



## Democracy without citizens: How can nominal democracies become real?

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### **Introduction: Imperfect democracies as the rule**

The theme of this workshop is wide. My task is to attempt an analysis of how persons can become participants in their societies and determine the fate of the latter. This is the age-old question of citizenship in a political community. Being a participant, an agent with influence, presupposes some kind of equality in terms of respect for a common human nature and personhood as well as basic economic equality and level of knowledge where education is key. These three factors – *equality of personhood*, *basic economic equality*, and *basic education* – have all been bitterly fought over throughout the history of democracy. Ancient forms of self-rule (that are not democratic in the modern sense) such as the Nordic *Tings* or Greek city-states) did not come with equality of personhood – slaves still existed, women did not count – and in more modern times the fight over who should have citizenship rights centered on socio-economic status. The working class got the vote after uprisings around 1890-1920s; women even later. Throughout history citizenship was a privilege for the few, from Athens to Rome until modern times. Education, or being enlightened enough to be trusted with the vote, was a debated topic in political philosophy as late as the heyday of liberalism – John Stuart Mill discussed whether those without education are rational enough to vote in his seminal work *On Liberty* from 1859.

In this paper I first ask what can ensure real participation in political deliberation and decision-making. Democracy is the only form of government where one cannot blame others for problems, as it is 'owned' by citizens themselves. Their participation makes their democracy and its qualities. Mostly participation comes in two forms; elections of representatives and activity in public debate and interest groups. Direct democracy is a rare exception, for example in Swiss cantons. A democratic state typically has two or three levels of government: the local, regional, and the most important national level. It is only logical that the most close-knit community is the smallest one, the local level. People have multiple identities; the local one is perhaps the strongest, but the national one remains essential even in an age of globalization. National identity is the foremost boundary line between groups of people and the basis for national interests, sovereignty, and often the basis of conflicts and war if instrumentalised. Notions of ethnicity as the basis of nation are old-fashioned and highly problematic (and empirically meaningless), but nations exist as historical and cultural communities with common languages. Catholic social teaching speaks of 'the rights of nations'. Where language is so difficult that almost no foreigner can learn it – e.g. Hungarian – knowing the language qualifies as a member of the nation, although formal citizenship rights follow either from a parent to a child, as in most European states, or depend on which territory the child is born on, as in the case of the US.

There is a vast difference between the formal institutions of democracy that are in place in most states in the world today and the level and quality of participation. Never have there been so many *de jure* democracies; [1] few if any states declare themselves to be anything but democracies. North Korea and Vietnam may be among those few, but China, Russia, Cuba and most states in the Middle East will have some form of nominal democracy in place. In the Cold War we had so-called 'peoples' democracies' in East-Central Europe and elsewhere that were totalitarian satellite states of the Soviet Union. After 1990 and the implosion of the Soviet Union there was an unprecedented spread of the liberal-democratic model, and there was no ideological competitor until today when the caliphate and authoritarian rule reappear. Yet the West is firmly engaged in the spread of democracy, something which is seen as a grave threat by states such as Russia and China – the *threat* of democracy is at the core of these states' security policy concerns.[2]

The success of globalization has been premised on the universalization of democracy and liberal rights, and the conditionality of the West in its foreign policy has been and still concerns these norms. Since 1990 the success of this policy has been spectacular with the expansion of the EU, Council of Europe, and NATO membership

and agreements to ever new states. One may say that even the security strategy of NATO has rested on the spreading of democratic norms that are assumed to ensure stability, and the so-called 'democratic peace'-theory is empirically very well supported in terms of research despite being also the subject of criticism.[3]

After de-colonisation in the 1960s the world had a host of new states in Africa with borders drawn on a map and no natural nation to go along with the state. There are 193 states in the world, counting the members of the UN, and about 7000 nations (ethnic, language, culture markers of the community). Historically the territorial state appears before the nation, and existing states do not want new states in the state system. The state system is, wisely so, conservative. To encourage new state formations would be hazardous, and therefore existing states are likely to remain the ones that make up the state system. The most recent state that is diplomatically recognized and therefore a UN member, is South Sudan (where a horrendous civil war rages at present). 'Half-states' like Kosovo that are not in the UN for lack of diplomatic recognition by all members of the UNSC (Security Council) present major problems for international politics and law.

If new state formations were to be encouraged, many more wars would break out or conflicts be ignited. Thus, the UN and existing states attempt to discourage attempts at creating new states. This means that *the very imperfect state system that exists remains the framework for democracy*. Many states, especially the ones in the Middle East and Africa, have no political community in the form of a nation, as their borders were drawn by former colonial masters in Europe without regard for the inhabitants and their culture, history, language, etc. Yet a state without a nation – understood as a community with some degree of solidarity and cohesion – cannot hope to be a democracy.

There is also a need to pay attention to the specific democratic problems that are constituted by corruption and armed conflict. Armed conflict, defined as more than 25 battle-related deaths per year,[4] amount to about 40 in 2016.[5] Most of them are in sub-Saharan Africa (22), followed Asia (27), Eurasia and Europe. The salient point here is that democracy presupposes state monopoly on violence, i.e. a functioning police force that is incorrupt as well as a military under civilian control.

Corruption is a problem in very many countries of the world and one that hinders all aspects of true democratic development. There is no true rule of law in corrupt states and no possibility of a good society based on a social contract whereby the taxpayer pays with the reassurance that other citizens do so as well. Corruption is rampant in the developing world, in authoritarian states such as China and Russia, but also in the Middle East, and we find evidence of corruption in Eastern and Southern European states in particular. In the East this is a legacy of the Communist system where bribery was common; thus one stills hands over an envelope with cash to the dentist or doctor. Much more serious corruption exists in the political class, and the euro crisis showed that also many Spanish and Italian politicians were corrupt.[6]

Money corruption is illegal, whereas what we call 'network' corruption is harder to prove. Yet nepotism is also corruption, it hinders meritocracy and thus the best qualified in getting a job. Jobs given to relatives and friends constitute a serious type of corruption. This is not an unknown phenomenon in Southern Europe, and one that the sociologist Max Weber deemed the major difference between a modern, rational system of government and a primitive one. Unless there is meritocracy and rule of law, there is no real democracy, he argued.[7]

In Latin America democracies have developed quite well, however after many decades of unrest, conflict, and civil wars, but in that region economic inequality remains a major issue.[8] In Asia democracies are stable, but the region is characterized by much rivalry between states. In Europe, present-day democracy is in crisis in many places because of distrust between elites and people, something which came to the fore during the migration crisis in 2015 and Brexit in 2016 in particular. From a democratic vantage point populism is a problem, yet so is EU supra-nationality. If we look east, we find that the democracies of the former Communist bloc are often marred by much corruption; rule-of-law exists on paper, but not in reality. Winner-takes-all mentality prevails and ministers are mysteriously enriching themselves while in office. Research on the separation of powers in these states finds that real power lies in what is called 'the system', a concept from Communist times, and not in independent courts.[9] In Africa states do not have nations, as borders were randomly drawn, and in the US the current presidential debate unfortunately displays a new low in terms of populism.

In sum, democracies exist in abundance when we look at the formal requirements. The fact that democracy developed inside territorial states imposes a number of limitations on how freely one can 're-design' it. In order to offer useful advice on participation, one must be realistic about the given.

What does it take to move towards meaningful democratic participation? Who are the marginalized?

In the first part I discuss participation in decision-making as a central norm of democracy in relation to other norms. Ideally a democracy is a quest for the *summum bonum*, a place where the human being realizes its potential as a social being. As the ancient Greeks saw it, the highest form of human life after the philosophical

life is indeed politics, understood as the quest for the common good. Participation in itself is therefore important for the quality of society and for the development of the person.[10]

In part two I ask where one participates – is there a global polity? Perhaps a European one? In short, what *scope* for the political community in order for meaningful democratic participation? Direct participation in the city-state or perhaps a federal structure based on the principle of subsidiarity where one participates in decisions that affect oneself? Or is it only in the nation-state that democracy realistically can flourish today?

I then proceed in part three to discuss how participation can be enhanced among the marginalized. There I also pay some attention to Europe which also has its marginalized.

### **Part One: Participation and other democratic norms**

In German there are two words for community - *Gesellschaft* and *Gemeinschaft*. [11] The former is the 'thin' version of society, based on interest and instrumentality; the latter is the 'thick' version where there is real commitment to the common weal, the *summum bonum*. The highest aim of participation must be the 'thick' community where self-interest is replaced by concern for the common good. Such communities do exist and we recognize them in terms of the virtue of its citizens, such as when they contribute to society without personal interests in mind. In my hometown Mandal on the coast of Norway there was such a quality to society when I grew up: my father would do a lot for the town without any consideration of reward or status, as would most of his fellow citizens. They did not have much, but they contributed much. Today life even there is more instrumental; people do not freely give their time and energy for community projects, although the community 'quality' there is much higher than in the capital Oslo. This is perhaps a function of size – small towns with close personal ties allow for more community – but it is also a function of professionalization of almost all services and increased materialism as well as wealth. The conductor of the girls' choir or the trainer of the football club worked *pro bono* before but is often paid today.

Yet the natural 'instinct' for community that Aristotle spoke of is evident, as in a recent article in *International New York Times* entitled 'Jobs come with sense of community'. [12] It is about the willingness of city dwellers to move to Nova Scotia to work and live there because they longed for community – all three families that moved there from Vancouver and the US did so because of the prospect of life and work in a small, close-knit community, and as one family put it, they missed 'the feeling of belonging' in the big city. Thus, there is clearly a major difference between a society based on a transactional logic of self-interested agents and a community based on the common good.

However, democracy is also concerned with checking power and hinder power abuse. Thus, rule of law matters very much, as does recall through periodic elections – accountability – and transparency in political processes. My discussion of the democratic virtue of participation is therefore part of a more general analysis of democratic norms:

Carole Pateman created much debate about the centrality of the norm of participation in her book from 1970, *Participation and democratic theory*. [13] She defined participation as the partaking in decisions that affect oneself. This makes logical sense and is also the basis of theories of federalism where there is a postulate that there are natural 'layers' of political issues – the local level should deal with local issues, the regional with regional issues, the national with national issues, and a fourth level, the supra-national or federal level, should deal with its set of issues. Federalism – the theory of the European Union – has no theory of democracy as such, but most states have local, regional, and national democracy where the national level is the most important. In federal states there is a federal level – e.g. in the US and Germany – where decision-making naturally is organized democratically, but in the EU, a confederal structure rather than a federal one, there is only one form of democratic accountability at the Brussels level, in the form of a European Parliament (EP). The council remains intergovernmental.

The major point about the norm of participation is however not only the argument that people should participate in decisions that affect themselves, but that participation *as such* is important. To be an active citizen, part of the *polis*, is important for the full development of the human person. As both the Greeks and Romans put it, we are social beings by nature. The Greek *zoon politikon* is the *animalum rationale* of the Romans, a theme later to be developed to the fullest by St Thomas in the *summa* and other works. This is an absolutely vital issue in Catholic social teaching and in Western political philosophy: the human person becomes himself only in the company of others, as part of a human community; first the family, then civil society, then the *polis*. This is an ontological statement: we are born as social beings. Therefore the family is a natural institution, and so is the *polis*, according to Aristotle and Plato. There is such a thing as a common *good*, something which is not only a common *interest*, but a qualitative aspect of society. The normative imperative – to make a society a good one – is very different from the instrumental concept of a common interest which appears much later

in political philosophy, e.g. as the rationale for the state in Hobbes' *Leviathan* and as the central concept in British liberalism.

Thus, participation as a norm in traditional political philosophy is not premised on rights or interests, but on human nature and the natural need for community. By participating we become full human beings, realizing our natural potential. Aristotle speaks about the self-interested politician as perverse, and the term *idiot* is Greek for someone oblivious to politics. After philosophy politics is the highest type of human activity.

The modern rendering of participation is however rights-based, as a right to participate in decision-making that affects oneself, that is, one's interests. There is however also the possibility of arguing, like the Greeks and St Thomas, that participation is an end in itself. If we accept this, we see that the norm of participation is a very central norm to any democracy.

Yet there was relatively little democratic participation throughout human history. There were few citizens, it was a privilege for the rich and important to be named a citizen, granted by the king. In the Greek city-states both slaves and women were excluded from citizenship, and democracy was regarded as one of the lowest, worst forms of government. Democracy was the opposite of aristocracy; and aristocracy – the rule by the best, the *aristoi*, was the preferred form of government because the quality of the participants was ensured – they were wise, educated, the most knowledgeable.

Modern democracy appears much later, after the consolidation of the territorial state which starts with the treaties of Münster and Osnabrück in 1648, following the Thirty Years' war. The important principle of territorial sovereignty is enshrined here, with total power in the realm to the ruler. The *cujus regio, ejus religio* principle testifies to this. The one that has military control of the territory is its king: *rex imperator in regno suo*. There is no social contract or democratic participation. This is the age of absolutism.

Gradually social contract theory is developed in the aftermath of the revolutions that bring the middle class to the fore. The political community is being constituted by the concept of the nation. The nation plays a vital role as the scope condition for this community – it is no longer Christendom and /or empire, but nation. Napoleon is the creator of the French nation par excellence; it is a forged or created community that builds on the existing clans, families, and smaller local communities, but which is streamlined into one community through a common language (all other languages and dialects are forbidden) and a common central administration and laws (*code civil*). Conscription is the new obligation introduced, *le levee en masse* – all of society must defend and if need be, die for the nation. For example, my own Order of Malta experiences this change as the shock of desertion of the French 'tongue' (the French-speaking knights) in Malta in 1798. Napoleon simply sails into Valetta harbor and calls the French, who follow him. Christendom which had hitherto united the knights is replaced by nations that disunite them. The soldier who is conscripted must be prepared to die for the nation, and patriotism becomes wed to the state in this new manner. Horace' old dictum *dulce et decorum est pro patria mori* reappears as a duty to the political community constituted by the nation-state, and mercenaries which had so far been the norm in the territorial state are replaced by the citizen-soldier. When the concept of the nation is developed it carries with it the very strong obligation of the social contract whereby citizens themselves are responsible for maintaining the community – defending it to death if need be.

The political community in Europe thus becomes the nation. Nations are forged in state after state, some early, some very late. The nation-building in Norway takes place in the 1860s onwards, in preparation for leaving the union with Sweden in 1905. It is frantic; national history is invented and written. But there are old antecedents, Viking times and the middle ages. Thus state after state acquires a nation while the middle classes rise up and demand the end of aristocratic and kingly rule. The revolutions in Europe in 1848 are called 'burgher revolutions', citizens' revolutions. The middle class demands political influence and gets it. Only later does the then burgeoning working class rise and call for the same, from about the 1890s. And so it goes, women get the vote latest of all, after the turn of the century.

At this point rights have become the key democratic norm. It is not participation of the intellectually fittest or the privileged; it is participation based on class rights. The middle class demands this right since the aristocrats have it, followed by the working class, and later women. The arguments concern equality and right to be a free citizen. Are the employed free enough to be citizens? Do they have enough economic independence to be free agents? Similarly, are they knowledgeable enough to vote? Can they make rational choices? John Stuart Mill, writing in 1859 discusses both issues in *On Liberty*. A gentleman is a man of education, leisure and of independent means, thus able to be a citizen. Can someone who is employed by others exercise free will as a citizen? Mill surprisingly argues that also women can be rational, and therefore should have the vote.

Without going into detail about this formative period of democracy we note that the model is one of free agents, i.e. not representing anyone else's interest. The vote is for a long time tied to income and wealth, i.e. only those of a certain standing in this regard can be trusted to be citizens. The nation is the political community to

which one belongs. It is characterized by a common language and history, common currency, common flag and common culture. The duties under the social contract include potentially dying for the nation; in the institution of *conscription* which exists in several European states also today. Also, the duty to pay taxes to support the state is as certain as death, to paraphrase Keynes. The taxman still cometh.

These duties are balanced by rights: the state is obliged to ensure citizens' safety, provide a modicum of social benefits, and keep order on the territory. The state, governed by an elected government, must first of all defend its citizens; then secure order and later, welfare, for the former. The very rationale for the state is security, as Hobbes so forcefully argued in *Leviathan*.

*Bürgerrechte* are inscribed in constitutions, as are duties. In the Norwegian constitution of 1814, Europe's oldest still in force, we find many individual rights already at this time. Democracy is still very limited – few have the vote – but the key principle of safeguarding against tyranny are in place in the form of checks-and-balances: rule of law is ensured through the separation of powers. Montesquieu's principles are known and implemented long before democracy. The norms that guard against abuse of power and arbitrary rule – rule of law and the separation of powers – are of fundamental importance to any democracy. Participation presupposes a political community where one has rights and duties (social contract) and where the rules do not allow for majority tyranny or arbitrary exercise of power. Decisions must be based on law, and there must be an independent legal branch that can keep both the plebiscite and the executive within legal boundaries.

Rule of law is thus older than democracy. When we look at the earliest Nordic proto-parliaments, or *Ting*, we find rule of law as the key to civilized decision-making. Where there is law, there are arbitrators in the form of judges, and people submit to their judgment. In Norway we find legal regions as early as around 900; in Iceland likewise, when the island was populated from Norway around the same time. The names of these legal regions are the same today in both countries: *Eidsivating*, *Borgarting*, *Gulating*, etc. where the word '*ting*' means the meeting place for decision-making, being the name for the Nordic parliaments as well: The Norwegian national assembly is the *Storting* (the great ting), the Danish is the *Folketing* (the people's ting), and in Iceland we have *Althingi* (everyone's ting). At the *tings* disputes were settled by *lovsgamen*, literally those who could read and therefore proclaim the laws, i.e. the judges. Punishments were meted out; typically one would be banned from Norway to Iceland for manslaughter and from Iceland to Greenland for the same crime. These verdicts were proclaimed at the *ting* and they were legally valid for the political community and accepted by it. Most tourists in Iceland will visit the famous *Tingvellir*, the place of decision-making and dispute resolution where all clansmen met for some weeks each June. There one can observe the exact date in year 1000 for the introduction of the Christian Law, the so-called *Kristenretten*, imported from Norway, which introduced it around the same time. The Christian norms of equality in marriage, prohibition of the killing of sick infants, handicapped and weak people, monogamy, etc. were proscribed in the law from then onwards.

At this time there is no democracy beyond the free men who decide on new laws. But the *tings* where these men vote on new laws are early parliaments. The respect for law as opposed to rule by power is significant and it appears that the law was very much respected. Someone banned from Norway or Iceland could be killed by anyone if they returned, as they violated the law by so doing and were actually called 'law-less', as detailed by Snorre's sagas.[14] The point is that law-based rule was very strong even in the violent Viking communities in the North already around year 1000, and the laws were adopted by free men at the *ting*.

The practice of the *ting* meeting only for some weeks each year is common until recent times, as representatives had professional lives in addition to the duty of political participation. The change to make politics a 'profession', and a full-time one at that, would have met resistance from the ancient Greeks and from traditional democracy advocates – the point of *democratic* politics is exactly the opposite of professionalism – the politician is an amateur, a common man or woman who can be elected to high office.

In sum, there can be no democracy, regardless of level of participation, outside a political community, and the latter has to have 'checks and balances' as well as accountability. Effective accountability means recall or re-election through periodic elections, and this presupposes a public sphere where citizens are aware of what goes on. Without accountability, participation has little democratic value beyond shaping public debate. Democracy basically means that power is delegated to elected representatives, and all political power rests with the people. If they cannot recall the power delegated, there is no democracy.

Summing up the argument so far, we have pointed out that participation alone makes little sense as a democratic norm unless there is a political community where there are checks and balances on power (ab)use. Rule of law is essential to checking power abuse and is a pre-democratic norm.

## Part Two: Scope Conditions for the Democratic Polity

The ancient Greeks had their city-states with direct democracy. The main model of democracy is the *nation-state*, and as we have seen, it develops historically with democratization. From territorial state as the unit of political organization and the basis of sovereignty we arrive at democracy based on the concept of nation.

Today nation is a contested concept by 'group theory' whereby citizens are not like, but unlike in all respects – they are minorities of all sorts and demand representation as group representation. This is one major danger to the very concept of democracy where the equality presumption means that the citizens may be unlike in all respects but that of citizenship. This does not invalidate the argument that citizenship presumes a certain degree of economic and other equality, for this must be achieved *in order to* become equal. The modern 'group theory' amounts to the very opposite – we are never equal but remain parts of minority groups that claim rights for themselves, such as quotas for women, blacks, etc.

The nation as a concept negates such differences – we are Frenchmen or Americans as citizens, whatever we are in the private sphere. There is unity in natural diversity. However, the nation-state is also challenged by globalization and in Europe by the ideology of the EU that seeks ever more supra-national integration. I am not here speaking of federalism, the traditional EU ideology, but of the idea that Brussels will supranationalise most policy areas if allowed to do so. Federalism is a theory of de-centralisation, but today there is little consideration of this vital aspect of the EU legacy. Instead the Commission seeks to achieve common policies not only in financial policy through the euro but also in asylum and refugee policy and security and defence policy – areas there is major resistance from member states.

The norm of participation goes well with a federal system, but not with a large supra-national polity. In a truly federal system there will be keen attention to the size of the political unit, and the guiding idea is not only that policy is naturally 'belonging' to the level of decision-making 'closest' to the citizen – *Kindergarten* policy is not best decided on at the supra-national level, for instance; but more importantly, that participation is only meaningful if the citizens are knowledgeable of their representatives, the issue areas, and can partake in public debate. It is often said that the best politicians are local ones because their voters know them personally and have some notion of what kind of personal qualities they possess.

Thus, the smaller the unit, the better the quality of the democracy? The smaller the unit, the more meaningful participation? We would then opt for something akin to the city-state. However, the framework for modern democracy is historically and legally given in the form of political organization we call the nation-state. In terms of size, this unit is probably the largest we can expect to be democratic. Citizens normally have local and regional political rule in addition to the most important level, the nation-state.

There are only two instances of supra-national governance in the world – the EU's commission and court and the so-called 'community procedure' whereby majorities can outvote minorities, and here I should also mention the permanently supranational monetary policy of the EU which is not subject to any political governance, only expert rule. In addition we should count the decisions by the UNSC (Security Council) as supra-national as they are politically binding on all member states. In all other international organizations (IOs) the decision-rule is unanimous or 'consensus minus one'. This means that democratic accountability is taken care of at the national level – the foreign or other minister has his mandate from a government that represents parliament and can be changed by parliament in case of a no-confidence vote. Power comes from the people, via their representatives in a national assembly which supports a government only if they are satisfied with its governing. In a presidential system there is also an election, mostly a direct one. IOs may have so-called parliamentary assemblies, consisting of parliamentarians from member states. They typically have no other power than advisory. NATO, the OSCE, the Nordic Council are examples of this, and the EP was such a consultative assembly until 1974.

Thus, we do not have supra-national democracies. The nation-state with its local and regional government remains the model. In federal systems the regions or *Länder*/states have much competence; in more unitary state systems like France or the Nordic states the main rule is that the national level decides in most matters. It overrides the other levels, taxes and manages the welfare state, runs foreign and defence policy, conscripts the citizens, and sends embassies to other nation-states.

These states mark the political boundaries of democracies although they are mostly not optimal polities. Some states are microstates; others are really empires. They all share the same status as *de jure* equal as a result of being members of the UN, something which means that the UNSC permanent five members have accepted them as states by diplomatically recognizing them as such. There are several 'quasi'-states on the map – Kosovo is not recognized by Russia and China; and the West does not recognize South-Ossetia and Abkhazia, to mention some. The PA is another 'half-state', sharing the status of associate member at the UN with the Holy See. The word *status*, notably, is the same as state, referring to standing in the system.

The main problem with the state system is however not that it is highly diverse, but that so many states are not cohesive in terms of political community. Political scientists usually divide states into three groups: *postmodern* states, *modern* or Westphalian states, and *pre-modern* or failed states. The postmodern states in Europe are highly integrated in the EU and have dismantled borders to a great extent, do not pursue national interests with military force and embrace an ideology based on international human rights and the internationalization of the rule of law. The modern state is the prototype of the nation-state where the nation and national interests matter and where patriotism is a positive and important concept. Russia and the US are examples of this type; in Europe perhaps France and Britain should be counted in this category. The failed state should rather be termed the pre-modern state, as there is usually no state in place that can fail. These are states without any political governance system beyond clans, tribes, and family structures. They are often marred by violent conflict and have mostly never been democracies.

How can democracy be developed in these states? It is not only size that matters for democracy, but history: There is little prospect of democracy in clan-based systems where perhaps religion supplants politics and in dictatorships that lack power pluralism. Participation is impossible in dictatorships, as we see in the repression of free speech in Russia and China, and it makes no sense in states where the concept of citizenship is unknown.

In sum, the state remains the realistic unit of democracy, but it is no longer true that democracy is spreading effortlessly from a Western base. On the contrary, alternative ideologies are promoted, from the caliphate to 'illiberal democracy'. In addition, the development of democratic norms takes much time in order for them to be internalized, and they depend on each other – checks and balances are needed as is participation.

The nation-state is the historical model of democracy and the one we have to work with because the state system is the way the world is organized. Ideally a smaller unit such as the city-state may be the best for participation and its benefits for the common good, but it should be pointed out that the larger unit of the nation-state has functioned well as a cohesive community in Europe and the US, much thanks to the nation-building that has taken place over a long historical period.

### **Part Three: How can Participation of the Marginalized be Enhanced?**

The marginalized are those that are unable to exercise their citizenship rights and fulfil their concomitant duties. The reasons for this are diverse: poverty and lack of education, lack of adequate democratic structures, and lack of a proper political community. I noted that most states are nominal democracies today, but that the trend towards universal democratization is being reversed. I also pointed out that nominal structures need active participation from citizens that desire the common good in order to become real democracies.

I have argued that the nation-state and political levels below (local and regional) constitute the realistic framework for democracies. The national level remains the most powerful because sovereignty belongs to the state, not to the local or regional levels. I have also pointed out that local democracy may stand the best chance of realizing the common good in a close-knit community, but that the national level nonetheless is the more important because most political issues are international and because the state's duty is to protect the security and well-being of its citizens. One's citizenship is national. One cannot take up local residence without national citizenship and it is the privilege of a state to determine who should become its citizens.

Given this, each and every person must deal with its own state and has duties and rights vis-à-vis the latter. It is the formidable task of each citizen to build the national and local political community, and one could argue that only if in life danger is it admissible to leave one's state, as a refugee. However, people have always migrated in search of better lives, and today a vast number do so. Yet if they are citizens eager to build a better political community, they ought to stay, as Paul Collier argues. *Unless the national population of a state build the political community, no one else can.* There is very little success in imposing democracy from the outside. The international community can design and help in making the democratic infrastructure, but it cannot substitute for the citizens and their participation. A democracy is as good as its citizens – or the opposite. Once one has achieved democratic rights, there is a commensurate responsibility, especially in states that are poor democracies to begin with: the citizens 'own' their democracy and no one can substitute for them.

It is therefore strange that there is so little awareness and promotion of this self-evident truth among IOs and Western states regarding the current megatrend of migration. Economic migrants are rational actors on the instrumental and individual logic that they should choose to go to an already well-established democracy in order to have a better life than in a poor, conflict-ridden, and corrupt state, yet this is exactly what undermines the prospects for improving and changing such states. When young Africans leave their states in order to have a better life in Europe and when East Europeans do the same in favour of Western Europe, both are

abandoning their primary duty as national citizens. If this continues we may never be able to develop nominal democracies into real ones. Thus, there should be a concerted international effort to stop economic and political migration and incentives to build better states at home. This is an urgent task indeed. Western states now recognize the need to help in conflict resolution and peace building, seconded by democracy assistance and other developmental aid. Several states, such as my own, spend 1% GDP on development and target such goals. But in order to succeed, young and able migrants must stay behind and be the protagonists of their own country's development. Today the West cannot even return migrants that have their asylum applications refused as this depends on the acceptance of their country of origin. The profits of the human trafficking actors account for record migration.[15] The EU is now starting to link aid to returns, but this is a feeble beginning.

Moreover, in order to act as a citizen one must be educated to be one. If the question is 'what's in it for me?' one cannot expect young people to opt for their poor and chaotic home country if a Western welfare state is a possible destination. There needs to be what we call *civic education*, and not only in developing states. Also in the West there is a dire need for education about public service and civic virtue in a culture dominated by self-regarding logic. When young people do community work in order to improve their CVs, it is sad, and when politics becomes a 'profession' that they seek in order to advance their careers, it is not what Aristotle had in mind when he talked about public service. The term service is the key one; it is not self-service, but service of the other(s). Here we encounter the crucial distinction between *Gesellschaft* and *Gemeinschaft*, between rights-based and interest-based participation and selfless contribution to the common good. There needs to be a re-discovery of the latter as the proper democratic and public virtue, and this must be taught in schools again. This is indeed key in the tradition of political philosophy and where the Church and her social teaching can play a major role.

How important is *economic* equality in making democracy work? A community's quality is not a function of wealth in the sense that the richer, the better the community. Materialism rather leads to more self-interested behaviour. Many 'quality' communities were quite poor and citizens depended on solidarity with others, such as the fishing villages I know from Norway. Risk of loss of the 'bread winner' at sea was high, and there were many widows, but they were supported by the community. Thus, wealth is likely to be an obstacle to community of the *Gemeinschaft* kind. However, a certain income level and stability in terms of having a job is necessary for meaningful political participation. For this reason poverty is such a great problem from the point of view of fostering democracy, as discussed in several papers in this workshop. Unemployment in Europe and precarious jobs are likewise a fundamental problem in advanced democracy, leading to populism and protest. Corruption leads to injustice for the taxpayer, something which directly undermines the solidarity of paying taxes into a system of redistribution. Why pay taxes if others do not? It is a double injustice. Trust and solidarity is undermined, as is the welfare state.

In European democracy today we see how the various democratic norms interact – in corrupt states a black economy develops and 'only the stupid pay taxes', as a Hungarian source put it. Where there is much unemployment, protest parties that often are populist develop. In times of crisis, recall of power becomes important, and there is mounting criticism of market liberalism and globalization, open borders and migration – as in the *Brexit* case. As long as the EU 'delivered the goods', so to speak – incremental economic growth – there was little concern for the democratic 'deficit' that supra-nationality often represents, but today, with the EU unable to respond adequately, publics raise the fundamental issue of recall of power, something which is a healthy democratic reaction.

Europe is the continent whence democracy was exported to the rest of the world and where it is developed to the fullest in terms of a variety of governing systems such as the 'Westminster model', the presidential system, direct democracy, etc. It is also where supranational governance structures are developed the most, and notably where there is currently a debate about the central norms of democracy, e.g. in connection with the 'Brexit'. On the 'old continent' we now witness growing economic inequality between the have-jobs and the jobless, notably among the working class and the young. The world's most advanced democracies thus exhibit developmental features that make for a very interesting observatory of how marginalization and inequality impact on democracy and participation. Not only are the poor in the developing world clearly in the category of the marginalized, but also many Europeans. The lack of access to education is a much bigger problem for people in the developing world than in Europe, but in Europe the growth of populist media and 'debate' is also a form of rationality and knowledge deprivation. The school dropouts who live on social security often do so in generations. The Europeans can go to school, but drop out – the youngsters of the developing world crave to go to school but do not have the possibility.

Also in terms of economic hardship there is naturally a vast difference between the developing world and Europe. Yet in Europe we now witness not only much unemployment, but also the negative effects of globalization as mediated through the internal EU market rules on the traditional working class. The 'brain drain' from East-Central Europe is a fact and a problem, as even *The Economist* recently acknowledged: when



a doctor earns ten times the salary he gets in Hungary if he moves to Western Europe, as well as avoiding corruption, the rational actor choice is easy. Likewise, when the 'Polish plumber' is so much cheaper than the British plumber, the latter will eventually lose his job. In Norway these days the proud tradition of artisans (*Handwerker*) is actually disappearing: no young person opts to become a plumber or carpenter when the wages run down in competition with the Eastern Europeans. The result is that lower middle class and working class trades and jobs disappear. In contrast, Europe after WWII had stable democracies and a common market in the EU, bolstered by an incremental annual increase in income and national welfare states that protected against too much competition. This was, for good reasons, called *les trentes glorieuses*. Today globalization weakens the power of the working class and trade union ability to negotiate national wage levels.

## Conclusions

Democracy can only exist in a well-defined political space, in reality in the form of the nation-state, we have argued. This is not because the latter is the ideal form of polity, but because it is the only polity 'on offer' in a world of states. In order to have a community which is a good as possible – as solidaristic as possible – there needs to be meaningful, 'other-interested' participation. Such participation presupposes rule of law and separation of power as well as transparency and accountability, something which amounts to the institutions that we call liberal democracy. A 'nation' should not be family or clan-based, but based on equality of citizenship and meritocracy in the work place. There needs to be education for public service and civic duty; and there needs to be freedom from want in terms of major human economic and material means in order to have the leisure and freedom needed for public service.

In the developing world, poverty is the biggest obstacle to democratic participation, followed by the lack of education. In the rich West, growing economic inequality is such an obstacle, and growing populism makes participation difficult. Corruption and armed conflict remain much more of a problem in Africa than in e.g. Europe. The first prerequisite for democratic participation is the absence of violence; the second prerequisite is rule of law with the implication that corruption is minimal, and only then it is possible to work on economic and educational issues.

[1] See the 2016 status report from Freedom House, "Freedom in the World". Other sources on indicators of democratic quality include international IDEA (Sweden) and research programmes such as V-dem, a large data base and research programme which allows for statistical analysis of variables and indicators of democracy (<https://www.v-dem.net/en/>).

[2] See e.g. the discussion of the major differences in political norms between Russia and the West in J.H. Matlary and T. Heier (eds.) (2016) *Ukraine and Beyond: Russia's Strategic Security Challenge to Europe*, Palgrave Macmillan, London.

[3] <http://www.e-ir.info/2012/02/18/the-democratic-peace-theory/> It holds that democracies rarely fight each other, although democracies fight non-democracies.

[4] This is the definition by the Uppsala Peace Institute, the most common one, however disputed.

[5] International Institute of Strategic (IISS) statistics, see also PRIO database (Peace Research Institute of Norway) and Uppsala's peace research database.

[6] Transparency International's list for 2015 has 167 states and has the Nordic states on top as the least corrupt, but in Europe there are cases far down on the list as well – Spain is no. 36, Hungary no. 50, Greece no 58, and Italy no. 61. Towards the bottom we find mostly African states – Somalia as no. 167 – as well as some of the 'stans'.

[7] Weber, Max «Politik als Beruf» (1919) and «Wissenschaft als Beruf» (1917), lectures delivered to the student union in Bavaria.

[8] Venezuela remains very high on the corruption index, and is in general very far from being a democracy. See Transparency International's index of corruption for 2015.

[9] Åse Berit Grødeland. 'Informal Practice in the Judiciary: A Comparison of East Central Europe, South East Europe and the West Balkans', in William B. Simons (ed.) *East European Faces of Law and Society: Values and Practices* (Leiden/Boston: Brill, 2014), 81-104, and *ibid.*, 'Informal Relations in Public Procurement. The

Case of East Central and South East Europe', in Jan Kubik and Amy T. Linch (eds.) *Justice, Hegemony and Social Movements: Views from East/Central Europe and Eurasia* (New York: New York University Press/SSRC, 2013), 346-384.

[10] See R. McKeon, *The Basic Works of Aristotle*, (Random House, 1941), *Politica, Book I*: «Every state is a community of some kind, and every community is established with a view to some good....the state or political community, which is the highest of all and which embraces all the rest, aims at good in a greater degree than any other, and at the highest good», 1252a. and “a social instinct is implanted in all men by nature” - “Justice is the bond of men in states” (1252b).

[11] First used by Ferdinand Tönnies in sociology, these concepts were made famous by max Weber's use of them in his works, e.g. *Economy and Society*, ed. Guenter Roth and Claus Wittich. University of California Press (1921/1968/1978).

[12] INYT, Oct 24th, 2016

[13] Cambridge University Press, 1970.

[14] Snorri Sturlason, *Heimskringla*, ca. 900, translated into the Norwegian from Icelandic by Gustav Storm, *Snorres Kongesagaer*, Stenersens Forlag, Oslo, 1900.

[15] INTERPOL/EUROPOL report, «Migrant Smuggling Networks in Europe». April 2016.