
CONSOLIDATION OF DEMOCRACY

Vasile Pleșca*

Romanian Academy, Iasi Branch, Carol I Blvd., no. 8, 700506, Iasi, Romania

(Received 4 April 2012)

Abstract

Democracy is the defining term of the human society at the beginning of the third millennium. Its victory over different totalitarian systems of the XXth century put it in an ungrateful and paradoxical situation in the same time. It is a paradoxical situation because its success brought to it, in the same time, a major dilution of its 'strong' meanings. It is an unfortunate situation because the same success made it be the only political goal at the level of the entire human society, every local failure affecting its integrator message. Because of this, any discussion about democracy must start from the moment when we begin to understand what it really means and we manage to know exactly what we expect from it. The above considerations are more valid when we talk about the Romanian democracy. In the last decades, it had a sinuous way and this sinuosity derives not only from the lack of structural basis of a democratic political system in Romania, but it is especially the result of lack of viable mechanisms of controlling the political power by citizens. This study tries to identify, in a classical liberal tradition, some mechanisms that might lead to the consolidation of democracy in Romania.

Keywords: democracy, rights, consolidation, rule of law, Romania

1. Introduction

Each age in the human history is defined by a host of terms. All these, with the implicit ideas they contain, are the ones that shape the human society they talk about, and so many times they do it in some unexpected ways. For example, the generations of the end of the XIXth century, were modelled by essential terms as 'nation' or 'industrial development', the generations of the middle of the XXth century were marked by the fight between 'communism' and 'capitalism', and the transition to the third millennium marks the success of 'democracy'.

The last one became, in a very short time, the ultimate reference in any discourse that tries to understand the contemporary human society. Like anything that keeps on the human nature, the term of 'democracy' is understood in so many ways that a superficial look over it can lead to major transformations in its perception. This makes the tensions within democratic regimes be much deeper as these regimes grow in number.

* E-mail: vali_plesca@yahoo.com

2. The problem

In the last two decades, after the collapse of the most powerful opponent of the idea of democracy – the Communist totalitarian state –, the number of the democratic states, or of those that just defined themselves as democratic, increased exponentially. And this happened because, in a minimalist version, the ultimate desideratum of any democratic project has been fulfilled, that says that ‘the people’ choose their own leaders by election.

But the simple ‘electoral’ democracy is not a real democracy, and there are a lot of arguments to support this statement. First of all, any electoral process *a priori* has major imperfections („Because voting demands little of us, and allows us by extension to rule our neighbour, tax his property, or limit his smoking — all from the anonymity of the voting booth (as opposed to the public, open-air ballots by show of hands in the Athenian assembly) — it provides both a cheap salve to our civic conscience (‘I am a dutiful citizen since I vote’) and a philosophical and moral justification for any current regime (‘the people voted for it’).”[1]) – only the consolidated democracies are able to keep under control and to minimize the negative consequences of the inherent systemic deficits. Secondly, strictly pragmatical, the electoral process at a level of a mass of individuals marked for decades by dictatorship or even by totalitarianism, is, in fact, a process of manipulation of vote.

Thirdly, ‘the electoral’ democracies stop here, at voting. They are not interested, for example, if the level of liberty (–‘negative liberty’, liberty understood as an absence of coercion, as Hayek [2] sees it, or as a delimitation of private space protected of any external intervention, as Berlin sees it [3]) is at an acceptable rate, if human rights, in a general way (natural rights, those that are considered to be inherent to the human nature: „Human rights are, first, universal, second, fundamental, third, abstract, and, fourth, moral rights that are, fifth, established with priority over all other kinds of rights.” [4]) are respected, or if there is a separation and a balance of the powers in state.

There is a simple explanation here: in the classic-liberal vision, voting is a simple competence in service of protection of the individual’s liberty and it is not a defining right for democracy. In the XXth century, the transfer of interest towards the democratic values leads to universalisation of voting and to success of the representative democracy, as a synthesis of the liberal way of thinking and a part of the democratic requirements. For a better understanding of the ambiguous relationship between democracy and elections, let’s mention Samuel P. Huntington’s opinion – although we do not agree with it – expressed in *The Third Wave*: „Open, free and correct elections are the essence of democracy, the unavoidable *sine qua non*. The governments that are the results of elections may be inefficient, corrupt, short-sighted, irresponsible, dominated by certain interests and unable to adopt the policies required by the public welfare. Because of these faults, those governments are undesirable, *but they are not undemocratic, too* [my italics]. Democracy is one of the public virtues, but it is not the only one.” [5]

In fact, there is a deeper and more subtle connection between the quality of a political governance and the level of a democracy. To say open, it is unlikely that an inefficient, corrupt and irresponsible government might be termed in the same time as a democratic one.

In other words, if at the political level the leaders are legitimized by vote, these democracies are less interested if women are equal in rights with men, if minorities have the same rights with majority, if court decisions are taken on the incriminated facts and not on some political decisions, if the religious leaders have much more influence in society than they should have, if it is respected the equal access to justice, or if, as Toqueville feared, the rule of majority does not become a dictatorship of a majority: „Let’s suppose that there are free and correct elections, and the ones that have been elected are fascists, racists and separatists”: that’s the manner the North American diplomat Richard Holbrooke synthesized the problem at the beginning of the 90’s, quoted by Fareed Zakaria [6].

All these made that the use of the term of democracy to become an abuse. And this makes us to become cautious. In the third millennium the ‘democratic’ epithet attracts legitimacy of the political action. A political action will always be appreciated if it is said to be ‘in the benefit of democracy’ (whatever it might mean), and it will be subject to public disapproval if it is said to be ‘undemocratic’. This is one of the unintended consequences of the unrivalled success of this political system, democracy: the relativization of the concept. And, behind this relativization, the political abuse is just hiding.

3. Romanian’s case

All these get more acute notes if we talk about the Romanian democracy. If we were to summarize its evolution in the last decades, we think that the phrase ‘lack of direction’ succeeds in describing it the best. In December 2011, *The Economist Intelligence Unit* published ‘Democracy Index 2011’. The observations about the democratic evolution in the Eastern Europe are summarized as follow: „Eastern Europe experienced another decline in democracy in 2011. In 12 out of 28 countries of the region the democracy score declined in 2011. This followed a large decline in the average score for the region between 2008 and 2010, when 19 countries recorded a decline in their democracy scores.” [http://www.eiu.com/public/topical_report.aspx?campaignid=DemocracyIndex2011]

The Romanian democracy is in the both groups of countries: in that of the 12 countries that regressed from 2010 until 2011, and in that of the 19 countries that regressed in the period of time from 2008 and 2010 (Table 1).

The first observation regarding these data says that, as we have already stated in the first part of this study, the ‘electoral’ level of a democracy does not say anything about its quality. Even if Romania is among the countries with a viable electoral system, even if the principles of pluralism are respected and,

thus, it gets a high mark on this topic, the other indicators bring out the major gaps of the democratic Romanian system.

Table 1. Romanian democracy ranking according to *The Economist Intelligence Unit*

Year	Rank	Overall score	I Electoral process and pluralism	II Funct. of gov.	III Political particip.	IV Political culture	V Civil liberties
2008 [*]	50	7.06	9.58	6.07	6.11	5.00	8.53
2010 [**]	56	6.60	9.58	6.43	5.00	3.75	8.24
2011 [***]	59	6.54	9.58	6.07	4.44	4.38	8.24

* http://www.economist.com/media/pdf/DEMOCRACY_INDEX_2007_v3.pdf

** http://graphics.eiu.com/PDF/Democracy_Index_2010_web.pdf

*** http://graphics.eiu.com/PDF/Democracy_Index_2010_web.pdf

Note: The whole number of the countries taken into account in these statistics is of 167. Romania is in the second part of the ‘Flawed Democracy’ category, closer to ‘Hybrid Regimes’ than to ‘Full Democracies’.

The second observation says that, beyond the quality of governance (by quality we mean respect for the democratic principles) that is at a moderate level, the major problems are concerning the citizens. The fact that the level of the political participation is in a permanent collapse, and the level of the political culture is lower comparing to countries such as Mongolia, Burundi, China or Madagascar make us rethink the priorities of the process of democratic consolidation in Romania.

It is an ordinary truth that says that the success of the human action depends on the quality of the people involved in that action. There’s no greater truth in this assertion than in the theory of democracy. The so called participatory civic culture we find in the classical theory of democracy, an open and pluralist culture, is almost totally absent in Romania.

And more paradoxical, the only attempts to fix this problem were quite odd: there has been introduced a new discipline of study in the curriculum (in the public school), a discipline named ‘Civic Culture’. The error of this measure, contradictory in itself – because you cannot shape civic behaviour by political decisions -, is much more serious as, having been practiced for decades and having no concrete results, it totally weakened other possibilities of growth of political participation and the level of political culture in the space of political discourse in democracy.

What is to be observed in the democratic system in Romania is the absolute absence of a serious and coherent discussion, both in the academic field and at the level of public opinion, about the role of state in a democratic society. This classic-liberal perspective is absolutely missing. In the next pages of this study we try to approach this topic. In this discussion we won’t talk only just

about the dimension of the state, but much more, about the understanding of democracy as the most functional political system in contemporary age.

The history of the Romanian democracy is not a happy one. Romania has never been in the middle of the great democratic transformations that marked, in different waves, the Europe of the XXth century. On the contrary, it was even twice, in the middle of the totalitarian transformations. Both the totalitarianism of the right and that of the left, the greatest enemies of democracy, found in Romania of the XXth century a good field to flourish. In 1989, when throughout the world, the totalitarian communist regime was collapsing, Romania was the last bastion in Europe where a political system considered as self-understood the sacrifice of the individual for the benefit of the society.

This ontological domination of any supraindividual structure over the individual that covered several decades (and that's no more than the last stage, the most developed, of a process that has always existed in the Romanian state structures), left major gaps, not only in the collective mentality, but especially at the level of civic and political qualities of individuals.

Once the communism had collapsed, the Romanian democracy tried to develop *as if* this problem had never existed, *as if* the civic level of the Romanian citizen would have been at the level of a citizen with a democratic tradition hundreds of years old. There were two consequences of this fact. First of all, the Romanian democracy was built on a rotten foundation in the last two decades, and all its slippages find their major explanation in this fact: the attributes of participation and contest— as they have been theorized by Robert Dahl as being defining for a real, consolidated democracy (a polyarchy, using his terms [7]) -, have been inhibited at the level of the individual.

A second major consequence was that the current Romanian democracy has developed around a paradoxal binome: weak citizen, with no liberties and responsibilities *versus* powerful state that assumes a lot of attributes which are badly and discretionary managed. In fact, the Romanian democracy has never spoken in a liberal discourse, that who speaks about the limitation of political power at the state's level and about the strengthening of liberties, rights and responsibilities, too, at the level of individuals. In other words, the Romanian democracy has been built on political power and not on individuals' liberty.

4. Conclusion

Once the problem has been identified (*a powerful state does not make a democracy of good quality, but a free and responsible individual makes it*), the solution is quite simple: *the democratic construction must be resettled on opposite grounds compared to the current ones.*

Thus, first of all, the discourse about democracy must be reoriented from the fight for political power to the fight for limitation of this power and for privilege of the fundamental rights of the individuals.

Secondly, the vision about the state must turn from a monolithic, exhaustive and authoritarian one into a flexible and dynamic one that should be morally, ontologically and institutionally subordinated to the individual's interests: „As the liberal sees it, the task of the state consists solely and exclusively in guaranteeing the protection of life, health, liberty, and private property against violent attacks. Everything that goes beyond this is an evil.” [8]

Thirdly, as democracy talks about the limitation of power and about a limited government, the mechanisms of contest and control over the power by the individual must become the spine of the state's institutions.

In fact, all the three levels of the presumed reform are saying the same thing: democracy is about individuals and not about political structures, so that the only possibility that a democracy should be viable – and we talk here, first of all, about the Romanian democracy – is to fulfil this desideratum: the individual is, in the same time, the motive and the finality of the democratic approach and every political action must be subordinated to this end.

Acknowledgement

This paper is supported by the Sectoral Operational Programme Human Resources Development (SOP HRD), financed from the European Social Fund and by the Romanian Government under the contract number POSDRU ID 56815.

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