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Democratic Consolidation and ‘Defective Democracies’

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Introduction

The 20th century has been the century of democratization, first in Europe, and later in the rest of the world. According to Sam Huntington democratization occurred in three waves: after the First World War (Germany, Austria and other states of Central Europe), after the Second World War (Germany, Austria, Italy, Japan, and others), and in a third wave which began in the 1970s in Southern Europe (1974/75 Portugal, Greece, Spain) and proliferated through Latin America, East and Southeast Asia and other parts of the world from the 1980s on. Finally we have experienced a fourth wave in the transitions of the former communist countries of the Soviet bloc in Eastern Europe and Central Asia which began in 1989.

Statistical evidence looks impressive: As we can see in table 1, there were not more than 29 democracies worldwide in 1922, whereas we could find 117 at the end of the century according to the data of Freedom House (not counting the smallest states with less than 1 million inhabitants), i.e. 61,2% as compared to only 45,3% in 1922.

Table 1: Democratization in the 20th century

	Democracies	Autocracies	Total states	Percentage of democracies
1922	29	35	64	45.3
1942	12	49	61	19.7
1962	36	75	111	32.4
1973	30	92	122	24.6
1990	58	71	129	45.0
1999	117	74	191	61.2

Sources: Data until 1990 in: S.P. Huntington 1991: The Third Wave, Norman/London (without countries with less than 1 million inhab.); 1999 in: Freedom House 1999: Freedom in the World (<http://www.freedomhouse.org/survey99/tables>, visit. 02.05.2000).

The transitions of the third and fourth wave have been of particular interest for social scientists. During the last 25 years, we have experienced the rise and boom of a whole new growth industry in the social sciences: the industry of transitology, or transformatology which basically has focussed on four different phases and aspects of the problem:

1. the ‘opening’, demise or liberalization of authoritarian or communist regimes,
2. the institutional transition, in the narrower sense, from a non-democratic to a democratic regime (if it went well),
3. the problems of the consolidation of democracy, if it came to that, or in its absence the respective alternatives, and

4. the processes and trajectories of the broader and more complex socio-economic and cultural transformations involved, particularly the transformation of a centrally planned state economy into a market economy as it occurred in the ex-communist countries, with all the problems of adequate, proper and timely coordination and ‘sequencing’.

We started out in the 1970s and 80s studying the transitions in Spain, Portugal, Greece and Latin America, in collaboration with Juan Linz, Philippe Schmitter, Al Stepan, Guillermo O’Donnell and others. Under the auspices of the Social Science Research Council (SSRC) we later embarked on a series on ‘The New Southern Europe’ (5 vols., 3 published, 1 in print) together with Nikiforos Diamandouros, Richard Gunther, José Ramón Montero, Leonardo Morlino and others. During the last years, together with Wolfgang Merkel and others, we have studied comparative transitions and transformations at a worldwide scale, particularly focussing on the requirements of democratic consolidation and on the ‘defects’ of new democracies, in the process of which we have developed the concept of ‘defective democracy’.

The outcome of a transformation process, or of a transition from an autocratic regime ‘to something else’ (Schmitter) could be a consolidated democracy, if all goes well. This is the best of four possible scenarios. In most cases, however, the outcome has been a different one. The three other possibilities are the following:

- once more an autocratic regime (be it a relapse into the past regime, or something new),
- an unconsolidated or not yet consolidated democracy still in transition, or
- a democracy with characteristic defects which become entrenched for a longer time.

The important thing is that there are no general rules or universal models which could be applied to all cases. It is all about higher or lower probabilities generated by theoretically informed and guided empirical comparisons. At a closer look we find that the processes of democratization, or of democratic consolidation can be very different from one another, and that they follow their different lines and trajectories which are characterized by the constellations not only of the respective actors involved, but also of the broader socio-economic, institutional and cultural context.

For the purpose of this presentation I shall focus on three basic points:

1. the problems of democratic consolidation,
2. the concept of modern democracy, in order to identify the relevant criteria for what might be called ‘sufficient consolidation’, or, in case of its absence, the detailed grounds on which consolidation is considered to be lacking, i.e. the types and modes of the so called ‘defects’ of a democracy, and
3. our concept of ‘defective democracy’, its subtypes, contexts and tendencies.

1. Processes of democratic consolidation

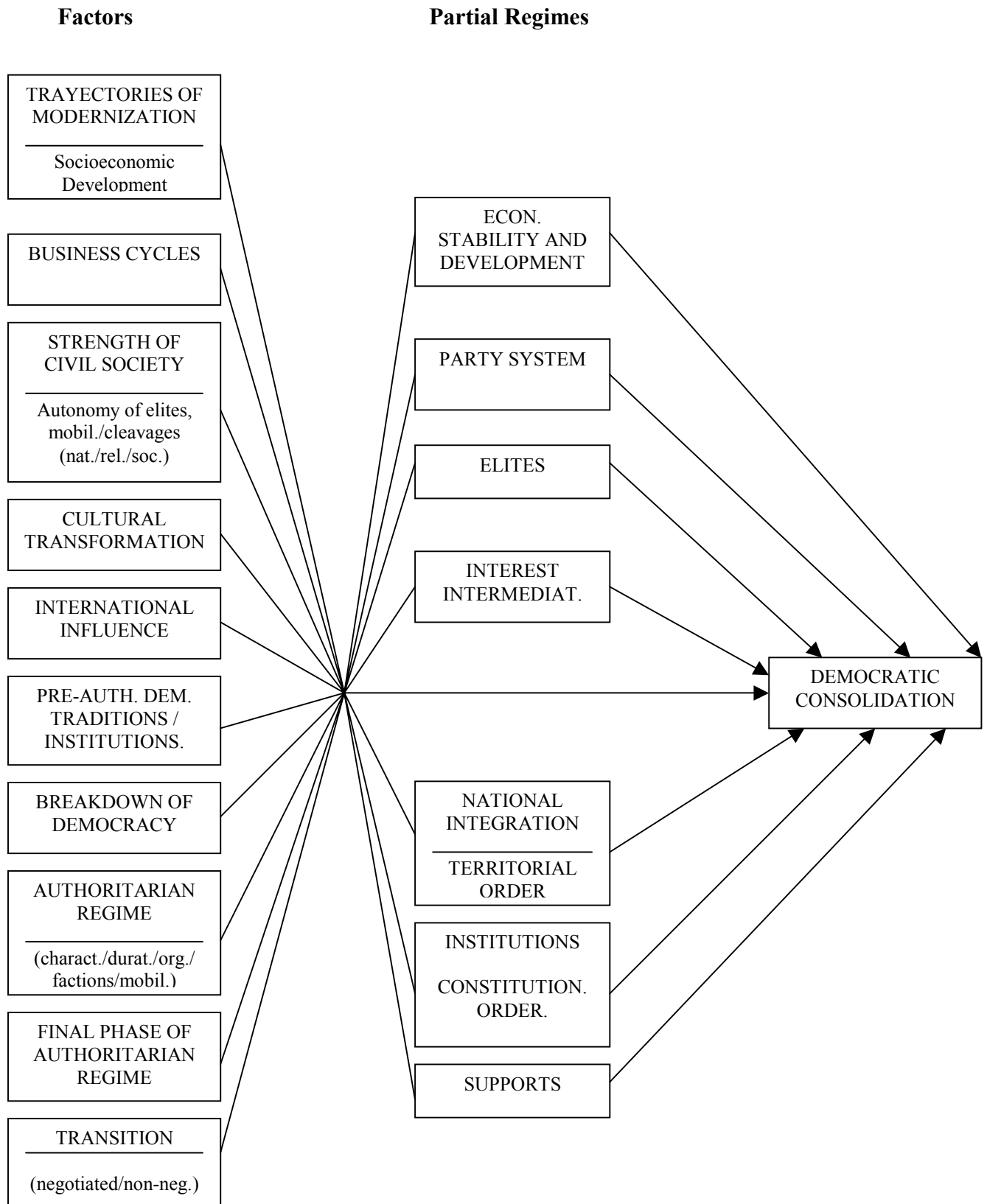
The concept of democratic consolidation has been criticized by some authors (e.g. by O'Donnell 1996), but I still think it is a viable concept with a number of important comparative advantages, because it allows to account for the criteria of a clear democratic minimum (the 'sufficient' requisites of a stable democracy), on the one hand, and to distinguish between different qualities (or deficits) of democracy (which often are a matter of degree), on the other. What is more, the concept of democratic consolidation addresses, in a way that allows operationalization, the difference between the mere institutionalization of a new democracy and its subsequent entrenchment, backing and 'rooting' conducive to democratic stability. Consolidation is not just a new phase after the end of the transition and institutionalization, as it has been seen by many. It is a different process the beginnings of which overlap with the second phase of the transition (after the founding elections) and which in most cases continues after the end of the transition until a characteristic threshold is reached after which the new democracy can be considered to be consolidated. Democratic consolidation is a complex process with institutional, attitudinal and behavioral dimensions in which usually many more factors and actors intervene and more arenas matter than in the process of the transition. It can even be that during consolidation the characteristic configurations of a transition to democracy are changed as it happened in Argentina or in Portugal. Consolidation is not necessarily the continuation of the transition, it is a different process which usually has more influence on the 'quality' (Schmitter, Morlino) of the new democracy than the constellations of the transition.

How can we define the consolidation of a democracy? This issue has triggered many arguments between 'maximalists' and 'minimalists'. I think it may be useful to consider a democratic regime as sufficiently (never: completely) consolidated if and when the rules of the democratic game are respected and considered legitimate by all significant political groups, i.e. if and when democracy is 'the only game in town' (Przeworski).

When it comes to the relevant sectors or 'partial regimes' of democratic consolidation, we find a number of different models in the literature, e.g.:

- the different trajectories in the (at least) three dimensions of consolidation according to Gunther/Diamandouros/Puhle (1995): institutional, attitudinal and behavioral consolidation;
- the five arenas of Juan Linz and Alfred Stepan (1996): civil society, political society, rule of law, the state apparatus and economic society;
- the four dimensions of Wolfgang Merkel (1999): constitutional consolidation, representative and behavioral consolidation, and the consolidation of civic culture and civil society,
- or the six partial regimes I am suggesting (in figure 1, central column): economic stability and development, the party system, elite interaction, the mechanisms of interest intermediation, the constellations of national integration and the territorial order, the constitutional order and the institutions, and finally the mechanisms of legitimation, contingent consent or diffuse support for democracy (Merkel/Puhle 1999).

Figure 1: Principal factors and partial regimes of democratic consolidation



It is important to note that the consolidation of democracy is not simply the addition or integration of the consolidations of the partial regimes. In 1982 in Spain, e.g., the de- (and re-) consolidation of the party system became the last step towards democratic consolidation. And we know that the various partial regimes are often interdependent: If and when the economy continues to be in crisis or some vital interests of the people, be it in jobs or in cultural autonomy, are not satisfied, the ominous ‘desencanto’ occurs and the supports for democracy decline.

What is also important is that there are different contexts and results. Just four short points: First, there is a categorical difference between the transitions and consolidations in the Western world, on the one hand, and in the ex-communist countries, on the other. In the case of the latter we have to account, from the beginning of the demise of the old regime, for the simultaneity of two different transformations, the institutional and political transformation and the socio-economic transformation. It may be true that this ‘double transformation’ has always been the rule, even in the West, because socio-economic reforms have always been on the agenda (even in countries like Greece or Brazil). The political actors and elites in the West, however, usually had a choice and were able to set their own priorities with regard to the speed and sequence of the steps taken and the decisions made (down to the point of being able to postpone all economic and social change until after the end of the transition as they more or less did in Spain). In the ex-communist countries this was not possible, and the search for the adequate and optimal ‘sequencing’ has been a crucial issue from the beginning.

Second, it had a certain significance whether the democratizing countries opted for a parliamentary or for a presidential system. In general, parliamentary systems have made democratic consolidations somewhat easier, although not to the extent Juan Linz has suggested (Linz/Valenzuela 1994).

The third point is that among the minority of new democracies which have been consolidated we can find those of Southern Europe and the more socioeconomically advanced ones with stronger traditions of pluralism and rule of law in East Central and Eastern Europe. According to our criteria there has been much less consolidation in the rest of the world, with the exception of Taiwan, and in Latin America particularly Uruguay (and up to a point: Chile).

Fourth, we should not forget that even within the same region, or within the same category of development and traditions, the patterns and trajectories of democratization have varied much, and that no transition or consolidation has been like the other. This refers to the character of the authoritarian (military or mixed) or communist regime during its last phase, and of its demise (by exhaustion, liberalization, ‘opening’, softliners, defeat in war), and also to the mode of its transition (revolutionary or reformist, guided, imposed, negotiated or not negotiated), to the relationship between elite negotiation and mass mobilization and to the final outcome of consolidation or non-consolidation.

2. Concepts of modern democracy

How do we know when a new democracy has been consolidated? Sometimes we might know it from hindsight, after a certain time of democratic stability. To a great extent the answer depends on how we define democracy and which criteria we use. There are many different forms of democracy, and the so called ‘quality’ of democracy can vary widely, there can be cases with more or less democracy, particularly when we think in more demanding terms of equality or social justice. And we know that democracies, in general, always are ongoing and unfinished processes.

There is, however, a democratic minimum (or at least there should be one) which basically is an institutional minimum the elements of which cannot be substituted for by informal mechanisms. Among these elements I think we should particularly count the following:

- the right of citizenship with a high degree of inclusion,
- free and fair, competitive and effective elections, hence
- freedom of association and information, and
- effective government by elected officials which can be held accountable,
- the recognition of human and civil rights, and
- the guarantee of rule of law and civil liberties.

I shall come back to these points more systematically.

2.1. Electoral democracy vs. liberal democracy

Most of the definitions of democracy we can find in the literature, however, do not live up to the criteria of this democratic minimum. Generally they are more minimalist, from Joseph Schumpeter to Robert Dahl, Guillermo O’Donnell, Philippe Schmitter and others. They are focussing almost exclusively on the mechanisms of participation, i.e. electoral democracy, and tend to forget the other strong line of tradition of modern Western democracy which has been somewhat marginalized in the course of time under the hegemony of the Dahlian concept of ‘polyarchy’: This is the anglo-saxon line of liberal democracy, of checks and balances, the rule of law, and the guarantees of the citizens’ civil and political liberties vis-à-vis the state.

I think that in order to arrive at an adequate concept of modern democracy in the sense of liberal democracy or a democratic ‘Rechtsstaat’, we have to combine these two lines of Western democratic tradition, the electoral and the liberal. This does not only mean to be a bit more demanding than a number of other authors. It appears to be an important and indispensable conceptual decision, because it can be shown that in the long run an electoral democracy would not survive without the guarantees of liberal democracy, and that the rule of law is a functional prerequisite for the efficacy of representation, of the institutions and decisions. There is no really democratic alternative to the democratic ‘Rechtsstaat’ (or: liberal democracy).

The basic idea of such a concept of democracy has, of course, been operationalized in different forms and variations. Here I can give only three examples, one which I would call minimalist, a second which is more demanding, and a third which I think is better than the rest so far discussed. A minimalist version is Larry Diamond’s (1999) distinction between three different classes of electoral democracies (characterized by free and fair elections): liberal, semi-liberal and illiberal democracies, on the basis of the Freedom House ratings along the

scale of civil liberties from 1 to 7 (3=semi-lib., 4-7 illib.). The result still seems to be highly schematic, but it allows a number of important distinctions:

Table 2: ‘Liberal’, ‘semi-liberal’ and ‘illiberal’ democracies (percentages of total of ‘electoral democracies’, 2001)

<i>Continental distribution</i>	<i>Liberal democracies</i>		<i>Semi-liberal democracies</i>		<i>Illiberal democracies</i>	
	%	N cases	%	N cases	%	N cases
<i>Total</i>	58.3	70	20.8	25	20.8	25
<i>Europe (without post-communist states)</i>	95.9	23	4.1	1	-	-
<i>Post-communist Europe (incl. CIS states)</i>	50.0	9	16.7	3	33.3	6
<i>Africa</i>	28.6	6	23.8	5	47.6	10
<i>Asia</i>	23.1	3	38.5	5	38.5	5
<i>Oceania</i>	66.7	8	25.0	3	8.3	1
<i>Latin America</i>	63.3	19	26.7	8	10.0	3
<i>North America</i>	100	2	-	-	-	-

Source: Freedom House, following the classification by Larry Diamond.

The number of liberal democracies in Latin America here seems to be much too high. It would be lower if we followed our decision to include horizontal accountability and rule of law into the list of criteria. Both do not figure in Diamond’s (more reduced Dahlian) list.

As we have seen in table 1, the number of electoral democracies has doubled during the decade of the 1990s (from 58 to 117). At the same time, however, the share of liberal democracies has declined: The accumulated percentage of semi- and illiberal democracies has gone up from 38% in 1991 to 41,6% in 2001 (even 48,3% when not counting the smallest states with less than 1 million inhabitants). And according to the same Freedom House data the quality of democracy in most non-liberal (semi- and illiberal) democracies has not been improved during the second half of this decade (1995-2001): Only in 47% of the cases improvements could be observed, in contrast to 31% referred to as ‘stalemate’ and 22% as decline.

2.2. Quality of democracy

A more demanding approach we can find in Leonardo Morlino’s more recent concept of ‘quality democracies’ which is still lacking operationalization. (The notion ‘quality of democracy’ was first tentatively introduced years ago by Philippe Schmitter.) As criteria Morlino takes rule of law, accountability, responsiveness, freedom and equality, and the outcomes are classified as in/efficient, ir/responsible, il/legitimate, free/reduced, un/equal and im/perfect democracies (Morlino 2002).

2.3. Embedded democracy

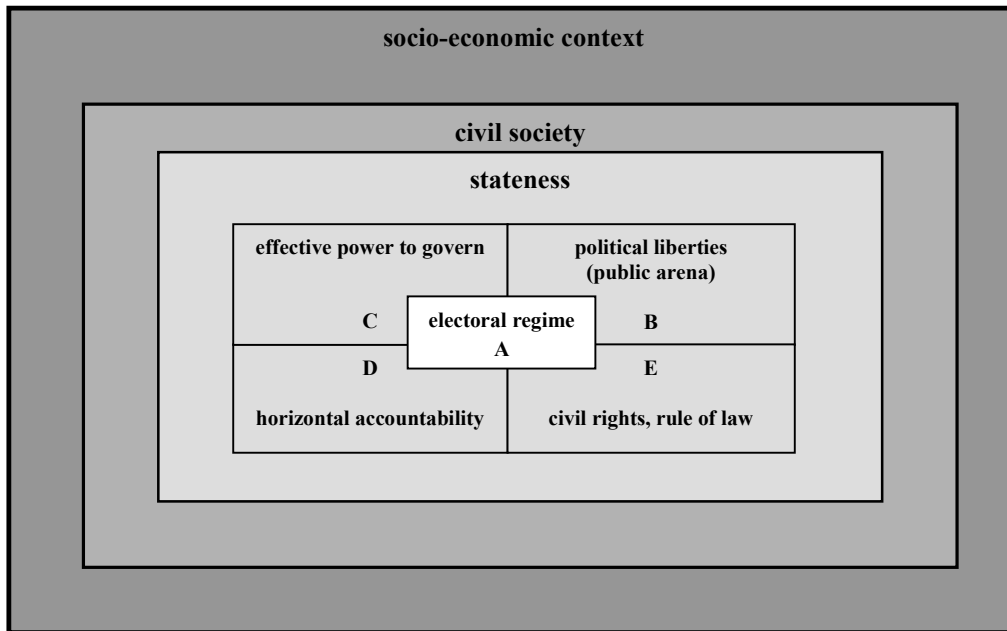
So far the most ambitious approach in order to analyze the outcome of democratic consolidations and their potential shortcomings in my opinion is the one we have developed in our recent study of democratic consolidation and defective democracy. We have been starting out from a concept we have called ‘embedded democracy’: The first important thing here are the 11 criteria of liberal democracy shown in table 3, of which the first seven referring to the electoral regime, to political liberties and the effective power to govern are more or less the same as have been used by Dahl and Schmitter. We have added the last four criteria referring to horizontal accountability and the rule of law.

Table 3: Criteria for embedded democracy and its defects

0. Stateness	
A. Electoral regime	
1. elected officials	
2. inclusive suffrage	<i>exclusive democracy</i>
3. right to run for office /full contestation	
4. free and fair elections	
B. Political Liberties/ Public Arena	
5. freedom of speech, of the press and of information	<i>illiberal democracy (1)</i>
6. freedom of association	
C. Effective Power to Govern	
7. government by elective officials /no reserved domains	<i>tutelary democracy</i>
-----(the polyarchy line)----	
D. Horizontal Accountability	
8. checks and balances	<i>delegative democracy</i>
E. Rechtsstaat	
9. civil rights	<i>illiberal democracy (2)</i>
10. rule of law and judicial review /independent courts /equal access to and equality in court	
11. rights/ protection of minorities	

What also had to be added is the factor ‘stateness’ (0) which is a fundamental prerequisite for any political regime: It is important to have a state (and not anarchy) and that this state be relatively independent and autonomous, more or less along the lines of Max Weber’s definition. And in order to be really systematic we have added two more elements: civil society and the socio-economic (including the international) context, so that we ended up with the concept of ‘embedded democracy’ as it can be seen in figure 2.

Figure 2: Embedded Democracy



Besides ‘stateness’ there exist a small number of additional indispensable minimum prerequisites of democracy in the sense of Lipset (1959, 1994). Among them there are particularly three essentials:

- the absence of elements of extra-economic force and dependence in labor relations,
- the absence of significant religious or cultural fundamentalisms aspiring to an exclusive control of power and politics, and
- the absence of economic regimes which are not based, at least in principle, on the mechanisms of a market economy.

In contrast to these few essentials the lack of which would categorically exclude the possibility of a democratic regime, there are others which only indicate its low probability: From Vanhanen (1990, 1996) and others we know that it is highly unlikely (some exceptions notwithstanding) that democracy would work in societies characterized by relevant indicators of development (e.g. GDP/per capita, literacy rate, etc.) falling below a certain line. A similar case is the impact of civil society, as an arena and as a set of factors and actors: A strong, autonomous and democratic (at least not anti-democratic) civil society is not an indispensable prerequisite of democracy in the sense of the four mentioned above, but it certainly helps if it exists. It helps democracy if democratic or at least pluralist or libertarian elements prevail in the civil society of a given country, if this civil society is a liberal Tocquevillian civil society, and not an authoritarian or ‘black’ civil society. The same applies to the so called democratic

‘values’ which also could help but should not be considered to be indispensable prerequisites, as it has already been demonstrated, e.g., by Muller and Seligson (1994) in the debate with Inglehart and others. If a significant amount of democratic values were indispensable from the beginning for building a democracy, a transition from a long and repressive authoritarian or totalitarian regime to democracy would be almost impossible. Fortunately, this has not been the case. I cannot go more into this here. Instead I should like to present a short outline of at least some of the most important basic characteristics of our concept of ‘defective democracy’.

3. The concept of defective democracy

The concept of defective democracy tries to avoid the dozens of different ‘democracies with adjective’ (Collier/Levitsky 1997) we can find in the literature. It refers to those regimes in transformation which have not achieved the consolidation of a liberal democracy in the sense of our 11 criteria for ‘embedded democracy’, but which, at the same time, should no longer be considered as autocratic regimes for the simple reason that they have established an electoral regime which essentially functions along democratic lines (free and fair elections). This implies that the outcomes of the elections are respected as a rule. In contrast to the functioning electoral regime which is the core of democracy, the other criteria and partial regimes will often be found violated or reduced in a way that the violations and reductions constitute characteristic ‘defects’ in certain areas which break up the functional logic of the system of liberal democracy and the balance between the different factors and partial regimes of ‘embeddedness’ designed in order to protect and promote liberty, equity and control.

This basically is why a defective democracy is not only a reduced democracy or a low intensity democracy, but also an inconsistent democracy. The problem is that the inconsistencies do not necessarily produce sufficient antagonism and dynamics in order to trigger the system to move on in search of something like the ‘lost equilibrium’, be it a relapse into authoritarianism or progress towards a more liberal democracy. To the contrary, it may happen that the defects become entrenched and that the democracy constitutes itself for a longer time as defective democracy. So defective democracy is more than just a phase on the path forward towards the consolidation of a liberal democracy, or backward to authoritarianism. It is a ‘grey zone’ of democracy which could last and be relatively stable.

The starting points in search of the possible ‘defects’ are our criteria of liberal democracy. The defects can be identified in any one or in more than one of the five partial regimes of ‘embedded democracy’ (cf. figure 2). Depending on their character and the area affected they constitute at least four different subtypes of defective democracy (see table 3).

4. Different types of defective democracy

As we can see in table 3, the most relevant subtypes of defective democracy are the following: exclusive democracy (also: limited, oligarchic, male, restricted, etc.) if some of the criteria of the electoral regime (but not its democratic core and substance) have been violated; illiberal (and also exclusive) democracy in case the political liberties are infringed; tutelary democracy (also: guided, protected) if there are reserved political domains for undemocratic forces like the military; delegative democracy in case the checks and balances do not work and the principle of horizontal accountability has been reduced or abolished; and a second type of illiberal democracy (or *democradura*), if we find the defects in the area of the rule of law and the guarantees of human and civil rights. We could easily create more subtypes (in fact, this is

an advanced condensation), but it appeared to be wiser to be more parsimonious and try to focus on the four most important types:

1. *Exclusive democracy*: Here the central issue is inclusive and universal suffrage. The mode of exclusion could follow various criteria, the most frequent being ethnicity, religion and gender. The best known examples have been Switzerland until 1971, the South of the U.S. until 1964, Northern Ireland until 1972, Latvia and Thailand after 1992.

2. *Tutelary democracy*: This type of defective democracy is characterized by the existence of reserved domains of undemocratic forces functioning as extrademocratic power centers and veto players, like the military or some traditional oligarchic factions and groups. Apart from the classical case of Atatürk's Turkey, this type has been more frequent in Latin America (down to its somewhat reduced form in contemporary Chile) and in Southeast Asia, not that much in other parts of the world.

3. *Delegative democracy*: In a system of this type (which is not completely identical with Guillermo O'Donnell's similar notion of 1994) the mechanisms of horizontal accountability, the checks and balances are out of order. In most cases the executive dominates the legislative power and/or governs by decree, as did, in their time, the presidents Menem in Argentina and Yeltsin in Russia. In addition, usually the courts of law are not independent and lack effective power. The classical cases here have been Argentina, Russia and South Korea.

4. *Illiberal democracy*: In the fourth type, illiberal democracy, it is the mechanisms of the rule of law which are violated or just not working. This is by far the most frequent type in all parts of the world. The violations of the criteria of liberal democracy here could affect two different areas: First the area of political liberties or the public arena, like the freedom of speech, information or association which at the same time constitute significant prerequisites for the exercise of the right to political participation so that their violation also produces defects of the exclusionary type. The second area which could be affected is the area of the rule of law and of the liberties of the citizens vis-à-vis the state as they have been basically embodied in the principles of human and civil rights, of equal access to and equality in court, protection of minorities, of judicial review, and the efficacy of the Rechtsstaat more in general.

Table 4: Autocracies, liberal and defective democracies in Latin America, Eastern Europe, East and South Asia

	<i>Autocracies</i>	<i>Defective Democracies</i>				<i>Liberal Democracies</i>
		<i>Exclusive Democracies</i>	<i>Illiberal Democracies</i>	<i>Delegative Democracies</i>	<i>Tutelary Democracies</i>	
<i>Latin America</i>	Peru (2) ^a	BRAZIL (1,2) GUATEMALA (1,2)	BRAZIL (2) Bolivia (1,2) GUATEMALA (1,2) El Salvador (2) Honduras (2) Mexico (1,2) Nicaragua (2) Panama (2)	Argentina (2) Peru (1)	BRAZIL (1) Chile (1,2) Ecuador (1,2) El Salvador (1) Honduras (1) Nicaragua (1) Panama (1) Paraguay (1,2)	Argentina (1) Uruguay (1,2)
<i>Eastern Europe</i>	Belorussia (2) Yugoslavia (1)	Estonia (1) Latvia (1,2)	Albania (1,2) Belorussia (1) Croatia (2) Macedonia (1,2) Moldova (1,2) Rumania (1) Russia (2) Slovakia (1) Ukraine (1,2)	Croatia (1) Russia (1)		Estonia (2) Lithuania (1,2) Rumania (2) Slovakia (2) Slovenia (1,2) Czech Rep. (1,2) Hungary (1,2) Poland (1,2)
<i>East and South Asia</i>	Pakistan (2)	THAILAND (2)	INDONESIA (1,2) THAILAND (2) Philippines (2) Bangla Desh (1,2) Nepal (1,2)	South Korea (2)	INDONESIA (1,2) THAILAND (1) South Korea (1) Philippines (1) Pakistan (1)	Taiwan (1,2)

(1) First year after *founding elections*; (2) End of year 2000; ^a Peru 1997–2000 classified as autocratic, after that again as defective democracy (*founding elections* in spring 2001) with unclear profile. CAPITALS: Defective Democracies with mixed profile.

In table 4 I have tried to classify the various countries of Latin America, Eastern Europe and East and South Asia with regard to the respective types and subtypes of regimes in two different periods: first, in the first year after the 'founding elections', and second, in the end of the year 2000. It is notorious that the prevalent and characteristic defects could vary over time. In addition, we have to account for the fact that in most cases we do find aggregated and accumulated violations of various criteria of liberal democracy so that in the end we have to find out which of the several identified defects is (or might be) the dominant one. It is the latter ones which figure in table 4; the clearly mixed or unclear cases (or those hard to determine) have been marked by capitals.

It is evident that of this almost complete sample of countries in transition and transformation only a few and exceptional ones have made it to the consolidation of liberal democracy, at least outside Eastern and Southern Europe (the three countries of the latter do not appear in table 4 because they belonged to the earlier 'wave' of the 70s). In Latin America we only have Uruguay, and perhaps Argentina under Alfonsín during the first period immediately after the founding elections. Equally exceptional are those countries which have suffered a relapse into full-fledged autocracies (although the table today might look a bit different in some points). In Latin America, here we have only Peru under Fujimori, in the second phase which fortunately has been overcome in the meantime. In most cases, the outcome of the transformation has been a defective democracy, particularly of the illiberal and tutelary type. The cumulations we can find in the respective two columns of the table clearly indicate that most of the violations of the criteria of embedded democracy have occurred in the areas of political liberties, civil rights, rule of law and effective power to govern (sectors B, E and C of figure 2), and less in the ambits of the electoral regime (A, cf. exclusive democracy) or of horizontal accountability (D, cf. delegative democracy).

5. Causes, contexts, and scenarios

How can we explain the rise and the relative persistence of defective democracies?

It is evident that the factors and constellations intervening here are basically the same I have discussed earlier as the more or less favorable factors contributing to democratic consolidation, only the other way round. In the left column of figure 1 I have tried to identify the most important sets (or bundles) of factors which have been the following:

- the particular trajectory of modernization, the level of socio-economic development, the current business cycle and its political impacts (or alibis),
- the strength and autonomy of civil society, its elites, cleavages, capacities for mobilization, the accumulated 'social capital' and the degree of interpersonal trust,
- the impact of an overall cultural transformation (like in late-Francoist Spain),
- international influence and the regional context.

Below a virtual line, we have the regime factors:

- first the strength, or memory, of pre-authoritarian democratic traditions and institutions (if there were any), followed by
- the mode of the breakdown of democracy,
- the character and duration of the authoritarian or communist regime, particularly its organization, factions, the degree of mobilization, control and repression,
- the constellations of its final phase, elite splits, factions, etc., and finally
- the mode of the transition (negotiated or not), the continuities and discontinuities involved.

In addition, among the relevant partial regimes (center column) figure:

- the elites and the political and social actors, the political parties and interest groups, the degree of their institutionalization and the respective systems of interaction and intermediation, and
- the constellations of stateness, of national integration and the potential for conflict solution, the mechanisms of territorial government providing a higher or lesser degree of regional or sectoral autonomy, etc.

Every single one of these factors (or better: sets of factors), in its concrete shape and mode, could either be more favorable to progress on the road to democratic consolidation, or more conducive to the establishment of a defective democracy. It depends.

I do, however, believe that we have sufficient evidence for stating that among the most important things, in the context of defective democracies, are the institutions and the letter and daily practice of the constitutional and juridical order. This is so because most of the defects (among them particularly those we have characterized as ‘illiberal’) usually have been due to the weakness and the no-implementation of the norms and rules of the Rechtsstaat and of the guarantees of human and civil rights the authority of which depends on their formal and institutional quality and on the respect within society at large for these formal and institutional mechanisms. The more the institutions either do not exist or do not work or are not respected, and the more the formal processes and institutions are substituted for by informal, clientelistic or populist mechanisms and interactions, the more the democratic guarantees will be eroded and become void, the authority of the rules of the game will be contained, and the defects of democracy will be accumulated.

In our recent work, we have not only tried to identify the causes of the defects of democracies, we have also studied the changes over time in the composition and the relative prevalence of these defects, i.e. the potential change in the profile of a given defective democracy. More in detail, we have analyzed, within their respective regional clusters, nine countries on three continents, in Eastern Europe (Albania, Russia, Slovakia), in East and Southeast Asia (Thailand, Philippines, South Korea), and in Latin America (Peru, Argentina, Mexico). Here I can only try to sketch, in somewhat simplified lines, some of the principal tendencies and scenarios we have found.

- In *Albania*, after the fall of the autocratic regime, a movement could be identified from an early delegative and illiberal democracy first to authoritarianism and something like anarchy and crisis of stateness (1996/97), and later again to an illiberal democracy (1998). In *Russia* first a delegative and later an illiberal democracy (1998) has been established. In contrast, *Slovakia* has managed to reduce the illiberal defects (still prevalent under Meciar) and to consolidate democracy.

- In the cases of the *Asian* countries a general move could be noted from tutelary democracy to illiberal democracy. In *Thailand* this has been combined, for a time, with strong features of exclusion. In *South Korea*, in addition, the illiberal defects have been substantially reduced.

- In Latin America, *Peru* has gone through a whole cycle of movements, first from an illiberal and more and more delegative democracy back to an authoritarian regime (after Fujimori’s ‘autogolpe’ in 1992), and second, from 1995 on, from authoritarianism towards a new illiberal democracy, the defects of which have become somewhat reduced during the last years. *Argentina*, after a short period of a liberal, although not yet consolidated democracy under Alfonsín in the mid 80s, has relapsed into illiberal and more and more delegative defects

(under Menem) which became increasingly stabilized and entrenched, and have, at least for some time, been further intensified by the more recent crisis of Argentine stateness.

- The basic characteristic of the transformation process in *Mexico* has been the longevity of the authoritarian regime which was due to the severe defects of the electoral regime until 1994 when the system first entered into the ambit of an illiberal democracy in which it has continued since, with occasional slight tendencies, varying by sectors, towards a more liberal democracy which, however, have usually been more slowed down and contained than accelerated during the last years. The most significant thresholds here have been the first really competitive elections of 1994, the empowerment and the institutionalization of the Federal Electoral Office (IFE) and of other autonomous agencies designed to monitor and control political and administrative processes, the new phenomenon of divided government, from 1997 on, and the victory of the candidate of the (conservative) opposition party PAN in the presidential elections of the year 2000.

Mexico continues to be a defective democracy, basically due to the repercussions of its social and economic problems, a lack of consensus, the endemic traditions of 'no cumplir', of corruption and violence, to its severe defects of national integration, a contained and inefficient juridical system and state apparatus, and many other problems. On the other hand, a number of decisive steps have been made, during the last decade, towards some progress on the path towards a more liberal democracy, particularly in the institutional and constitutional ambit and in a somewhat broader recognition, at least in general terms, of civil rights, but also in the organization of many segments of civil society.

If we ask, for a conclusion, what the potential future of a currently defective democracy could be, we always come up with three different scenarios:

- (1) regression of an unconsolidated democracy into an authoritarian regime (or worse), as it occurred in Peru under Fujimori, and in Belorussia under Lukaschenka,
- (2) continuity and stability of the defects of democracy for a longer time as it has been experienced, e.g., in Croatia, the Philippines, Argentina, and in many other countries. This scenario of a relatively stable defective democracy over a whole period certainly is the most frequent one. Many times it even looks as if there is no viable alternative. Certain countries, in given conditions and constellations, seem to be 'doomed' to remain for long defective democracies. Here I am not so much referring to countries like Argentina, which might recover and become a more liberal democracy in due time if the political elites finally manage to create a sufficient consensus, but to (usually more heterogeneous) countries like Indonesia or Russia (which even may have crossed the line back to authoritarianism lately in case the last elections were structurally as unfree and unfair as they looked from afar). And finally we have a third scenario of
- (3) progress towards a more liberal democracy, as it has been the case of Taiwan and Slovakia at an earlier stage, and has been occurring for some time in South Korea, Romania, Chile, and some other countries, among them perhaps, at least with some 'sectoral' progress, Brazil and Mexico.

So what can we learn from all that in practical terms, if we can learn at all from the findings of social science? What should the politicians and the various groups of society do, in a given situation of a defective democracy? Are there any reliable criteria for what would or would not be 'good' governance, if you are surrounded, if not overwhelmed by defects? There is one general rule which seems to be very clear: It is important that the political actors make such decisions which, in the medium and long run, would effectively reduce the defects and lead to a more liberal democracy: which would expand the scope of the rule of law, invigorate the

Rechtsstaat and an effective horizontal accountability and contribute to greater autonomy, empowerment and freedom of choice of the citizens. In contrast to such decisions which would stabilize, entrench or increase the existing defects. The political decisions, on the whole, ought to be 'conducive to democracy'. Among other things, this means that institutions conducive to and fit for liberal democracy should be framed and developed, and that the necessary trust in such institutions should be generated, promoted and 'rooted' in society, not only by the adequate guarantees for participation and equity, but also by the social reforms necessary in order to secure the indispensable minimum prerequisites of democracy. In a way, this is a plea for embedded institution building.

Bibliography

- Bertelsmann Stiftung, ed., Bertelsmann Transformation Index 2003. Auf dem Weg zur marktwirtschaftlichen Demokratie, Gütersloh: Verlag Bertelsmann Stiftung 2004, auch: <http://www.bertelsmann-transformation-index.de>
- Marianne Braig, Zwischen Menschenrechten und Rechtsstaatlichkeit. Zivile Frauenorganisationen und Demokratisierung des Staates in Lateinamerika, in: Marcus Gräser et al., eds., Staat, Nation, Demokratie, Festschrift für Hans-Jürgen Puhle, Göttingen: Vandenhoeck & Ruprecht 2001, 226-43
- David Collier/Steven Levitsky, Democracy with Adjectives: Conceptual Innovation in Comparative Research, in: World Politics 49, 1997, 430-51
- Aurel Croissant, Von der Transition zur defekten Demokratie. Demokratische Entwicklung in den Philippinen, Südkorea und Thailand, Wiesbaden: Westdeutscher Verlag 2002
- Aurel Croissant/Wolfgang Merkel, eds., Consolidated or Defective Democracy? Problems of Regime Change, special issue, Democratization 11, Nr. 5, 2004
- Aurel Croissant/Peter Thiery, Von defekten und anderen Demokratien, in: WeltTrends 8, 2000, 9-32
- Robert A. Dahl, Polyarchy. Participation and Opposition, New Haven: Yale University Press 1971
- Robert A. Dahl, Democracy and Its Critics, New Haven. Yale University Press 1989
- Larry Diamond, ed., Consolidating the Third-Wave Democracies: Trends and Challenges, Baltimore: The Johns Hopkins University Press 1997
- Larry Diamond, Developing Democracy. Toward Consolidation, Baltimore: The Johns Hopkins University Press 1999
- Larry Diamond/Marc F. Plattner, eds., The Global Divergence of Democracies, Baltimore: The Johns Hopkins University Press 2001
- P. Nikiforos Diamandouros/Richard Gunther, eds., Parties, Politics, and Democracy in the New Southern Europe, Baltimore, The Johns Hopkins University Press 2001
- Jon Elster et al., Institutional Design in Post-communist Societies: Building the Ship at Sea, Cambridge: Cambridge University Press 1998
- Michael W. Foley/Bob Edwards, The Paradox of Civil Society, in: Journal of Democracy 7, Nr. 3, 1996, 38-52
- Heather D. Gibson, ed., Economic Transformation, Democratization and the Integration into the European Union. Southern Europe in Comparative Perspective, Basingstoke: Palgrave 2001
- Richard Gunther/P. Nikiforos Diamandouros/Hans-Jürgen Puhle, eds., The Politics of Democratic Consolidation: Southern Europe in Comparative Perspective, Baltimore: The Johns Hopkins University Press 1995
- Richard Gunther/P. Nikiforos Diamandouros/Hans-Jürgen Puhle, O'Donnell's 'Illusions': A Rejoinder, in: Journal of Democracy 7, Nr. 4, 1996, 151-59
- Samuel P. Huntington, The Third Wave. Democratization in the Late Twentieth Century, Norman: University of Oklahoma Press 1991
- Samuel P. Huntington, The Clash of Civilizations and the Remaking of World Order, New York: Simon & Schuster 1996
- Ronald Inglehart, The Silent Revolution, Princeton: Princeton University Press 1977
- Terry Lynn Karl/Philippe C. Schmitter, Modes of Transition in Latin America, Southern and Eastern Europe, in: International Social Science Journal 128, 1991, 269-84
- Juan J. Linz/Alfred Stepan, eds., The Breakdown of Democratic Regimes, 4 vols., Baltimore: The Johns Hopkins University Press 1978, part. vol. 1: Juan J. Linz, Crisis, Breakdown, & Reequilibration

- Juan J. Linz/Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*, Baltimore: The Johns Hopkins University Press 1996
- Juan J. Linz/Arturo Valenzuela, eds., *The Failure of Presidential Democracy*, 2 vols., Baltimore: The Johns Hopkins University Press 1994
- Seymour Martin Lipset, *Some Social Requisites of Democracy*, in: *American Political Science Review* 53, 1959, 69-105
- Seymour Martin Lipset, *The Social Requisites of Democracy Revisited*, in: *American Sociological Review* 59, 1994, 1-22
- José María Maravall, *Regimes, Politics, and Markets. Democratization and Economic Change in Southern and Eastern Europe*, Oxford: Oxford University Press 1997
- Wolfgang Merkel, *Systemtransformation*, Opladen: Leske + Budrich 1999
- Wolfgang Merkel, 'Eingebettete' und defekte Demokratien: Theorie und Empirie, in: Claus Offe, ed., *Demokratisierung der Demokratie. Diagnosen und Reformvorschläge*, Frankfurt: Campus Verlag 2003, 43-71
- Wolfgang Merkel et al., eds., *Systemwechsel*, vols. 1-5, Opladen: Leske + Budrich 1996-2000
- Wolfgang Merkel/Hans-Jürgen Puhle, *Von der Diktatur zur Demokratie. Transformationen, Erfolgsbedingungen, Entwicklungspfade*, Opladen: Westdeutscher Verlag 1999
- Wolfgang Merkel/Hans-Jürgen Puhle et al., *Defekte Demokratie, Band 1: Theorie*, Opladen: Leske + Budrich 2003
- Barrington Moore, Jr., *Social Origins of Dictatorship and Democracy*, Boston: Beacon Press 1966
- Leonardo Morlino, "Good" Democracy or "Good" Democracies? A Theoretical Analysis and Beyond, unpubl. paper, Florence and Stanford 2002
- Leonardo Morlino, *What is a 'Good' Democracy?*, in: *Democratization* 11, Nr. 5, 2004, 10-32
- Edward N. Muller/Mitchell A. Seligson, *Civic Culture and Democracy. The Question of Causal Relationships*, in: *American Political Science Review* 88, 1994, 635-52
- Guillermo O'Donnell, *Delegative Democracy*, in: *Journal of Democracy* 5, Nr. 1, 1994, 55-69
- Guillermo O'Donnell, *Illusions About Consolidation*, in: *Journal of Democracy* 7, Nr. 2, 1996, 34-51
- Guillermo O'Donnell/Philippe C. Schmitter/Laurence Whitehead, eds., *Transitions From Authoritarian Rule*, 4 vols., Baltimore: The Johns Hopkins University Press 1986
- Claus Offe, *Varieties of Transformation*, Cambridge: Cambridge University Press 1996
- Reynaldo Yunuen Ortega Ortiz, ed., *Caminos a la democracia, México: El Colegio de México* 2001
- Luis Carlos Bresser Pereira/José María Maravall/Adam Przeworski, *Economic Reforms in New Democracies*, Cambridge: Cambridge University Press 1993
- Victor Pérez Díaz, *La primacía de la sociedad civil*, Madrid: Alianza 1993
- Adam Przeworski, *Democracy and the Market*, Cambridge: Cambridge University Press 1991
- Hans-Jürgen Puhle, *Staaten, Nationen und Regionen in Europa*, Wien: Picus-Verlag 1995
- Hans-Jürgen Puhle, *Demokratisierungsprobleme in Europa und Amerika*, in: Hauke Brunkhorst/Peter Niesen, eds., *Das Recht der Republik, Festschrift für Ingeborg Maus*, Frankfurt: Suhrkamp-Verlag 1998, 317-45
- Hans-Jürgen Puhle, *Mobilizers and Late Modernizers: Socialist Parties in the New Southern Europe*, in: P.N. Diamandouros/R. Gunther, eds., *Parties, Politics, and Democracy in the New Southern Europe*, Baltimore: The Johns Hopkins University Press 2001, 268-328
- Hans-Jürgen Puhle, *Zwischen Protest und Politikstil: Populismus, Neo-Populismus und Demokratie*, in: Nikolaus Werz, ed., *Populismus. Populisten in Übersee und Europa*, Opladen: Leske + Budrich 2003, 15-43
- Dietrich Rueschemeyer/Evelyn Huber Stephens/John Stephens, *Capitalist Development and Democracy*, Chicago: Chicago University Press 1992

- Peter Thiery, Demokratie und defekte Demokratien. Zur Präzisierung des Demokratiekonzepts in der Transformationsforschung, unpublished paper, München 2003
- Tatu Vanhanen, The Process of Democratization. A Comparative Study of 147 States, 1980-1988, New York: Taylor & Francis 1990
- Tatu Vanhanen, Prospects of Democracy: A Study of 172 Countries, London: Routledge 1996
- Werner Weidenfeld, ed., Shaping Change – Strategies of Transformation. Results of the International Survey, Carl Bertelsmann Prize 2001, Gütersloh: Bertelsmann Foundation Publishers 2001