124.

6. Ibid., ch. 10, sec. 132, p. 74.

7. Ibid., ch. 19, sec. 223, p. 125.

8. Ibid., ch. 19, sec. 223, p. 125.

9. See Clinton Rossiter, ed., *The Federalist* (New York: New American Library, 1961), no. 39, 240.

10. Simon MacCoby, ed., *The English Radical Tradition, 1763–1914* (London: Nicholas Kaye, 1952), 31–32, 36, 39–40.

11. Thomas Paine, *Dissertation on First Principles of Government*, in Nelson F. Adkins, ed., *Common Sense and Other Political Writings* (New York: Liberal Arts Press, 1953), 155–74. All quotes from Paine come from this work.

12. James Mill, *An Essay on Government* (Indianapolis: Bobbs-Merrill, 1955). All quotes come from ch. 8, 72–82.

13. Thomas Babington Macaulay, "Mill on Government," in *The Works of Lord Macaulay* (New York: Hurd and Houghton, 1878), 2:5–51. All quotes from Macaulay are taken from this essay.

14. Alexis de Tocqueville, *Democracy in America*, ed. Phillips Bradley (New York: Vintage, 1960) 2:270.

15. Ibid., 1:59.

16. Gertrude Himmelfarb, *Victorian Minds* (New York: Harper & Row, 1970), 348.

17. James Fitzjames Stephen, *Liberty, Equality, Fraternity* (Cambridge: Cambridge University Press, 1967), 210–12. This and subsequent quotes from Stephen are drawn from ch. 5, 179–229.

18. John Stuart Mill occupies a curious place in the evolution of thinking about extension of the suffrage. In his *Considerations on Representative Government* (1861), he argues

that "it is a personal injustice to withhold from anyone, unless for the prevention of greater evils, the ordinary privilege of having his voice reckoned in the disposal of affairs in which he has the same interest as other people." He not only opposes property qualifications, but vehemently rejects his father James Mill's argument for denying the suffrage to women. Nonetheless, he defends denying the vote to illiterates, those who pay no taxes, and those on relief. Moreover, he not only accepts these exceptions in practice to universal suffrage, but explicitly rejects the very principle of *equal* suffrage. Today his argument in favor of awarding multiple votes to those possessing "individual mental superiority" (as indicated by their profession or educational attainments) seems even more archaic than arguments for restricting the suffrage. See John Stuart Mill, *Considerations on Representative Government* (New York: Liberal Arts Press, 1958), 127–47.

19. On the spread of judicial review, see Nathan J. Brown, "Judicial Review and the Arab World" and Herman Schwartz, "Eastern Europe's Constitutional Courts," *Journal of Democracy* 9 (October 1998): 85–114.

20. On the rise of these institutions, see Andreas Schedler, Larry Diamond, and Marc F. Plattner, eds., *The Self-Restraining State: Power and Accountability in New Democracies* (Boulder, Colo.: Lynne Rienner, 1999).

21. See Marc F. Plattner, "Liberalism and Democracy: Can't Have One Without the Other," *Foreign Affairs* 77 (March–April 1998): 171–80.

II

What Sustains Democracy?

6

THREE PARADOXES OF DEMOCRACY

Larry Diamond

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The world in 1990 is in the grip of a democratic revolution. Throughout the developing world, peoples are resisting and rebelling against communist and authoritarian rule. The ferment has spread to the world's most isolated, unlikely, and forgotten places: Burma, Mongolia, Nepal, Zaire, even Albania. From the postcommunist world of Eastern Europe to the post-bureaucratic-authoritarian nations of Latin America, from the poverty-stricken heart of tropical Africa to newly rich and industrializing East Asia, nations are on the march toward democracy. Never in human history have so many independent countries been demanding or installing or practicing democratic governance. Never in history has awareness of popular struggles for democracy spread so rapidly and widely across national borders. Never have democrats worldwide seemed to have so much cause for rejoicing.

But committed democrats would do well to restrain their impulse to celebrate. Democracy is the most widely admired type of political system but also perhaps the most difficult to maintain. Alone among all forms of government, democracy rests on a minimum of coercion and a maximum of consent. Democratic polities inevitably find themselves saddled with certain "built-in" paradoxes or contradictions. The tensions these cause are not easy to reconcile, and every country that would be democratic must find its own way of doing so.

This essay explores three contradictions that will bear very heavily on the struggles now underway around the world to develop and institu-