

## **THE PROBLEMS OF DEMOCRATIC INSTITUTIONS: WEST AND EAST OF EUROPE**

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**Abstract.** *The author deals with the problem of European (global) democratization and not with its goals.*

*The author defines the first group of problems as internal contradictions of modern democratic states. In addition to the existing historical-political criticisms of democratic rule, the author refers to critical analysis of democracy in John Keane's works. According to Keane, the modern democratic state gets involved in several ways in the field of free circulation of public opinion. Based on this and other analyses (Bobio, Dahl), the author concludes that in contemporary European democratic societies there also exist profound contradictions that are transferred to globalization of democracy, too.*

*The author identifies the second problem concerning European democratization in its anthropological assumptions. With reference to Tocqueville's book "Democracy in America", the author states that American democracy man develops personality characteristics oriented to the acquisition of material goods (enrichment). The expansion of Euro-American picture of man to other democracies creates the tension between universal institutions and national political cultural.*

*The third problem concerning democracy is defined from the viewpoint of political relativism. The history of the world is the history of cultural differences. The short-term experience in european democratization proves that political relativism is not respected and that tendency to imposing Euro-American model is gaining in strength. This process endangers political identity of a nation, which becomes the source of confrontation and conflicts inside and between the states.*

*In summary, the author suggests the solution of the problem in the spirit of political liberalism. The states (or groups of states) do not have the right to prescribe for other states how to define their public good, except in case they endanger other states (or in case they conduct massive killing of their own citizens).*

**Key words:** *Europe, USA, democracy, national identity, political relativism, liberalism.*

In the present paper the concept of European democratization is understood as 1) the spreading of the Western-European model of democracy (EC) to other parts of Europe, and 2) this process is being developed under strong political pragmatic American impact. From the theoretical aspect, those marked political moves belong to diffusive socio-political views.

Since 1989 the political speech of the contemporary world has been dominated by the term democracy. Theoretical thinkers and political elites send a message to "international community": the world will be democratic because democracy has no alternative. The issue is far-reaching from both theoretical and practical aspect: Is democracy the finally found political form of authority that has no alternative? The overwhelming fascination by democracy should not dare deaden critical thinking - it should put on the agenda of discussion on democracy the structure of arguments related to global democratic offensive as well as those related to its internal, structural obstacles.

Theoretical shift of attention to the issues of organizing democratic institutions in the state or between the states suggests the thesis that the span of ideas, values and knowledge on democracy has become saturated and it is the right time for making democracy reality. Traditional attachment of democracy to the form of state constitution is being rapidly abandoned and transition is made to the sphere of international rules of citizens' democratic life. This paper will not consider the reasons for democracy universalization. It is going to examine the nature of obstacles met on that path.

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**"Democratic Leviathan".** The creators of global democratization project act as if all internal state democratic problems were solved. Modern thinkers of democracy, however, point to the possibilities of new forms of antidemocratic ruling in democratic states: the creation of nationally homogenous project, rule of money, "Democratic Leviathan" (Keane, 1995).

The contemporary mythologization of democracy overlooks the long tradition of critical thinking about this form of authority. Plato asserted that overestimation of equality and freedom faced democracy with tyranny and anarchy; Aristotle revealed the role of demagogy in democracy, Tocqueville the tyranny of the majority, Keane found the contemporary threat to democracy in the liberalism of media.

Modern theorists of democracy (Dahl, 1994; Bobio, 1990; Keane, 1995) critically explore the root itself of democratic institutions. Civil democracies, according to the authors mentioned, face the crisis of legitimacy, and John Keane quite explicitly concludes: "Today the germ of despotism is hiding in the core of all democratic regimes" (Keane, 1995:74). He reached this conclusion by the lucid analysis of the several forms of state's involvement in the sphere of public opinion. Thus, the state handles extraordinary powers (censorship), armed secrecy (army and police), lies, makes itself heard, corporativism. The phenomenon of the increase of political authority that is neither responsible to citizens nor undergoes the rule of law, Keane designates as "Democratic Leviathan". In the bosom of new Leviathan "an invisible power" is hiding (Bobio) or "the authority under the cover of darkness" (Keane).

Contemporary criticisms of democracy can be taken as the tendency towards the improvement of democracy. However, another interpretation of internal weaknesses of democracy starts from the assumption that one new form of rule among the states is being created that *according to its form and rhetoric it will be democratic but actually anti-democratic*. From this point of view, democracy need not deprive its inner enemies of democracy since its opponents are in the centre of democratic authority. The term of despotism in democratic systems is found in the nature of some basic social and political institutions: in democratic society the institutions like church, army, police, court of law are undemocratically structured. However, there are also democratic institutions with big potentials of undemocratic organization - political parties, the president of the state, the media. Civil democracy is not able to find out the formula to ease the tension between the forms of control and autonomy of these institutions. It develops freedom of will in an individual, but also social mechanisms that discourage freedom of will.

Critical insight into the internal contradictions of democracy in one state must influence the suppression of political euphoria. Logically and politically, the mythomania of democracy is unsustainable in the global sphere when it has not overcome its own internal contradictions.

Here, the experiential advantage of democratic over undemocratic order cannot be the topic of discussion. The fact is that the institutionalization of democracy has been going on for two centuries and that it was shaped in one part of the world (Western Europe and the USA). The attempt to organize the world by the use of this model is a direct negation of each culture's live course of development - its experience and wisdom, and the new construction of the world is actually the radicalization of "Democratic Leviathan" in international relations.

The ideology of human rights sneaks into the exports of Euro-American goods by means of the OUN. If diplomacy of democracy is global strategy then the ideology of human rights with its *run* meanings is welcome to all kinds of uses.

Rights exist to refer to something. The ideology of human rights, according to current interests, refers to an individual, community, economy, political needs, culture. Political leitmotif of human rights entirely overlooks those *obligations* structured by each organized community without which it cannot be constituted.

All this excessiveness and arbitrariness of human rights use is not an argument against the values of the rights of a man and citizen but a conscious confusion in interpretations of the rights of a man and citizen created by one global ruling stream. Just like in the case of democracy, the question must be posed: Who defines human rights?

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**Back to Tocqueville: Who is the subject of democratic globalization?** Democracy makes a certain system of institutions and values recognized but does the same with the picture of man. It also builds in its foundations a specific view of man, his needs and aims as well as the mental set of the community. To understand the anthropological essence of democracy, it will be sufficient to reconstruct Tocqueville's idea of this problem. Without psychological, moral and social personality characteristics, such a forceful economic and social progress of America would be impossible. Tocqueville, 150 years ago, noticed that

in America "general motion" and "feverish restlessness" was reigning and that such a social dynamics must contain a certain anthropological vision in its basis.

What was (and still is) the psycho-social structure of an American democracy man?

The basic characteristic feature of American man, which Tocqueville underlines at several places in his book, is passion for material welfare. The orientation to the acquisition of material riches is general. "Here, all people are preoccupied with care to meet even the smallest body needs and to provide the smallest comforts of life" (480). Such a value forms the characteristic of greed for wealth but also for power and fame. The love for wealth is "basic to all actions of the Americans, who give all their passions some kind of family resemblance and the sight of them quickly becomes tiring" (560). The value orientation to personal enrichment corresponds to emotional and moral personality characteristics. In Tocqueville's opinion, an American is a man of "burning desires, enterprising, daring, and is particularly an innovator" (343).

No doubt that it is only such personality characteristics and institutions conforming to it that could achieve such a material and technological progress of America that no civilization of the world has ever managed to. If an individual is greedy and obsessed by the acquisition of riches, then the nation he belongs to must be like that, too. All states of the Union, Tocqueville stated, were following the same values of production, trade, enrichment. Democracy has actually made this characteristic (greed) of man, who is a generic being, a model of socialization. Throughout history there have always existed individuals and groups possessing these values, but it is only the democratic order that has universalized orientation to enrichment.

The criterion of personal achievement is the basic criterion for comprehending democracy in America. A young American "accepts only what an individual is able to achieve with his own efforts" (Weber, 1964).

Our topic does not require the provision of insight into other implications of American anthropology, for example, the relations to other nations. Tocqueville, 180 years ago, found out that such a man and such a state would inevitably lead to further expansion of American democracy to other countries and continents. There emerged one new "industrial aristocracy" that had never existed before and this was the phenomenon at which all friends of democracy "should cast permanently worried glance" (507). And the worry is political in character. Based on such a value orientation, one new form of despotism is being established that differs from ancient tyrannies in its specific subjugation and guardianship. It is comprehensive but mild and "lowers man without torturing him" (634). Tocqueville finds social basis of a new despotism in an unstoppable egoism of individual greed. Everyone is concerned about his own needs and about instrumentalization of another man or social group. All Americans are urged "to rule the seas just like the Romans who were urged to conquer the world" (345). Will the fate of Rome be repeated, too?

In the debate on democracy globalization and problems that emerge on this path, Tocqueville's thought is unavoidable. His mind saw the tendency and the turn of the 20<sup>th</sup> century has enriched its contents. The USA is the subject of democracy globalization and the problem related to other national democracies is in that they have not built up the anthropological basis which makes American society dynamic. In European societies, for example, German culture has a set of personality characteristics quite different from that of Slavic culture. Outside the European cultural space anthropological diversity is even greater.

The rapid expansion of the American picture of man as the subject of democratic institutions will come into conflict with many national communities and states. The conflict will be avoided if only some personality characteristics deposited by culture by means of values, views, beliefs were miraculously abruptly changed (Spengler, 1989). They will have to transform man who prays to God or man who is tragic into man who makes a fortune. The problem is that man who prays will become the plunder of democracy in which he makes a fortune.

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**Modalities of democratic expansionism.** Forcing of global democratization reminds ideologically and politically of a polemic about the French Revolution conducted between Edmund Burke and Thomas Paine. Burke's argument in defense of the old order was founded on tradition and authority of the example, and against metaphysical abstractions and exaltations. Paine discovered universal values of the Revolution in man's natural rights (Paine, T. 1987).

Today, structurally similar argumentation is revived concerning globalization of democratic rights and freedoms of man: universalism is opposed by tradition and authority of the example.

New global democracy and human rights are being built into regional political documents. Europe was the first to make this kind of move. In the Charter of OSCE adopted at the 1990 Paris summit, the part pertaining to democracy reads: "We commit ourselves to build, consolidate and strengthen democracy as the only ruling system in our countries. In that effort we will act in accordance with as follows:

Human rights and freedoms are the heritage of all human beings, are inalienable and ensured by law. Their preservation and nurturing takes top priority for responsibility of the governments. Their respect means substantial protection from the extreme power of state. Their sequence and overall application is the basis of freedom, justice and peace.

The democratic rule is based on popular will that is periodically expressed by free and just elections. The foundations of democracy concern the respect for a human being and lawful state. Democracy is the best guarantee of freedom of expression, of tolerance to all social groups as well as of equal opportunities for each individual.

Democracy, having representative and pluralistic character, comprises responsibility to the electorate, the obligation of public authorities to adhere to law, and unbiased administration of justice. No one will be placed above law." (Foundations of Modern Democracy, 1989) Similar ideas emerge in all documents concerning democracy.

Declarations like this, in addition to defending sublime values of democratic order, overlook very successfully *individualization of democratic institutions* and this is actually the substantial problem of democracy globalization process. The statement can be accepted, as is written in the Charter of OSCE, that democracy is the only system of ruling in European states. The problem is, however, if legal and political consequences of such a statement are equal for all states. In other words, what is the extent to which legal shaping of democratic institutions undergoes the influence of political culture and tradition?

Each normativization of political life, global (supranational) in particular, requires greater or smaller sacrifices. In that process, independence, national freedom, autonomy, dignity of any individual state may become archaic categories. Democratic colonization

of the world reinterprets, in an unmasked and radical way, the concepts of national freedom and independence whereby it removes the historical gilding that these concepts have attained throughout the development of human culture. Another negative consequence of the promotion of democracy into the political absolute is articulated by the struggle of national and international *interests* under the cover of democratic forms.

The extent to which normativization of democracy pushes back state independence and freedom will be most fully illustrated by two examples.

Democracy is inseparable from human rights and freedoms. In real political life of some states all rights of an individual are solved on the basis of collective national views and autonomously defined interests of nations and citizens. What is in one state considered to be the right of an individual is not recognized in another state. Does an obliging politically valid judgement, in favour of the first or second state, follow from this fact? No, it does not. But this does not mean that one of them will not accuse the other one of democracy deficit or even of its annihilation.

In the garden of Eden of European democracy as early as tomorrow the issue of sexual freedoms may become a stumbling block. In some states the expansion of sexual freedoms and rights is institutionalized by matrimony between couples of the same sex. In some other states, however, homosexual marriage is forbidden by law. Democracy globalization will create such a situation that the states which approve of homosexual marriage (for example, the USA) may accuse those states that do not admit this kind of matrimony of man's sexual freedoms deprivation.

Structurally identical problem can be expected concerning different views of birth control in some states. States facing high birth rates are forced to exercise control of natality, while states having low birth rates must stimulate population policy.

We encounter similar problem regarding the issue of women's rights in the states of the Muslim system of religious law. Is the struggle for women's rights the subject of international democratic norms, or is it the autonomous political right of Islamic states having Muslim system of religious law?

Identical political phenomena may be the subject of radically different evaluation and interpretation. The expression of protest against ruling regime in one state must strictly undergo legal procedure, whereas in another state the guardians of democracy may encourage unlawful protests and demonstrations. The difference in treatment derives from the political interest that is declaratively legitimized by democracy.

Facing concrete-historical solution of human rights and freedoms is a genuine test for checking the validity of democratic declarations. General acceptance of democratic norms and values does not mean unification of democratic practice. The problem is that these practical democratic differences can be employed for the expansion of some states' influences and interests, and in the situations of conflict they can be instrumentalized for a dispute of democratic with undemocratic states. (In the USA there is a law 200 years old that allows *foreign* citizens to bring charges against *foreign* officials and other citizens for violation of people's rights.) The thinkers of democracy should never dare to overlook the fact that democracy is a great opportunity for political common sense, but it is also a chance for political passions to burst. "National self-confirmation and aggressiveness may exuberate in democratic soil as well" (Mannheim, 1980:183). In this form of government, experts but also dilettants act. In it, the price of national interests, freedoms, and independence may be low but high, too.

The project of democracy globalization does not only mean the spread of powerful political ideas, but also the employment of means for a diversity of pressures.

International instrumentalization of democracy was demonstrated on the occasion of the SFRY disintegration (Avramovic, 1998) and was carried on with breaking out of political crisis in Serbia after federal and local elections on November 17, 1996. In those events, the game of disguising foreign-policy interests into the requirement for internal democratization of the Republic of Serbia was clearly revealed. In the public speech of some democratic states' governments, the idea of a force as a midwife of democracy was reaffirmed. Political events that we speak about, however, tell more about the antinomies of globalistic democracy than about the character of internal political crisis in the Republic of Serbia. Here, three paradigmatic political messages will be underlined. The problem of electoral results is consciously *extended* to other issues and such a situation leads to the conclusion that the structure of demands involves some other interests. One group of states (or one state) assumes the right of the international Organization of United Nations to *threaten with sanctions*. Military alliance of another group of states *nominate* Serbian Government responsible for the electoral problem, and not the institution of the court of law that made the decision to annul the elections. One official of the EC appeared in the role of censor of allowable and rejected *ideas*.

The arguments for disproving the legitimacy of democratic involvement are based on the theory of political autonomy.

The electoral procedure in each democratic state is regulated by the laws and they can be either good or insufficiently valid. The electoral law can be rated unfavourably but there is possibility of its positive revision. A similar situation is with the dialogue between the authorities and the opposition. In the Republic of Serbia, there is the authority and the opposition, and the nature of their interrelations is the matter of their autonomous will and the way of political behaviour. As for political ideas in Serbia, it is unsustainably sanctioned which ideas can be permissible and which ones internationally impermissible. Above all, political officers and organizations whose member is Serbia do not deliver their threatening messages to the democratic order in Serbia. The Republic of Serbia is neither the member of the EC nor of the NATO.

Democracy, being an instrument for harmonizing international interests, is more and more pushing away the traditional view of democracy as a means of achieving freedom and independence of man and people of one state. Having this new meaning, democracy as the final idea of tolerance among people and nations is highly tempted to become utilized for imposing pragmatic interests of the developed part of the world and as such to become the peel of a squeezed lemon. "Trying out to force people to embrace something that is considered to be good and famous, but what they really do not like, is a clear sign of antidemocratic beliefs" (Schumpeter, 1981:301). Here, the analogy with the relation between autonomous and heteronomous personality is theoretically justified. The imposition of democracy from the outside is similar to the concept of heteronomous personality.

In addition to external international pressure for internal democratization of political order, it is also necessary to call attention to political appeals from the country for democratic intervention. Political appeals can certainly be individual, or made by nongovernmental organizations, or by opposition political parties. This fact produces confusion in the understanding of democracy, because this does not relate to one-party states.

The orientation to making appeals to foreign states to democratize internal order must come into conflict with some fundamental civilization values. Is there any space for freedom and national independence in such a pleading? If one hands down one's freedom to somebody else, one cannot expect responsibility. This is the most vulnerable thesis on orientation to democracy import. He who is not capable of choosing democratic values and institutions by himself will not be free, even less autonomous in political thinking and behaviour under circumstances of a political gift.

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**Democracy globalization and national political culture.** The expansion of democracy under the threat of military alliances and international sanctions directly strikes historically built up meanings and institutions of national political culture. The forced democracy globalization implies the strategy of annihilation of world political relativism, but actually this is the promotion of supremacy of higher political cultures over those lower ones. Democratic colonialism *volens-nolens* overlooks immanent objectives of political relativism. Instead of *getting to know* political cultures, *understanding* different political experiences and meanings, and *pervading* political knowledges, one construct of political system is swiftly being imposed that has its origin and place in the long history of Western-European civilization.

The universalization of a political model, even if it is the model of democratic political culture, must face the problem of political identity of any nation. Each national community has built up over the past centuries its own meanings of power, authority, interests, relations to a foreigner, and the meanings of dignity, moral, freedom, in particular justice. The individual view of democracy is neither applicable to cultures that have expressed collectivist customs nor to cultures in which material goods are not of primary interest. Also, the degree of involvement of nonpolitical activities in politics, or the relations of familiarity and administrative form can be indicators of national political culture.

The democracy globalization strategy overlooks the conflict with some nations' political identities because it directs its attention to political personalities in certain states and is motivated by pragmatic interests. Another dilemma is related to the issue of relations between economic, military and political interests of developed states and their actual pleading for democratic values. Has democracy become an instrumental value only? In some cultures national pride can be a more powerful motivational lever than economic interests.

Uncertainty is a structural feature of the history of society and man. Today's response to that common fate is democracy. Contemporary spirit comprehends wrongly its role if it channels the world's potentials in one direction only. Democracy can be sustained only on condition that one passes through the prism of one's own personality evaluation and comes into contact with cultural distinctiveness of the community one belongs to. What Mill and all thinkers of liberalism defined as the principle of dam against public authority that: "neither individual nor a greater number of individuals have the right to prescribe for another human being of mature age what he should do with his life if it concerns his own welfare" (Mill, 1988) is also valid for relations between states. This principle would read: no state or group of states have the right to prescribe for another state what it should do with its life if it concerns its welfare. They have the right to get involved only in case when one state violates the security of another state.



Global democracy does not accept this principle. It is possible that this will be a hard solvable internal contradiction and permanent temptation for foreign policy.

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## PROBLEMI DEMOKRATSKIH INSTITUCIJA: ZAPADNA I ISTOČNA EVROPA

**Zoran Avramović**

*Autor se bavi problemom globalne demokratije. Prva grupa problema se određuje kao unutrašnje kontradikcije demokratske države. Pored istorijsko-političke kritike demokratije autor se poziva na radove Džona Kina. Po mišljenju Kina, moderna demokratska država se na nekoliko načina meša u javno mišljenje. Oslanjajući se na druge analize (Bobio, Dal) autor zaključuje da savremene evropske društve takodje sadrže kontradikcije demokratskog preobražaja koje prenose u oblast politike. Drugu grupu problema globalne demokratije autor razmatra sa antropoloških pretpostavki. Pozivajući se na Tokvilovu knjigu *Demokratija u Americi*, autor tvrdi da je američki čovek orijentisan na materijalne ciljeve. Širenje slike evro-američkog čoveka na druge države stvara tenzije između univerzalnih ustanova i nacionalne političke kulturne. Treći problem u razmatranju globalne demokratije odnosi se na politički relativizam. Istorija sveta je istorija kulturnog relativizma. Kratka istorija evropske demokratizacije dokazuje da politički relativizam nije poštovan već tendencija nametanja evro-američkog modela. Takav proces ugrožava politički identitet nacije, koji postaje izvor sukoba kako unutar države tako i između država. U zaključku, autor sugerira rešenje problema u duhu političkog liberalizma. Države (ili grupe država) nemaju pravo da propišu drugim državama kako da definišu svoje opšte dobro, izuzev u slučaju da ugrožavaju druge države (ili u slučaju masovnog ubijanja sopstvenog stanovništva).*

Ključne reči: *Evropa, Amerika, demokratija, nacionalni identitet, politički relativizam, liberalizam.*