Recent Briefing Papers

Liberal Democracy in Action – Background Paper
Jean Monnet Project

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Introduction

Forms of the European liberal democratic model had spread to every continent by the end of the 20th century and the rules-based international order had created conditions of stability, peace, and security across the globe. Yet today this constitutional model is being challenged and democracy is potentially at an inflection point. Nation states are facing existential external and internal challenges to the integrity of the foundations and fundamental values of liberal democracy. They are increasingly under pressure from illiberal and authoritarian regimes, as well as from internal political extremism that seek to undermine the principles and values of democracy.

The background paper sets out the historic context and characteristics of democracy, which lead to the identification of several strategic current challenges. These include the changing balance of global power, rising illiberalism in the form of increasing authoritarianism, populism, and nationalism, through to sovereign border challenges such as irregular population migration and climate change.

It is not the intention to provide a detailed chronology of the progress of democracy from the times of ancient Athens through each subsequent stage and century. Instead, the purpose of this background paper is to establish the conceptual credentials of democracy as well as to recognise that the concept has faced challenges since its inception, leading to changes and development over the centuries while retaining many of the fundamental principles. This approach demonstrates the iterative nature of liberal democracy and that its development as part of a systemic continuum that has progressed over time. It provides a necessary contextual framework and platform for discussion in the Policy Dialogues associated with this Jean Monnet Project and for analysis of the strategic challenges and associated issues facing liberal democracy in the twenty-first century

Historic Context

The concept of democracy has come a long way since the ancient Greeks of the 5th century B.C. The word democracy is derived from the Greek words 'dēmos', meaning people, and 'kratos' meaning power or rule. Directly translated, democracy therefore means 'rule by the people' – a concept that in subsequent centuries challenged monarchies, oligarchies, and other forms of hierarchical and authoritarian forms of social organisation around the globe.

The Athenians established the world's first formal democratic institution although political life was limited to adult males of native parentage excluding women, children, resident aliens, and slaves. As such, it did not reflect one of the accepted characteristics of democracy today, that is, universal suffrage. Athenian male citizenship granted full and active participation in every decision of the state regardless of wealth or class. The leaders of the Athenian Assembly were not elected but chosen by lot because the Athenians believed that any (adult male) citizen was capable of holding public office (Cincotti, 2007).

The principle of equality within the Athenian political community became the foundation of the modern idea of egalitarianism that flourished during the period of French Enlightenment in the 17th and 18th centuries (Kagan,1993). Early forms of democracy in ancient Greece faced several challenges such as during the Peloponnesian War and developed different forms such as Periclean democracy which was described as a system of rule where either the less well-born, the mob as a collective tyrant, or the poorer classes held power (Clarke and Foweraker, 2001). Perceptions of democracy in ancient times have also changed (Ober, 2008). Athens is often regarded as the birthplace of democracy while the Roman republic helped preserve the concept of democracy over the centuries, resulting in a perception that modern (representative) democracies more closely emulate the Roman rather than the Greek models. The Romans called their system a 'rēspūblica', or republic, from the Latin 'rēs', meaning thing or affair, and 'pūblicus' or 'pūblica', meaning public. Therefore, a republic belonged to the Roman people. Both Athens and Rome remain important reference-points for the development of different forms of democracy in subsequent centuries through to the present day and provide valuable insights into the way aspects of democracy are integrated as part of a broader complex system.

While the concept of democracy generally spread peacefully over the centuries, conflict was also often associated with the development of liberal democracy particularly with the ruling regime of the day. As noted previously, democracy was not always assumed, and it has meant different things to different people across history. In the 18th century, direct democracy as espoused in ancient Athens gave way to representative democracy. Across the 18th century in particular, democracy became a global idea influencing people around the world. But, at the time of its establishment it lacked several characteristics we identify today as fundamental to liberal democracy. Indeed, the word 'democracy' does not appear in the US Declaration of Independence nor in the American Constitution. Also during the 18th century and into the 19th century, liberalism emphasised the full development of the individual free from the restraints of government. While in the 20th century, liberalism changed its emphasis with expectations of government as a means of correcting the abuses and shortcomings of civil society through the use of positive programs of action. Here we see the notion of 'respect' starting to influence the way in which individuals, organisations and nations interact. Alas 'respect' is often missing from contemporary interactions, often under the guise or pretext of 'efficiency' or 'productivity'.

Constitutional Forms of Liberal Democracy

The early Greek and Roman concept of democracy was based on the direct participation of the people in government. known as 'direct democracy', this basic concept of democracy continued for many centuries, but as nations grew in size it became impractical. It was replaced by a representative form of democracy where government comprises representatives elected by the people, and this became the contemporary understanding and practice of liberal democracy.

During the 20th century, democracy continued to exist in some countries despite periods of acute diplomatic, military, economic, or political crisis. The two World Wars and the Great Depression in the 1930s also impacted the resilience of democratic values. Since the end of the Cold War until recently, liberal democracy has been almost unchallenged as the hegemonic political idea of our age noting that there is no single model of liberal democracy. Countries have embraced different constitutional forms including participatory, pluralistic, elite, and presidential.

Germany, Greece, Ireland, India, and Singapore have combined a parliamentary system within a republican model. After the formation of the Irish Free State in 1922, that entity and its successors are among the few examples of unbroken democratic governance throughout the 20th century and into the 21st century. France, Indonesia, the Philippines, and the United States have a combined presidential republic system of democracy. While Australia, Belgium, Canada, Japan, and the UK, among others, adopted a parliamentary democracy under a constitutional monarchy system of governance.

In addition to the above different forms of liberal democracy, democratic sovereign states also operate as a unitary or federal system of governance. The unitary system is based on a central government that commonly delegates authority to subnational units and channels policy decisions to them for implementation. Although a majority of nation states are unitary systems, they vary greatly. Democratic countries that have adopted federal systems include Austria, Australia, Canada, Germany, India, Spain, Switzerland, and the US.

Some models also incorporate unique arrangements. For example, Italy, where the houses of parliament are popularly and directly elected through a complex electoral system (last amended in 2005), and which combines proportional representation with a majority prize for the largest coalition. All Italian citizens older than 18 can vote, however, to vote for the Senate, the voter must be at least 25 or older. The electoral system in the Senate is based upon regional representation (CIA, 2020).

Different constitutional forms of governance reflect the differences among democratic countries in their size, historical experience, ethnic and religious composition, and other factors that have led to significant differences in their political institutions. These differences underscore the changing nature of democracy shaped by the people it serves. The survival of

democratic institutions can be attributable in part to the existence of a culture of widely shared democratic beliefs, and values based on common characteristics that have developed over time.

By contrast, non-democratic forms of governance, such as single-party states, dictatorships, military juntas, autocracies, and absolute monarchies are generally found in the Middle East, East Asia and North Africa. Liberal democracy has been challenged around the globe (Parker, 2017). Notwithstanding the collapse and dissolution of communist Soviet Russia in 1991, China continues as an example of an authoritarian political system controlled by the Chinese Communist Party. The Democratic People's Republic of Korea, or North Korea, is perhaps the most well-known single-party state. Non-democratic forms have also existed in parts of Europe and elsewhere. Greece was ruled by a far-right military junta between 1976 to 1974, while Hungary was under the autocratic rule of its controversial communist leader, János Kádár from 1956 until his retirement in 1988.

Characteristics of Liberal Democracy

Many concepts in political science and security are contested with no universal agreement and this often leads to a semantic debate rather than to consideration of wider issues. As a concept, democracy has not only developed many meanings since its first use by the ancient Greeks, but also once well-established interpretations have varied, and meanings have changed. This section sets out the basic characteristics of liberal democratic models as they are generally understood and accepted rather than an exercise in a polysemic discourse.

Regardless of the constitutional form of governance adopted, contemporary nation states that have embraced a liberal democratic model share common characteristics. These include universal suffrage, free and open elections, the rules-based order, separation of powers, and the protection of the rights and freedoms of individuals. They form part of an integrated complex system of liberal democracy and as shown, many characteristics overlap and are interrelated. Adopting a systems thinking approach helps to explain and to understand the inter-relationship and interdependencies between the different characteristics that contribute to forms of liberal democracy.

Universal suffrage

'A polity cannot be truly democratic without universal suffrage' (Keyssar, 2000).

The right to elect freely one's representatives and to influence the political direction of one's government is an indispensable political foundation of liberal democracies. Without free elections, citizens do not have the opportunity to express their will, or to change their leaders. Returning to the Greek work 'dēmos' referred to at the beginning of this paper, in the 19th and 20th centuries the concept of 'dēmos' was gradually expanded to include all adult citizens and universal suffrage became a defining aspect of liberal democracy.

Universal suffrage granting all adult citizens the right to vote is a distinctive and fundamental feature of contemporary liberal democracies. As distinct from ancient Greece where political life was limited to adult males of native parentage, universal suffrage today means that adults are able to vote regardless of race, gender, ethnicity, religion, physical disability, sexual orientation, property considerations, or level of education, and there can be no impediments to any citizen registering to vote or casting a ballot. Further, universal suffrage means there is also political freedom for candidates and voters.

While New Zealand was the first nation to introduce universal suffrage in 1893 by awarding the vote to women (universal male suffrage had been in place since 1879) it took time for other nations to achieve the same. For some sovereign states, it was decades later. In 1918 the United Kingdom granted women over 30 who met a property qualification the right to vote, but it was a decade later in 1928 that women in the UK were granted equal voting rights with men. French women did not achieve the right to vote until 1944, and they were able to cast their ballot for the first time in April 1945 (Lambert, 2001). But it was not until after 1960 that some other European nations allowed universal suffrage, namely Switzerland (1971), Portugal (1976) and Liechtenstein (1984) (Schaeffer, 2020).

By the mid-20th century, no system whose 'dēmos' did not include all adult citizens could properly be called democratic. During the 20th century the number of countries possessing the basic political institutions of representative democracy increased significantly.

Free and open elections

As stated in the Universal Declaration of Human Rights, 'Everyone has the right to take part in the government of his (*sic*) country, directly or through freely chosen representatives . . . . The will of the people shall be the basis of the authority of 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'. This tenet is a fundamental and distinctive feature of liberal democratic forms of governance. The nature of democracy is that elected officials are accountable to the people, and they must return to the voters at prescribed intervals to seek their mandate to continue in office. Voting in free and open elections is central to democracy because it provides people an opportunity to voice their opinion and to vote for what they believe in. It also acts as a mechanism to hold elected officials accountable for their behaviour while in office. Importantly, free and open elections prevent a minority from dictating the policies of a majority. A country cannot be truly democratic until its citizens have the opportunity to choose their representatives through elections that are free and fair. In turn, elections assist in advancing democratisation and encourage political liberalisation.

A critical aspect of free and open elections as part of liberal democratic process is that the outcome of elections is accepted by voters and representatives. This is underpinned by the understanding that at the next election, voters will again have the opportunity to select those to represent them.

Linked to free and open elections is the concept of political freedom as a defining characteristic and central concept of democracy (Arndt, 1993). It is also referred to as political autonomy or political agency. Political freedom is closely connected with the concepts of civil liberties and human rights, which in democratic societies are usually afforded legal protection by the state.

Separation of powers

The concept of separation of powers is an idea that can be found in the writings of Aristotle, and it was incorporated as part of the initial Constitution of the Roman republic. The Scottish theologian Samuel Rutherford in the seventeenth century used the phrase in his argument against the divine right of kings (Coffey, 1997).

The intent of separation of powers in a democracy is to prevent abuse of power and to safeguard freedom for all. History has shown that unlimited power in the hands of one person or group in most cases means that others are suppressed, or their powers curtailed. The separation of powers underpins models of democratic societies, and it consists of executive, legislature, and judiciary branches. The purpose of the separation of government responsibilities into different branches is to limit them from exercising the fundamental functions of each other and to prevent the concentration of power in one branch as well as to diversify the government's liabilities.

In addition to preventing the concentration of power, the intention of separating these institutions is to provide checks and balances, and to safeguard against the possibility of arbitrary excesses by government. Each branch is supposed to monitor and check the actions of the others in order to prevent abuses of power. The three institutionally distinct branches of state – executive, legislature, and judiciary – enable the ability of those branches to exercise a degree of coercive power over each other. Separation of powers is a mechanism for restraining and limiting governmental power as well as being relied upon as a mechanism for dividing and allocating such power (Masterman, 2010). The success of a liberal democratic nation state is dependent on having these strong institutions and while they act in an integrated way, they remain distinct branches.

Rights and freedoms

The Universal Declaration of Human Rights remains as relevant today as when it was proclaimed and adopted in 1948 by the United Nations General Assembly. Article 1 of the Declaration states, 'All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood' (United Nations, 1948).

Contemporary models of liberal democracy emphasise the protection of the rights and freedoms of individuals, and place constraints on leaders and on the extent to which the will

of the majority can be exercised against the rights of minorities. These characteristics were not always evident in early models but developed over time and achieved gradually through social changes that brought new liberties and inclusiveness that today we have come to recognise as established and accepted. As such, these traits define and shape liberal democratic societies around the globe in the 21st century. Groups of like-minded states have been influential in shaping and achieving reform and consistent rules for the development of more effective human rights and freedoms.

Rules-based international order

A characteristic widely linked to forms of liberal democracy is that of a rules-based international order, although lawyers and law-school academics generally prefer 'rules-based law' terminology. While the concept of the rules-based international order is neither clearly defined nor universally accepted, it can generally be described as a shared commitment by countries to conduct their activities in accordance with agreed rules that have evolved over time. The rules-based international order offers an approach to provide for security and stability through the use of international institutions and conventions that are established for the expected behaviour of states. That is, how international states interact with each other and describe their patterns of behaviour.

The concept of a rules-based international order places importance on the role of international institutions and the rules, judgements, conventions, and protocols that they establish. These are intended to influence decision-making associated with the international behaviours of states. The interactions between states include how they frame and manage their diplomatic and other relationships including regional security arrangements, trade agreements, immigration protocols, cultural arrangements, and international law. While some may argue that the rules-based international order is a 'dangerous rhetorical shift' of emphasis being 'the decay of the ideal of politically-neutral international law' (Scott, 2018). But such narrow sentiment ignores that the rules-based order recognises that different states have different national power and influence relative to each other stemming from their diplomatic, information, military, or economic power. The rules-based international order also includes practices used to resolve differences, including resorting to the use of military force.

A defining structural concept is that the rules governing the global political and legal order are unified within a single coherent system although there have been and continue to be acts of non-compliance. When such non-compliances occur, it creates instability within an institutional rules-based international order by diminishing the capacity of international organisations to influence effectively the behaviours of states. In turn, this reduces the effectiveness for the resolution of disputes without the use of force, and to provide a framework for states to interact with each other in a fair and just manner. Nonetheless, the system of the rules-based international order is an important part of liberal democratic models and it continues to evolve.

Conclusion

This background paper is a critical element of the Jean Monnet Liberal Democracy in Action (LiDiA) Project as it sets out the historic context and characteristics of democracy that provides a platform for discussion at the Policy Dialogues associated with this Project. The paper establishes a clear framework of understanding of the basic features of liberal democratic models, rather than to engender debate about each characteristic. In doing so, the paper establishes the conceptual credentials of democracy and recognises that the concept has faced challenges since its inception, leading to changes and development over the centuries while retaining many of the fundamental principles.

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Liberal Democracy in Action (LiDIA)

This project aims to improve understanding of contemporary challenges to liberal democracy and the rules based international order. It seeks to develop actionable policy recommendations that strengthen knowledge and understanding of the fundamental liberal democratic principles, values and norms within civil society in the EU and elsewhere.