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David Beetham ^{a b}

^a Director of the Centre for Democratisation Studies , University of Leeds , U.K.

^b Department of Political Science , University of Leeds , Leeds, LS2 9JT, U.K.

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Linking Democracy and Human Rights

David Beetham

Until recently, democracy and human rights have been regarded as separate phenomena, bearing little relation to one another. On the one hand, democracy has been defined as a set of constitutional arrangements, comprising competitive elections, multi-partyism, the separation of powers, and so forth. "Liberal" democracy has been viewed as only one of many possible forms for one's political system. It's been left entirely to a state's own internal discretion—indeed, it constitutes the essence of its sovereignty—whether it should adopt a democratic system or not.

On the other hand, human rights have always had the individual, not the political order, as their point of reference. They have been viewed as universal in their application, regardless of political systems. Their status in humanitarian international law has been seen increasingly to imply limits on a state's internal discretion in how it treats or maltreats its own citizens.

This separation between democracy and human rights resulted primarily from the Cold War, and from the international rivalry between competing political and social systems. It meant that the term "democracy" could never appear in official U.N. documents. But the separation was also reinforced by a tendency by the political Left in the West to regard liberal democracy as a second-best form of democracy, constrained by its connection to capitalism, and therefore more compromised than human rights or peace agendas.

The separation also resulted from an academic division of labor, which assigned the study of democracy to political science or comparative politics, and the study of human rights to law and jurisprudence. But in the Anglo-Saxon world at least, these disciplines have had very little connection with one another.

Today, this gulf between democracy and human rights can no longer stand. The collapse of Communist regimes and of other one-party systems, as a result of popular pressures, has shown democracy, along with human rights, to be a universal aspiration. The record of human rights abuses under all kinds of dictatorship, of the Left and the Right, has shown that a nation's political system makes all the difference in the standard of human rights its citizens will enjoy. Democracy and human rights, we now acknowledge, belong firmly together. They have been increasingly linked in both international discourse and in the relations between states. But the precise character of the link remains a matter of confusion and disagreement.

Thus, we must clarify the connection between democracy and human rights. We should do so primarily within states. Only after it's accomplished there can we then consider its implications for relations between states, and for the

international system generally. But in doing so, we must address the full range of human rights: not merely civil and political but also economic, social and cultural. Each of these kinds of rights must be examined in turn, since their respective connection with democracy differs in each case.

Let's begin with civil and political rights. Usually, their connection with democracy seems self-evident: popularly elected regimes seem to protect citizens' rights much more in practice than authoritarian ones. Authoritarian regimes depend for their survival on the systematic repression of political opponents. Free and fair electoral processes rely on maintaining speech, association and assembly freedoms. Democracy, and civil and political rights, thus seem linked.

But this empirical or contingent expression of the connection actually falls short; it relies on an inadequate conception of democracy. It defines democracy in purely institutional terms, as a set of governmental arrangements that those countries we call "democracies" happen to have. But it provides no explanation for what makes them democratic in the first place. To explain this, we have to identify the underlying principles they represent.

At its core, democracy consists of popular rule or control over collective decision making. It begins with the citizen rather than with government institutions. It assumes that all citizens are entitled to an equal say in public affairs, pursued both through civil society and government participation. Control and equality constitute the key democratic principles. In small associations such as localities, neighborhoods, and workplaces, that control can be exercised directly, by citizens taking part in collective decisions themselves. At the wider social level, control can be exercised only indirectly, through rights to stand for public office, to elect key public officials, to hold them accountable, and to approve directly the terms of any constitutional change.

Once we establish these principles, we can move to a second-order question: what will make these principles effective in the modern state? The answer takes us in two different directions. One directs us towards institutional arrangements that have proved themselves necessary to ensure popular control over government: competitive elections, an independent media and judiciary, a representative and accountable legislature, and so forth. Their contribution to ensuring popular control over government makes these institutions democratic. We can debate how great a contribution is required, but at least it must advance these underlying principles to a certain extent.

The second direction asks us to consider what other rights citizens must have in order to effectively exercise their democratic right to influence public affairs. This suggests the need for both the civil and political aspects of the human rights agenda. Without the freedoms of expression, association, assembly, or movement, people cannot effectively have a say, whether in the organizations of civil society, or in choosing government policy and personnel. And without the right to individual liberty, personal security, and due legal process, these freedoms in turn will be ineffective. For democratic principles to be realized, therefore, all these rights must be guaranteed, even in the face of majority sentiments.

Thus, democracy relies on both distinctive political institutions and on the basic civil and political components of the human rights agenda. Human rights

constitute an intrinsic, rather than extrinsic, component of democracy. Defining democracy merely as a set of political institutions commits a double error. It ignores the underlying principles that make institutions democratic, and it overlooks the equal role played by human rights.

But what about economic and social rights? Does democracy require that they also be guaranteed? Do these rights depend upon democracy? The answers have been hotly contested, and reflect fundamental disagreements about the status of these rights in the first place. Yet the link between democracy and economic and social rights is actually as strong as between democracy and civil and political rights, although perhaps less immediate.

We must begin by considering the repercussions for democracy when economic and social rights are denied to any significant part of the population. Direct consequences result for the citizens so denied, for their effective citizenship, and for their ability to exercise civil and political rights. Indirect consequences also result for the rest of the population, and for the viability of democratic political institutions.

To exercise our civil and political rights, obviously we must be alive. This requires physical security and access to life necessities: to shelter, subsistence, clean water, sanitation, and basic health care. In turn, it also requires the right to work, so as to be able to generate a basic income, and the right to education, which underlies any effective citizenship.

Thus, as human rights advocates argue, the human rights agenda is “indivisible.” Any significant denial of the necessities of life, education, or employment impairs people’s ability to engage in civil and public life equally with others. Social exclusion and political exclusion go hand in hand.

But social and economic deprivations also indirectly affect the quality of democratic life for all. Widespread unemployment, dispossession or destitution provide a breeding ground for crimes against people and property, and a generalized insecurity that invites repressive and authoritarian forms of social control. Such conditions also promote a politics of intolerance, and make electorates vulnerable to populist leaders or parties, which ascribe the odium of economic insecurity onto visible minorities, or onto ethnic, racial, religious or linguistic diversity generally. In securely established democracies, such conditions may not threaten the survival of electoral politics itself, as they may in more insecure ones, yet everywhere such conditions undermine the civility of social and public life on which the quality of democratic institutions depends.

Thus, economic and social rights, if not as intrinsic as civil and political rights to defining democracy, nevertheless constitute an important condition for democratic rights and the integrity of democratic institutions. But do democracies provide the best protection for the economic and social rights of their citizens? Much debate has occurred over whether democracies or authoritarian regimes are more successful in promoting economic growth. But economic and social rights are not the same as economic growth, and for at least two reasons, such rights will likely be better protected under democratic rather than authoritarian regimes.

First, in an open political system, economic policies must be publicly justified, their consequences can be independently examined, alternatives can be openly

proposed, and the activities of public officials are a matter of record, and therefore subject to accountability. This does not guarantee satisfactory openness and accountability; rather it only means that if policies significantly deny economic or social rights, whether intentionally or inadvertently, they can be identified and challenged.

Second, to the extent that democracies empower ordinary people—through elections at local and national levels, through systematic processes of consultation, and through the self organizing associations of civil society, resulting economic policies will respond to their needs. Of course, in practice that empowerment may be spasmodic, and limited by the bias of capitalist politics towards the economically privileged.

But without any counterweight from popular forces, the demand for basic economic rights will go unattended. Even then, majorities may collude in denying economic rights to their fellow citizens—what John Kenneth Galbraith has called the political culture of contentment. Yet over time such collusion will likely affect their own interests adversely, and generate a debate over alternative policies.

At most, then, we might conclude that democratic institutions are a necessary, rather than fully sufficient condition, for protecting economic and social rights. But in addition, we must recognize that economic and social rights have an importance not only for equal citizenship but also for securing democracy as a whole.

We should also consider the relationship between cultural rights and democracy. One kind of cultural right includes education and the benefits of scientific knowledge, including access to the means of individual personal development and to the universal culture of science. A second kind of cultural right, such as that expressed in the 1992 U.N. Declaration on the Rights of Minorities, protects groups in their ability to practice and reproduce their own distinctive culture. This second type belongs to cultural communities as well as the individuals who comprise them. It acknowledges cultural distinctiveness rather than universality. It assumes that the value of groups to their members lies in what makes their form of life distinctive from others.

This right to be different poses a particular problem for democracy, and for how it should be understood. From Rousseau onwards, the history of democratic thought has assumed a relatively homogeneous population within a self-governing state. It has taken questions of national identity as settled rather than contested. This assumption has allowed modern democracies to mobilize mass electorates in competitions for political power, with numbers providing the decisive factor for gaining access to office. The divisiveness of this process has been tolerable only to the extent that questions of fundamental political identity have been excluded from the competition for power.

Also, the use of majoritarianism for resolving contested issues can be justified, and minority acquiescence in the outcome expected, only under conditions of reciprocity: the minority has its chance to be part of a winning majority in the future, and will, like they have, expect the losers to acquiesce. But reciprocity assumes that the unresolved questions are matters of opinion and interest, which

will change according to circumstances, rather than of basic identities, which will not.

These familiar democratic procedures become a problem, therefore, in the multicultural and multinational societies that increasingly characterize the contemporary world. Where party competition coincides with lines of cultural division, rather than cutting across them, then the struggle for power becomes exclusive and particularistic, waged in the interest of the specific community rather than of the society as a whole. Intentionally or not, it becomes more than a clash over national policies but rather a struggle about who constitutes the nation, and who will be privileged within it. In such circumstances, majoritarianism loses its justification, since the minority is “permanent,” and reciprocity cannot apply.

Such considerations have led some democracies to adopt procedures that qualify majoritarian, “winner-take-all” party competition. Such procedures have included requirements that electoral majorities transcend merely ethnic or regional support, quota protections for minorities, veto rights on certain legislation, power sharing executives, strong regional governments, and so forth. These measures constitute different forms of power sharing, whether territorial, electoral, legislative or administrative, which guarantee minorities their due place in the polity.

Do such measures, by limiting the expression of simple majority will, constrict democracy? Not if we understand democracy’s basic principle to be the right of all citizens to a voice in public affairs. Then, any procedures that routinely exclude a part of the citizenry from influencing policies that affect them, can be viewed as violating this principle. From this perspective, majoritarianism constitutes not the pinnacle of democracy but rather only one approach, whose limits occur when it undermines the principle of political equality on which its own justification depends.

If we understand democracy based on its principles rather than on its governmental institutions—such as electoral and party competition, the separation of powers, executive accountability to parliament, and so forth—then those institutions constitute only one part of democracy. The other part comprises the human rights that underlie the ability of citizens to have a voice in public affairs. They include: first, freedoms such as expression and association, without which people’s voices cannot be heard or mobilized; second, rights to the capacities and resources needed to exercise these freedoms; third, rights to a voice that is different, and to a respect for that difference. In turn, each of these rights has implications for the organization and operation of democratic institutions.

What does this mean for the extension of democracy among nations? First, democracy and human rights have a fundamental connection. Thus, simply introducing democratic institutions into a country will not necessarily produce democracy, or respect for human rights, without some specific attention being given to the latter. Democracy is not a once-and-for-all achievement, but an ongoing struggle to realize the conditions in which citizens can exercise control over their collective affairs in a context of political equality. Since these conditions are never fully realized, the struggle for democratization never ends.

This has important implications for Northern countries when they try to help develop democracy and human rights in the South. Policies of so-called “political conditionality” (such as linking aid to progress in democracy and human rights) have been widely criticized—for their grossly inconsistent application to different countries and regions, for the folly of trying to make people democratic, and so forth.

But there is a further objection: such policies convey the false impression that democracy in the North is beyond reproach. Yet a country with established and functioning democratic institutions does not necessarily have a sound democracy. Indeed, in a nation such as the U.K., where some of us have been conducting a “democratic audit” that includes the country’s human rights record, the findings suggest rather the opposite.

This does not mean that Northern nations should stop assisting democratic forces in the South. Rather we should acknowledge that such aid forms a part of a common struggle for democratization, in the North as well as the South. It’s a struggle that does not end simply because the political institutions of democracy happen to be in place.

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David Beetham teaches Politics and is Director of the Centre for Democratisation Studies at the University of Leeds, U.K. He has been a consultant to UNESCO, the Council of Europe, and the Inter-Parliamentary Union; and he has been a contributor to the U.K. Democratic Audit. *Correspondence*: Department of Political Science, University of Leeds, Leeds LS2 9JT, U.K.