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Publication details, including instructions for authors and
subscription information:

<http://www.tandfonline.com/loi/rrep20>

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Published online: 04 Jul 2013.

To cite this article: Pavel Dufek & Jan Holzer (2013) DEMOCRATISATION OF DEMOCRACY? ON THE DISCONTINUITY BETWEEN EMPIRICAL AND NORMATIVE THEORIES OF DEMOCRACY, Representation, 49:2, 117-134, DOI: [10.1080/00344893.2013.816189](https://doi.org/10.1080/00344893.2013.816189)

To link to this article: <http://dx.doi.org/10.1080/00344893.2013.816189>

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DEMOCRATISATION OF DEMOCRACY? ON THE DISCONTINUITY BETWEEN EMPIRICAL AND NORMATIVE THEORIES OF DEMOCRACY

Pavel Dufek and Jan Holzer

The article considers the gap that exists between between normative and empirical theories of democracy. Empirical theories usually stop in their aspirations where normative theories get off the ground, that is, they take the model of liberal democracy as their normative horizon. This is a confusing situation especially with regard to the possibilities of enhancing the quality of existing liberal democracies. We argue that a simple recalibration of democracy indexes, so as to include normatively more demanding considerations, is impossible, due to certain recurring features of normative models. We conclude that if we want to be serious about bridging the gap, concessions should be made on both sides.

Introduction

The aim of the article is to examine some deeper roots of the current situation in democratic theory, where we are faced with the existence of two academic ‘worlds’ that approach the study of both the concept and the phenomenon of democracy with idiosyncratic descriptive and analytical frameworks. On the one hand, there is the world of empirical theory (or theories) of democracy, grounded in extensive empirical research into real-world democratic, democratising (transitioning) or non-democratic regimes. The other world is constituted by political philosophy/theory, that is, by an explicitly normative (even though, in the best scenario, empirically sound) critical assessment of the pros, cons, promises and limits of democracy.¹ On the face of it, what connects these two worlds is the concept of *liberal* democracy, variously co-labelled in scholarly literature as *electoral*, *representative*, *competitive*, *elitist*, *proceduralist*, *capitalist* or *minimalist*. These attributes usually supplement and/or overlap with each other, depending on the (critical or affirmative) goals of respective authors.² In any case, it has been claimed that it is possible to delimit a core meaning of democracy and thus bridge the gap between the two worlds, with liberal democracy forming the basis of the overlap (e.g., Beetham 1999: 1–6).

We will argue that this is currently a false promise, and that empirical and normative approaches to democracy still employ the same concept—democracy—to capture differing ideals and their real-world embodiments. The truly neuralgic point that also provides the backdrop of our explorations comes with the notion of *democratisation of democracies*, and relatedly with measuring and assessing the *quality of democracy* and/or the *quality of government*, as well as identifying the promises and limits of, and challenges to, democracy.

Representation, 2013

Vol. 49, No. 2, 117–134, <http://dx.doi.org/10.1080/00344893.2013.816189>

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A fruitful dialogue in both the academic and the societal realms presupposes that the parties do not talk radically past each other, that is, that there are no major cross-purposes regarding the goals or the ideal that democracies ought to strive to achieve, the assumptions and methods employed in establishing the ideal, and not least, what this ideal reveals as for the possible reforms or transformations of the intimately known model of (liberal) representative electoral democracy.

On a more practical plane, our point may be taken as especially important for countries of Central and Eastern Europe (CEE), because since the overthrow of the communist rule circa 24 years ago, the catchword here has been 'return to Europe' or to the 'Western democracies', the countries of which have been claimed to be *the* model of democracy to be emulated.³ Because our argument applies to both new and old democracies, it would seem that the swelling public debate in CEE on the role of civil society, social movements or deliberative experiments also tends to lack an important self-reflective dimension.⁴ What is more, the intensity of recent debates on 'proper' democracy in CEE soon led to doubts about whether it is really necessary to accept all attributes of democratic governance, as currently implemented in Western Europe. Our aims in this article are however more modest than contributing directly to these debates, or deciding which side 'got it right'. By questioning some truisms that are to be found in both 'worlds', we address rather political and democratic theory as such.

The article proceeds as follows: after summarising common features of empirically based theories of democracy, we focus on indexes of democracy as the typical contemporary instrument of democracy assessment. We argue in the next section that the promise of bridging the gap via simply recalibrating the scales, so that they may include ethically more demanding versions of democracy, is impossible, due to the complex inner logic of the concept of democracy in normative theories. We analyse three such issues, namely the distinction between instrumental and intrinsic conceptions of democracy; the problem of political and social ontology, as reflected in the concept of political representation; and the placement of 'outer edges' of democracy. We conclude with three preliminary lessons for a democratic theory that aspires to link normative and empirical considerations.

Empirical Theories of Democracy⁵

According to the political theorist John Dryzek, contemporary democratic theory has been caught in recent years under the grip of 'liberal minimalism' (Dryzek 2004: 151). Impressed by the disintegration of the Soviet bloc and the retreat of democratic socialism in the West, both comparative political science and the mass media understand the term democracy more or less uniformly—as implying the global triumph of 'unambiguously liberal, electoralist, elitist, capitalist and minimalist model of democracy' (here Dryzek moulds the many attributes of contemporary democracies into one) (ibid.: 144–5). One could reject such a view as merely expressing a more fundamental normative belief, employed by Dryzek to construct a liberal capitalist strawman that is far too easy to shoot down. In reality, however, a great part of empirically minded scholars of democracy do not protest such characterisation, going on record claiming that the 'Western liberal model' does indeed constitute the exemplary model towards which our thinking about democracy should gravitate. According to Christian Welzel (2009: 82), people all around the world associate democracy with 'freedom and prosperity of the West'; Stephen Hanson (2001: 130 ff) thinks that Western democracies, including the post-communist countries, are 'fully mature democracies'; Larry Diamond and

Leonardo Morlino (2005: xvi) believe that 'good democracy' is 'essentially a liberal one', in which they are forcefully joined by Marc Plattner (2008).

From the perspective of human rights protection and promotion, Jack Donnelly speaks highly of a 'hegemonic international ideology' that is based on the achievements of 'Western liberal democratic (and social democratic) welfare states' (Donnelly 1999: 611). Francis Fukuyama, the arch-prophet of liberal democratic triumphalism, used to speak about a 'total exhaustion of viable alternatives to Western capitalism', and although he recently qualified his originally unchained optimism by incorporating into his theory certain conditions of long-term stability of democratic countries (including a certain degree of 'social equality'), his belief in the historical role of liberal democracy has remained unmoved (Fukuyama 1992: xi; 2010: 14–15). Although this is without doubt a selective list, the background idea is quite apparent.

The wish to define democracy in ethically rather unexpansionary terms is also driven by methodological considerations. According to Axel Hadenius (1992: 8–9), the meaning of the concept of democracy makes sense within explanatory social science only to the extent that the concept, and thus the dependent variable, has a certain—rather more than less significant—correspondence with empirical reality. It is absurd, Hadenius claims, to construe democracy in terms that would require a brand new (up to now unavailable) type of citizen, and/or social and organisational environment that exists nowhere but in theoretical speculations. No less important is the fact that the more expansive the definition of democracy is, as regards its constitutive elements, the less phenomena it is capable of explaining—simply because it is impossible to test the defining properties of the concept. Although Hadenius' constitutive elements of democracy (universal suffrage, the majority principle, representative government, and certain constitutional constraints) do not rule out disputes over the *optimal* model of democracy, its potential 'deepening' cannot undermine these basic criteria; otherwise we would not be speaking about democracy (*ibid.*: 35).

The close relationship between 'democratic minimalism' and explanatory and predictive aspirations of political science can be read off other contributions as well (e.g., Adcock and Collier 2001: 533–9; Anderson et al. 2001; Collier and Levitsky 1997: 433; Coppedge 2002: 36 ff; Knutsen 2010), although some authors believe that purely minimalist conceptions of democracy obfuscate a clearer understanding of what democracy is or could be (e.g., Alexander et al. 2011; Diamond and Morlino 2005: xxxi; Munck and Verkuilen 2002; O'Donnell 2010: 6; Pemstein et al. 2010: 440). Even for the latter group, however, the point is in a careful opening of liberal democracy to further dimensions of evaluation—up to eight, as in Diamond and Morlino's case—and not in a complete disruption of the core and inner logic of the concept and regime.

Let us summarise at this point that empirical perspectives on democracy understand as their ideal some version of the liberal democratic model, or real-world liberal democratic regimes (see Levitsky and Way 2002: 62–3; Plattner 2008). This, however, would have the consequence that the space of democratisation available to 'Western' democracies is limited to partial improvements and reforms within the well-known liberal-democratic model. In Robert A. Dahl's terminology, real-world *polyarchies* would be more or less a stone's throw from the theoretical ideal of *democracy*, provided some reformist tweaking would take place (Dahl 1998: Part III). After all, this is the battleground of political-scientific debates on majoritarian versus consociational democracy, efficiency versus representativeness of governments, presidential versus parliamentary models, electoral and constitutional engineering, revitalisation of civil society, and so on.

The last two decades have seen a replication of this view also in the field of democratisation studies, which had not always been the case. Several classic paradigms of democratisation, above all class theory (Marxism) and modernisation theory, emphasised the variability of roads towards achieving a democratic ideal; the liberal (Western, Anglo-Saxon, capitalist, protective [Held 2006: 78], etc.) model/strategy represented merely a one possibility among many, and it is worth noting that many authors favoured alternative ones (Grugel 2002; Haerpfer et al. 2009). The transitological paradigm that ruled democratisation studies especially in the 1990s was however tied to a clear preference for a liberal future of democracy, with all the methodological, terminological, as well as epistemological consequences. Although the paradigm was not as naively optimistic as some earlier accusations claimed (and still claim to this day),⁶ the fact of the matter is that the 'consolidology' approach that it gave birth to had an expectedly liberal democratic quality (see, e.g., von Beyme 1999; Merkel 1999).

In this regard, the debate on hybrid regimes sparked an interesting change. The 'hybrid paradigm' introduced certain novel views and approaches, which brought about a more nuanced understanding of comparative research on democratisation. In the first place, there was the push for replacing the until then dominant 'Sartorian' approach aiming at classification (democracy vs. non-democracy) with a 'scaling' one—that is, instead of assigning the given regime to a clearly delineated category, researchers now opted for diachronic ('more/less democratic than previously') or synchronic ('more/less democratic than neighbouring countries') types of comparison. The respective regimes were then charted according to their scores as beads on an imaginary thread, one that had two ends—democratic and non-democratic. Simultaneously, 'democratic gradualism' took over as the preferred 'strategy' of democratisation, stressing the priority of incremental reforms and deepening of democracy.

Logically, such developments took place against the background of questioning the pureness and analytical usefulness of the very category of democracy (and non-democracy). The new darlings of post-transitology studies were regimes that combined both democratic and authoritarian elements (typically in institutional, multiparty or electoral versus political-cultural, human rights or civic arenas), and that were considered the dominant result of the third wave of democratisation, both in quantitative and qualitative terms. If there is any common and defining property of such concepts as *competitive authoritarianism* (Levitsky and Way 2002) and *electoral authoritarianism* (Schedler 2006), then it is the emphasis on the ambiguity of boundaries between democracies and non-democracies.

It was, however, democratisation studies' tilt to quantitative methods and approaches that influenced the field most significantly: political regimes as well as the phenomenon of democratisation were subjected to the imperatives of indexation and measuring of quality (also, elections were proclaimed as a pivotal element, the analysis of which uniquely allows scholars to rank the given regime). Liberal democracy plays a dual role here: first, it signals the change that has taken place in the field of democratisation studies; and second, it is almost unanimously taken to be the highest or most desirable stage of democratic development. Our heretofore rather intuitive considerations will be therefore substantiated by attending to current debates on indexes and measures of democracy and democratisation.⁷

Democracy Indexes and the Promise of Recalibration

Save for the *Index of Effective Democracy* (to be discussed shortly), both established and 'new' (i.e., emerging after 1989) European liberal democracies belong in great majority to categories of 'full', 'complete' or 'mature' democracies, with a number of countries achieving the

highest possible score. As an example, we may examine the well-known Freedom House Index that consists of seven criteria resembling those of Dahl's polyarchies. On a standardised scale of 0–100, the average value of 78.57, corresponding with Freedom House Index 2.5 (the limit for countries to be labelled 'free', i.e., democratic), was not reached in 2008 among Western European countries with a formally liberal democratic regime, only by Turkey.⁸ What is more, countries such as Sweden, Luxembourg, Iceland or Finland achieved the full score in all seven dimensions, and the rest of 'complete democracies'—including many CEE countries—were only slightly lacking, usually in one to three categories (especially *rule of law* and *personal autonomy and individual rights*).⁹ Another widely used index, Polity IV, yields similar results, although slightly different calculations and figures were employed by its authors.¹⁰

Variations in the score and rank of individual countries are secondary for our purposes; what should be noted is the fact that, according to these indexes, which are commonly used and discussed in empirical research, several liberal democracies are already full or complete democracies, and the majority of the rest require only slight improvements in the respective dimensions. Thomas Denk and Daniel Silander (2012: 30–2) may have critically addressed the habit of ignoring the values of *partial* indicators in favour of the total score, which effectively conceals the challenges these countries face with regard to the *quality of democracy*. However, even their remarks show little awareness, let alone a conviction, that there exists another world behind the looking glass of liberal democracy.

An outline of such a step beyond the familiar categories from within empirical theory of democracy has been proposed by Christian Welzel, Roland Inglehart and Amy Alexander, who base their *Index of Effective Democracy* (EDI) on the values of *human development* and *human empowerment*. Their 'emancipatory' conception of democracy revolves around the notion of 'equal empowerment of people to govern their lives based on their own, and mutually agreed, preferences', where the proxy to this goal are 'democratic rights' linking the values of individual autonomy and political participation. In line with many other authors, they consider these rights the *defining property* of the concept of democracy (Alexander et al. 2011: 42; see also Beetham 2005: 33; Welzel and Inglehart 2008: 126–7). Unlike purely minimalist conceptions of 'electoral democracy', they take the *conditioning qualities* of the concept to be no less important, that is, qualities that make its real-world realisation possible, even though they do not belong among the direct constitutive elements. In their view, *rule of law* is perhaps the most significant of all conditioning qualities.¹¹ By multiplying the standardised values of both indicators, the authors receive the EDI value. As it turns out, there is a significant drop in the overall score with the majority of liberal democracies, above all due to the generally lower original figures in the rule of law dimension, where no existing country reaches the full score of 1 (Finland and Iceland sit on the top of this sub-list with 0.97).¹² The Czech Republic sinks to an overall score of 58.24, even though the value of democratic rights reaches 94.44 there, and drops out of the 'complete democracies' group (limit 75) down among 'incomplete' ones—as well as Poland, Slovakia, Hungary, Cyprus or Italy (Portugal and Spain hover just above the threshold).

The authors claim that the EDI captures most accurately what they call 'social basis of democracy', including economic prosperity, distributional equality, civic values and civil society. In other words, the EDI is said to be capable of connecting democracy with other important concepts and phenomena, and as such opens up a multidimensional perspective on democratisation of democracies (Alexander et al. 2012: 59). Which is, after all, fully in line with another major trend introduced by the hybrid paradigm, namely the mutual penetration

of democratic/democratisation theory and the value or principle of human rights. In this area of research, the field of democratisation studies has been clearly influenced by normative political theory: a more or less radical critique of the shortcomings of contemporary liberal democratic regimes has met the scholarly demand for a reconceptualisation of processes of democratic transition.

In charting possible answers to the fundamental question ‘What is democracy?’, it is thus tempting to follow in the footsteps of Eugene Mazo and sort the respective conceptions of democracy on a single axis, from those purely minimalistic—electoral-procedural—to the radical ones which include, among others, claims of group inclusion and group rights (see Figure 1).

Now the gap between the two worlds of democratic theory corresponds to the fact of ‘capping off’ of empirical indexes, in most cases somewhere between ‘Civil Liberties’ and ‘Leader Involvement’ thresholds (Freedom House, Polity, Vanhanen, Hadenius), or roughly before David Held’s model of democratic autonomy, which is essentially a version of egalitarian social(ist) democracy (EDI). The magic formula for overcoming this apparent hurdle would be the notion of (*re*)calibration, that is, subjecting the numerical values of the respective indicators to a reinterpretation of the meaning of democracy, or of its ‘target value’ (Ragin 2008: Part II).¹³ Such a step is necessarily theory-dependent, and recalibration thus points to a need to engage in a theoretical defence of one’s preferred conception of democracy, which is a minefield of its own (cf. Dufek unpublished). Nevertheless, recalibration seemingly opens the door to connecting empirical and normative theories of democracy on a single scale.¹⁴

Normative Theories of Democracy

However, such a ‘one-dimensional reduction’ represents an inadequate description of the world(s) of democratic theory, and that the gap between them cannot be closed in such a schematic manner. At stake is not merely the apparent issue of socio-economic equality and/or justice—although their more egalitarian versions may imply fairly radical steps beyond liberal democracy, such as abandoning capitalism, or at least a ‘massive and irreversible

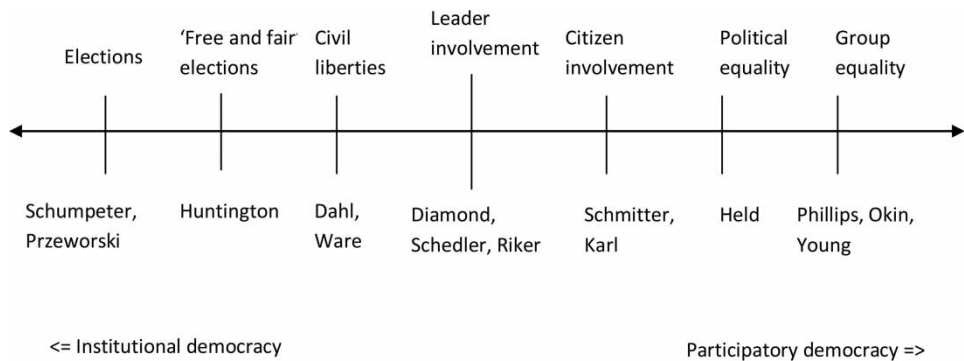


FIGURE 1.
One-dimensional axis of democratic theories
Source: Mazo (2005).

redistribution of wealth' on behalf of substantive political equality (Brighouse 2002: 66)—but also the very logic and architecture of both the concept of democracy and its conditioning qualities.

John Dryzek's remark on the clutches of liberal minimalism reminds us that apart from empirical theories of democracy, there is the world of normative reflection in which the liberal model serves merely as a *point of departure* for considering its reforms, transformations and alternatives. A common leitmotif can be tracked down in the broadly shared belief—grounded both intuitively and (in a rather selective manner) empirically—that the liberal democratic model, glued as it is to the container of the sovereign territorial state, has exhausted itself, undergoes a deep crisis, or is nearing collapse (if it has not collapsed yet) (Archibugi et al. 2000: 127; Holden 2000: 5). One could argue that such *rethinking* or *questioning* of democracy and its conditions actually constitutes the vocation of normative democratic theory, and no discomfort should be felt on either side; however, we believe that invoking academic 'division of labour' is an improper response here. Both empirical and normative theories of democracy aspire to analyse and comment upon *the actually existing* democratic regimes and/or processes, because both ultimately share the practical motivation in providing guidelines for political action. In this sense, the question whether the liberal, electoralist, representative, etc. model is a normative ideal to be cherished, or whether it is our moral and political duty to transcend it, acquires paramount importance.

Intrinsic and Instrumental Value of Democracy

One of the keys to understanding the different role and meaning of the concept of democracy in normative theories is provided by the distinction between *detached* and *dependent* conceptions of democracy, examined in detail by Ronald Dworkin. While in the case of the former, only internal characteristics of the given model of democracy and perhaps of its conditioning qualities are studied in order to assess its desirability—that is, whether the model realises or makes possible a certain version of political equality—the latter approach judges democracy according to its *results* or *outputs* (Dworkin 2002: 185 ff).¹⁵ If we accept this ideal-typical conceptualisation of the intellectual space of democratic theories, then the axis of normative demandingness discussed in the preceding section will cover 'only' the realm of detached conceptions and related disputes over the (in no way insignificant!) issue of what is the best, most fitting or most convincing definition or embodiment of political equality. Within this sub-framework, we may identify empirically minded authors such as Larry Diamond, Leonardo Morlino, David Beetham, Guillermo O'Donnell or Gerardo Munck, who argue for opening the minimalist electoralist model of democracy to other normatively relevant dimensions which are necessary to achieving substantial rather than merely formal political equality. On the normative side, we encounter conceptions of egalitarian, deliberative, participatory or radical democracy, which may go noticeably beyond the usual ethical limits of *liberal* democracy, however such a step is conceptually intelligible through the value of political equality (as evidenced for example in the work of Thomas Christiano, David Estlund, Harry Brighouse, David Held, Jürgen Habermas, Chantal Mouffe, Michael Saward or Iris M. Young).¹⁶

Instrumental or consequentialist conception of democracy *cannot* be squeezed into this dimension though, because their assessment of democratic models and regimes rests on a different logic and employs criteria that are *completely* independent on the definition of democracy. A typical example is the recent work of Philippe Van Parijs who has labelled his conception *just democracy*: according to Parijs, democracy is to be valued only if it contributes

to achieving an 'external' ideal of justice, understood by him in egalitarian terms (Parijs 2011: ix; see also Parijs 1995: xii). At the same time, he defines democracy in *procedural* and *minimalist* terms as a regime based on the majoritarian principle, universal suffrage and free voting. On Mazo's axis, this would place Parijs somewhere in the 'leftist' neighbourhood of Przeworski and Huntington; however, since a *just* democracy would have to cope adequately with issues such as intergenerational justice, multiculturalism, immigration or linguistic diversity, one would have to place him simultaneously somewhere towards the right pole of the axis. In case the ideals of justice and democracy clash, Parijs unequivocally prefers the former, at the expense of 'sacrificing democracy'; any institutional design has to respect the imperative of maximal fulfilment of the principles of justice (Parijs 2011: 14 ff).

To be sure, Parijs is not alone in accepting the instrumental (dependent) conception of democracy. Other examples include Richard Arneson, Jon Elster or Ronald Dworkin himself, for whom the process of democratic decision-making (equipped with many conditions labouriously justified by Dworkin) represents merely a 'second-best' solution to the problem of normative pluralism and disputes over principles of justice that haunt—or define—modern societies (see Arneson 2003; Elster 2003). It is only a slight exaggeration to claim that most contemporary political theorists follow Rawls' dictum to the effect that justice is 'the first virtue' of political institutions; our conceptualisation of democracy and democratic institutions then has to respect this primary ideal, no matter what its concrete specification is (Rawls 1999: 3).¹⁷ At this point, however, a potentially heretical remark could be put as follows: if the value of democracy is merely or mostly instrumental, and if the fact of pluralism is grounded not ontologically but only historically and/or sociologically (i.e., if there is nothing logical or necessary about it), it seems legitimate and perhaps natural to regard a Platonic (though not Plato's) approach to politics and society not only as acceptable, but, once the instrumental conception of democracy is taken to its radical consequences, as the *most desirable* epistemological instrument.¹⁸

It is beyond the scope of the article to discuss this issue at any length, let alone suggest a definite answer; in any case, the critique of instrumentalist conceptions that employ substantive moral ideals often builds on the cognisance of the fact that it may be impossible to persuade dissenting individuals or groups about one's moral truth without committing oneself to coercion (see Estlund 2008: xi; Hadenius 1992: 33). We 'merely' point to one significant aspect of the problem that motivated the writing of the article: for empirical theories/theorists of democracy, such questioning of democracy on the fundamental level is indeed hardly acceptable. Whereas it is plausible to assume that a structurally analogous problem lies at the roots of the difficulties that accompany the introduction of even minimalist versions of democracy in countless parts of the world. If someone—a group of politicians, army generals, clerics, economists, intellectuals or ideologues (these categories may again overlap)—firmly believes in the existence of Truth, democracy then becomes at best a useful, though non-essential, political instrument of realising it, and at worst a major hurdle.

Even if we stick to the established liberal democracies and the one-dimensional axis of democratic models, instrumentalism in democratic theory puts into the forefront the fundamental question of (sources of) *political legitimacy*. Dworkin notes that clashes between highest constitutional bodies (usually unelected constitutional court and elected parliamentary body), theoretically speaking the tension between the principles of constitutionalism and popular will, acquires its 'irresolvable' character *only within the framework of detached conceptions of democracy*. If, on the other hand, we instead employ a dependent conception, the apparent contradiction disappears, because the judgement whether interventions by

constitutional courts into the results of legislative and constituent activity of parliamentary bodies are legitimate is not necessarily linked to the process of democratic decision-making (Dworkin 2002: 208 ff; 2003: 241–57).¹⁹ If there are (moral) values existing irrespective of popular will or beliefs, as democratic instrumentalism assumes and as the concept of human rights attests (at least in liberal democracies), then the given political regime acquires legitimacy simply by realising these values. Simultaneously, no legitimacy deficit necessarily arises, *ceteris paribus*, even if the regime does not embody the current empirical will of a democratic people.

It should be clear that incorporating this dimension into the left–right axis of democratic conceptions is an uneasy task, because *input* legitimacy regarding citizens' participation on shaping political decisions is a central notion both for electoral-minimalist and for deliberative, participative and radical conceptions of democracy. On the one-dimensional axis, however, these models belong to opposite ends of the continuum. Besides that, *output* legitimacy regarding the regime's ability to bring about desired results cannot be easily matched with any of the respective conceptions. Put differently, the issue of sources of democratic legitimacy represents a freestanding axis that *crosses* the axis of normative demandingness, and casts doubts over the adequacy of empirical indexes of democracy, as well as their 'easy' link to normative approaches.

Social and Political Ontology and the Problem of Representation

Especially in the work of radical democratic authors (represented on Mazo's axis by Young, Phillips and Okin), another structural feature of liberal conceptions of democracy comes to the fore, namely their latent social and political ontology. This is said to be individualist, static and materialist, which means that (1) the normatively (ethically) fundamental unit of reference for democratic theory is taken to be the individual (and her rights and liberties); (2) assumes the institutional and cultural context of liberal democracy, instead of critically examining it; and (3) leaves out the issue of symbolic and identity frameworks that trigger and condition the self-understanding of citizens of liberal democracies. A different conception of democracy is proposed instead, one that accepts both normative and methodological holism (collectivism), demands systemic *transformation* rather than partial reforms (*affirmation* in Nancy Fraser's words), and deepens its analytic capabilities by switching focus from issues of material redistribution so dear to liberal conceptions of justice to unequal relations of *power* (such as domination, oppression, marginalisation, exclusion or exploitation), that are claimed to be embedded in the very structure of liberal capitalist democracy (Fraser 2003; Young 1990: viii).

Anne Phillips claims that radical democratic conceptions of democracy do not aim to overthrow the liberal democratic model of electoral representation (and legitimation); rather, they wish to modify and complement it (Phillips 2003: 315). The liberal ideal of civic equality should thus undergo a sort of 'Aufhebung' into full *democratic* equality. Even if we took this claim for granted (which presupposes ignoring figures such as Slavoj Žižek who synonymise liberal democracy with capitalism, and doing away with the latter implies discarding the former for them), we are faced with a problem that one of us has addressed elsewhere in terms of *political representation* (Brim and Dufek 2012): political logic of liberal democracy is grounded in an individualist and proceduralist conception of representation, even though this is qualified in modern (nation-)states 'externally' by the constitutional fiction of the existence of a democratic people as the ultimate source of sovereignty,²⁰ by pluralism of interest

groups and by the existence of electoral districts. Radical-democratic conceptions of representation deviate from liberal ones not only in stressing group representation (where these groups are identified on the basis of gender, race, ethnicity, language, degree of poverty, and so on), but also—and above all—by conceptualising differently the act of representation. On the one hand, a lot has been said in favour of the so-called *descriptive* representation, where the representing subject acquires legitimacy through similarity or identity with the represented subject (e.g., interests and demands of women will be best represented by women, of Roma people by Roma people, of workers by workers, etc.; see Phillips 1998; Williams 1998: xiii). On the other hand, to avoid the trap of essentialism, some authors prefer a *performative* conception of representation, where interests, demands, as well as the represented subject itself are constituted in the very act of representation (Saward 2006).

Both conceptions of representation are essentially independent on classical electoral representation by political parties which forms the basis of input legitimacy of political decision-making in liberal democracy; the same goes for deliberative conceptions of representation that emphasise the possibility of representing functionally defined social groups—both inside and outside the state (Dryzek and Niemeyer 2008). However, although both deliberative and radical democrats claim complementarity of their conceptions to elected representative bodies, one may plausibly ask ‘how these conceptions of representation would accommodate the potential conflict between formal and informal representative bodies, within these representative bodies, or between their members and the represented subjects’ (Brim and Dufek 2012: 146). The logic of liberal democracy may be thus amended as well as broken; and while empirical theories of democracy have little to no conceptual space for such a momentous modification, it is one of the leading topics of contemporary debates in normative democratic theory (Dryzek 2002: 1–7; Saward 2003: 116–38). No less difficult would be a systematic incorporation of collective categories such as *gender*, *class* or *race* into empirical research of democracy and construction of democracy indexes (Caraway 2004; Fraser 2003), since unlike *individual rights* or the *rule of law*, these categories are normatively inconsequential for liberal democracy and empirically difficult to conceptualise. Finally, if we take seriously Hadenius’ (1992: 35) warning against *disrupting* the logic of the concept of democracy, as contrasted with mere amendmens (‘optimalisation’), the question arises whether these alternative perspectives on the issue of political representation—motivated ontologically or otherwise—do not in fact constitute a step *outside* the framework of democracy, even if on behalf of improved deliberation, participation or emancipation.

Inner and Outer Edges of Democratisation

Attempts at ‘optimalisation’ of the concept of democracy and real-world democratic regimes produce still another rupture between empirical and normative theories: the more apparent this breach is when compared to the previous ones, the more significant are its practical-political consequences and the more complicated is bridging the gap. While empirically based theories of democracy examines possibilities of democratisation almost exclusively on the level of the (nation-)state (O’Donnell 2010; Plattner 2008), a significant number of contemporary political theorists infer from the crisis of liberal democracy also a crisis of the modern state, the two having been almost inseparable in recent decades and centuries. For this reason, they seek and analyse the edges of democracy not only ‘inside’ the state, but also (for some authors above all) ‘outside’ of it: democracy’s limits, which are to be either pushed back or transcended, thus become fundamentally the limits of the modern, sovereign,

territorial, nation-states built around the notion of the rule of law. Traditional problems of democracy and democratisation, as reflected in standard political science, are then declared irresolvable unless reformulated in the broader analytic and normative framework of *transnational* or *global* democracy (see, among others, Cabrera 2011; Held 1999; Holden 2000; Patomaki and Teivainen 2004). One can even speak of a 'transnational' or 'cosmopolitan turn' in normative democratic theory (McGrew 2002: 269).

Now it may seem that there has been analogous move towards incorporating the international/global context in democratisation studies as well.²¹ Once the above-mentioned 'democratic gradualism' became the preferred strategy of democratisation, introduction of some kind of international oversight seemed to be a logical corollary—especially as regards elections, but prospectively reaching also into other dimensions of democracy. Construing democratisation as a sophisticated geopolitical strategy, exploring the interactions between the domestic and international realms (including external penetration of the given domestic model[s]), then identifying privileged actors and selecting suitable strategies for the imposition of 'global governance'—in other words, the whole enterprise of *democracy promotion*—have become an integral part of democratisation studies.

There are two reasons why we remain sceptical towards these signs of paradigmatic rapprochement, one empirical and one conceptual. For one, there is the fresh experience with outcomes of the so-called colour transitions in several post-Soviet and Arab countries, transitions that have not lived up to the hopes and expectations invested into external pro-democratic assistance. In fact, one consequence for the field of democratic studies has been the reopening of the issue whether liberal democracy is, after all, a suitable model for post-transition countries. Second, there is a world of difference (pun intended) between 'democracy promotion', as theorised within the field of democratisation studies, and 'globalising democracy', as conceptualised by prominent political philosophers. Pushing the 'outer edges' of democracy implies here *radical* rethinking of the relationship between democracy, territory, sovereignty, nation-state, representation and legitimacy (as well as justice, equality, and what have you), as evidenced in the highly idealistic nature of proposals for global institutional (re)design.

As indicated earlier, empirical theories of democracy still devote rather weak attention to *these* outer edges of democracy. On the face of it, the main reason seems apparent—there is not enough empirical data for producing unambiguous conclusions about, let alone comparative studies on transnational/global democratic structures (cf. Koenig-Archibugi 2010: 519), and in this sense there is 'nothing to study' (this is where the paramount significance, both practical and theoretical, of the European Union comes to light; cf. Dufek 2010: 221–46). To this we may add deep theoretical doubts about the possibilities of implementing and sustaining the *rule of law*, i.e., one of the central principles of liberal (constitutional) democracy, in a context where mechanisms of control and enforcement (and ultimately of implementation) are weak or non-existent.²² as Juan Linz and Alfred Stepan famously remarked some years ago, 'without a state, no democracy is possible' (Linz and Stepan 1996: 17). Taken to logical consequences, the argument goes, unless a world state is in place, it does not make much sense to speak about democracy beyond the confines of the territorial state (O'Donnell 2010: 93–113, 183–96; Scheuerman 2004). The majority of theorists of global or cosmopolitan democracy find such a scenario less than attractive, in which they echo a traditional argument formulated by Immanuel Kant, and instead employ notions and ideals like *multi-level global governance*, *transnational* or *cosmopolitan political structures*, *networked global governance*, and so on (Caney 2005: 148–88; Held 1995; Kuper 2004; cf. Kant 1991). This, however, takes us full circle to the issue of conceptual delineation of democracy and its suggested 'optimisations':

while the normative theorists' methodological carelessness in establishing the meaning of concepts allows for discursive ventures beyond allegedly sterile classical categories, it also paralyses the potential exchange with empirical theorists, as both camps now talk past each other, even though they may use the same concepts.²³

Conclusion: How to Go About Bridging the Gap

Our argumentation in this article leads us to several preliminary conclusions: first, it is difficult if not impossible to define democracy deductively, which should concern both camps: while empirical theorists tend to deduce parsimonious definitions in order to stop normatively demanding considerations from penetrating the concept, normative theorists either interpret the axioms differently or employ other plausible intuitions, so that these considerations *may* enter theory-building. We are of the view that a principally open or inductive approach is more suitable, because it is capable of accommodating both the Sartorian dichotomy between democracy and non-democracy (by applying certain minimalist criteria) and the degreeist assessment of the 'quality' of democratic regimes, thus opening the way for bridging the gap between empirical and normative theories of democracy. At the same time, it does not slide into teleological dogmatism, that is, into the belief that some particular model of democracy is not only morally desirable, but also historically inevitable. This kind of criticism would again pertain to both the empirically based democratisation studies and the ethically motivated democratic theory; as such, it covers the issue of democratisation of both democratic and non-democratic regimes.

Second, normative considerations cannot be avoided by any democratic theory that has even marginally more ambitious goals than a bare analytical description of political reality (which includes efforts to measure the quality of democratic regimes and construct hierarchical indexes), and this holds in a more straightforward sense than simply claiming preference for liberal democracy over authoritarian regimes. To say that the meaning of the concept of democracy is a hotly contested one is perhaps the least controversial statement on the issue; every—inductively or deductively—based semantic closure implies selecting a particular section of social reality and excluding other (possible) sections. Since definition of a concept implies selection of indicators to assess the quality of democracy and its deficiencies, this particular step is of major significance, not least if accompanied by the effort to recalibrate a given democratic index. This presents empirical theory of democracy with a challenge, because it can no longer claim the advantage of complete scientific neutrality and has to keep testing the complex waters of political theory/philosophy. Compared with normative theory, though, it has at its disposal an elaborate methodological framework for building concepts and theories, one that may either limit the expansion of ethically motivated demands or imbue them with a more robust structure (cf. Diamond and Morlino 2005).

Third and last, the emphasis placed (rightly, in our view) on the stability of conceptual definitions leads to some preliminary caution in discarding allegedly obsolete elements of democracy towards which political theorists often tend. Examples include the liberal conception of representation, the majoritarian principle, or the role and significance of *political parties*, which are relegated in contemporary normative democratic theories to secondary importance, or even worse (cf. Rosenblum 2008). With regard to the possible practical-political ramifications of these scholarly discussions for CEE countries, to which we hint in the Introduction, our argument would thus imply that political theorists' dissatisfaction with the state of democracy and/or pace of democratisation in these countries (doubly so than in 'mature'

democracies) is partly misguided, precisely for the reason that it would be shortsighted to try to skip these 'evolutionary' and perhaps necessary steps in establishing a strong and functional democracy. At the same time, we leave open the possibility of actually transcending the limits of the liberal democratic model. It could be argued that *on the fundamental level*, political theory does not have to let itself be constrained by the imperfect empirical reality of liberal democracy; however, this would amount to affirming the legitimacy of the gap that exists between the two worlds of democratic theory. This article builds on the belief that bridging the gap is a desirable enterprise.

ACKNOWLEDGEMENTS

This text is an output from the research project 'Contemporary Challenges of Democracy in East Central Europe', sponsored by the Czech Science Foundation (identification code GAP408/11/0709), and was facilitated by the Jan Hus Educational Foundation Scholarship for the year 2011/2012. Previous versions of the article were presented at the following conferences: Democracy as a Value and Problem II, October 2012, Liberec, Czech Republic; CEPISA Annual Conference, October 2012, Budapest, Hungary. The authors would like to thank the participants, as well as their colleagues from their department, for valuable discussions and comments.

NOTES

1. We employ the term 'democratic regime' as a generic concept, also denoting the more complex phenomenon of a 'democratic political system'. We are aware of possible methodological issues; however we believe that (not) distinguishing these notions is not crucial for our argument. See Holzer and Balík (2007: 24–30); O'Donnell (2010: chap. 1).
2. For a delineation of several of these partial *models* of democracy as aspects of liberal democracy see Held (2006).
3. For detailed figures, calculated on the basis of 2008 edition of the Freedom House report, see the appendix table in Denk and Silander (2012: 38–40). Latest Freedom House primary data are available at <http://www.freedomhouse.org/report/freedom-world/freedom-world-2012>.
4. With the Czech Republic being a specific case because of the earstwhile dominant view, attributed mainly to the former prime minister and later president of the country Václav Klaus, that the 'standard' minimal-electoral-competitive-proceduralist, etc. model of liberal democracy was the only goal worth striving for.
5. It may be claimed that even empirical theories of democracy are essentially *normative* ones, if only for the very fact that they rest on the (usually unarticulated) assumption that liberal democracy is a more suitable or 'better' type of political regime for modern societies than democracies of the peoples', workers', or direct type, not to mention authoritarian regimes. Keeping this in mind, the label 'empirical' capitalises on the fact that the democratic ideal is construed here in direct connection with real-world democratic regimes, or more precisely, with the level and potential that contemporary democracies have reached. This is in contrast with ideal models of normative theory, which tends to disregard the limits of social reality *on the fundamental level*.
6. Thomas Carothers' (2002) critique is an obvious example.
7. For a complex overview, see Munck (2009).

8. Among Central and Eastern European countries, there were eight 'partly free' countries, although only Belarus and Kosovo were categorised as 'not free'. For detailed figures, calculated on the basis of 2008 edition of the Freedom House report, see the appendix table in Denk and Silander (2012: 38–40). Latest Freedom House primary data are available at <http://www.freedomhouse.org/report/freedom-world/freedom-world-2012>.
9. In the case of the Czech Republic, the overall standardised score stands at 95.43, the worst being 88 in the *rule of law* dimension; out of the 14 possible grades in the overall Freedom House index (in fact seven with half-points awarded), the Czech Republic gets an unqualified 1 (grade A). Other CEE countries get very similar results: Hungary 92.29/81 (*rule of law*); Poland: 93.14/81 (*rule of law*). By comparison, Austria stands at 98.29/ 94 (*rule of law*; personal autonomy and individual rights).
10. See <http://www.systemicpeace.org/polity/polity4.htm>. On a ten-point scale for open regimes (where ten is the best result), the Czech Republic currently sits at eight, although it boasted a full ten between 1993–2006. One tends to scratch her head, though, when reading that even the Czechoslovakian Third Republic (1945–1948)—considered by the majority of Czech scholarly community to represent a mere overture to communist totalitarianism, was a *ten-point democracy* according to the authors of the Polity IV index; a critical discussion is beyond the present aims though.
11. The value-score of democratic rights is adopted by the authors from the Freedom House Index; the value of rule of law is then co-determined by the *Index of Rule of Law* and the *Control of Corruption Index*, as reported by the World Bank; see <http://info.worldbank.org/governance/wgi/index.asp>.
12. The table encompassing all relevant indicators is available as an Appendix to Alexander et al. (2011).
13. We are grateful to Michal Mochťák for pointing out this issue to us.
14. For a recent take on the contestable primacy of liberal democracy, and a discussion of its social democratic, deliberative and other alternatives, under the heading of the 'sequencing debate', see Hobson (2012).
15. For the present purposes, Dworkin's further distinctions between *choice-sensitive* and *choice-insensitive issues*, between *equality of influence* and *equality of impact*, and finally between horizontal and vertical dimensions of influence, are not substantively important (save for the assumption of the existence of moral values independently on popular knowledge or will; see below).
16. Below we will discuss the issue of political and/or social ontology which disrupts the axis for different reasons.
17. But see Simon Caney's (unsuccessful, in our view) attempt to balance idealist and realist aspects of democratic institutional design, in his case applied to thinking about institutions and structures of global democracy (Caney 2006).
18. There have been attempts to ground value and normative pluralism ontologically; a classic example in political philosophy was Isaiah Berlin's work (1969). The jury is still out on this issue, as certain naturalist or materialist currents in contemporary metaethics attest. See, for example, Singer (2005).
19. This is not of course a merely theoretical possibility, or one that is limited to the United States' constitutional system, as for example recent political history of the Czech Republic evidences. See Baroš (2012).
20. Which follows from the need to explain theoretically how and why majoritarian political decisions are binding even for those citizens whose empirical will is in the minority. This

is why MPs in most countries are constitutionally bound to exercise their mandates in the interest of *the people as a whole*; see Belling (2009); Klokočka (2006: 136 ff).

21. A classic text being Carothers (2004).
22. By way of illustration, let us point to the efficiency of the European Court of Human Rights (ECHR), a counterpart of which would certainly belong to the system of cosmopolitan political structures. In 2011, the number of appeals stood at 64,500, rising continuously each year (by 5% from 2010). As of now, the annual deficit (difference between cases assigned and disposed of) amounts to roughly 12,000 new undecided appeals *each year*, and the number of pending applications now reaches c.151,000 cases. The length of judicial proceedings before the ECHR may reach up to five years, and quite often exceeds three years (although the figures differ over various categories and stages of appeals; see European Court of Human Rights 2012: 10–11). One may only speculate about the order of magnitude that would be reached by the expected global judicial backlog; in any case, the ECHR hardly represents a perfect example of the effectiveness and credibility of law.
23. See, for example, the detailed analysis of the ‘methodology of concepts’ by Gerardo L. Munck (2009).

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