

Amartya Sen Lecture Series on Sustainable Development
In association with the
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Public Lecture on
Sustainable Democracy
By Anand Panyarachun
Former Prime Minister of Thailand
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Professor Amartya Sen,

Mr. Marc Bihain of the ING Bank,

Mr. Willem Van Der Geest,

Distinguished Guests,

Ladies and Gentlemen,

It is a privilege to share with you some observations on sustainable democracy in a lecture series bearing the name of a great philosopher, thinker and a Nobel Laureate for economics. He won further plaudits for his work a few years ago as co-chair of the United Nations Panel on Human Security.

Professor Sen has inspired us all with his seminal contributions that, among others, have given new meaning to the ethical dimensions of the pressing economic and social challenges of our times. One of Professor Sen's most influential contributions is the concept of capability which places human freedom in the centre of the discourse on development.

On democracy, Professor Sen has observed that, "No substantial famine has ever occurred in any independent and democratic country with a relatively free press."

Today, when the profit motive often prevails over considerations of

justice, equity and rights, Professor Sen's message on development, linking it with human freedom, democracy and a free press, is refreshing indeed.

With the end of the Cold War, Francis Fukuyama suggested that the end of history was upon us. Yet over a decade and a half later, the triumph of democracy has been less than absolute. Some countries have turned away from a liberal brand of democracy and embraced a more authoritarian one. A number of governments continue to be quite successful in keeping their political systems democracy-free while delivering the economic goods to their citizens. At the same time, some countries that have democratic systems seem to be struggling with issues of accountability and governance.

At first glance, this is somewhat surprising. Surely, democracy, with its obvious virtues, should have had no difficulty in taking root around the world. Yet for many countries, "government of the people, by the people and for the people" remains a tantalizing, elusive ideal.

The primary cause is in the struggle between those who govern and those who are governed. Aristotle proclaimed that, "If liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost."

In our own times, we face compelling questions:

- Why does democracy seem so fragile?
- What elements are required for a country to reach the threshold necessary to sustain democracy?

Let me share some insights from my experience as a prime minister committed to building democracy in Thailand, including through drafting a people's constitution.

In doing so, I shall first turn to Mahatma Gandhi who articulated the organic nature of democracy, "The spirit of democracy cannot be imposed from without. It has to come from within." Indeed, people have to want democracy.

In most of Europe, the evolution of democracy was slow and non-linear. European history is a chronicle of civil wars, revolutions and dictatorships. Yet democracy took root and today no rival political system challenges it in Europe.

If we take universal suffrage as the key event in western democracy, we find that the broad, inclusive participation of all citizens is little more than a hundred years old.

In the course of political natural selection, we all adapt to new technologies, as well as problems such as climate change and natural disasters. Over time, a democratic system is best able to adapt in the evolutionary process if its basic pillars are strong enough.

A contemporary metaphor for democracy is that of a software algorithm that produces the best possible political outcomes for any society. The intellectual code for this political software stretches back centuries, with Britain's Magna Carta of 1215 as a convenient starting point.

There is an implicit premise that democracy is inherently better, more stable, rational, beneficial and legitimate than other forms of government. Winston Churchill aptly states that, "No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of Government except all those others that have been tried from time to time."

The political process must be viewed along with the level of development. As development is uneven, so too is the state of democracy. Democracy and development are two sides of the same coin.

In my experience, there are a minimal number of pillars or key algorithmic modules that are needed to support the infrastructure needed for democracy. If you wish to build a bridge, there are principles of engineering that must be followed. Democracy, unlike bridge building, isn't just science; it is also the art of the possible.

Education and Knowledge Sharing

Democracy starts with the wisdom of the voting public, however that wisdom is acquired. By that I mean a voting public that understands the issues it

must deal with and the options it has. The voting public must also understand its responsibilities in a democracy and have access to the means to exercise choice in the democratic process.

The heart of democracy beats only with the participation of all citizens in exercising their rights --- first to raise for inclusion in the political agenda issues of concern to them and second to choose those whom they feel would best address their concerns in the political process.

In addition to responsible citizenship through participation in voting, democracy requires that citizens be well-informed of the issues that their communities and societies face in an increasingly globalizing and interconnected world.

A struggle in many developing countries is to channel resources to make education more relevant to the tasks of daily life, to change the emphasis from rote memorization to creativity and independent thinking and to extend the reach of education programmes, especially to girls and women in poverty. I am pleased to note the silver lining of progress in gender equality in the promotion of universal education. Such progress augurs well for creating the critical mass of informed voters needed to fuel democratic processes.

Asia has the distinction of being a region that has produced a significant number of democratically-elected women Heads of Government and State. An encouraging development in recent years is South Asia's efforts to ensure gender parity in the democratic process, with the requirement that a significant proportion of all elected functionaries must be women. We must now accelerate region-wide the advancement of girls and women for wider grass-root participation.

Education and the sharing of knowledge as a public good are important means of supporting the process for a strong countervailing force, to deter those who govern from abusing power.

In Asia as in the West, democracy is won not just through the ballot box. The real struggle is fought out on the streets by students, farmers, workers and other ordinary citizens who come out en masse to express their dissatisfaction. It was in Asia that Mahatma Gandhi crafted non-violence as a movement for political change. Subsequently, there have been street protests over the course of five

decades in the Republic of Korea, and people's power has swept across Indonesia, the Philippines, Thailand, as well as other countries. The flame of democracy also continues to burn brightly in South Asia, which has the largest and most active voter populations.

For democracy to live, citizens must resist the temptation of being complacent. Each community, workplace and school needs programmes for promoting grass-root democracy. An apathetic electorate is easy prey for any organized group to seize power by force or fraud, giving rise to totalitarianism.

In much of Asia where harmony is a core value and conflict avoidance a first response, our challenge is to embrace criticism, the weighing of pros and cons and disagreement, as part of the maturation of the democratic process in the Asian context.

Pillars of Democracy

In my view, there are seven main pillars of the architecture of democracy, namely, elections, political tolerance, the rule of law, freedom of expression, accountability and transparency, decentralization and civil society.

Elections

First, free and fair elections lend legitimacy to democracy by preventing one person or a small group in society from imposing certain vested interests on the general population. No one person or group should exercise a monopoly of power over the election process.

Political parties constitute a major instrument of constitutional democracy in which fundamental norms govern the political community and determine relations between the legislature, the people and the interactions among the centres of power. In a democracy, political parties can be formed and can campaign without intimidation. Some countries require political parties to have a minimum level of popular support before they can participate in elections. All political parties must also have access to a free media and other means to broadcast

their election manifestos. The electoral process is supervised, monitored and carried out by a neutral body, often an election commission.

However, elections may be rigged and votes bought. Politicians who only appear in their constituencies to enhance their patronage power, to be photographed and filmed distributing largesse are sadly a familiar phenomenon in many countries.

A political establishment that ceases to reflect the aspirations of the citizens loses its political legitimacy. Once that happens, the political establishment could call for new elections. However, it may instead resort to the use of force, fear and intimidation to cling to power. And elections may be suspended or subverted.

Although elections are necessary and may be the most visible aspect of a democracy, there are many examples of the manipulation of election processes to aid and abet autocracy and tyranny. In themselves, elections do not suffice to ensure democracy.

Political Tolerance

The second pillar is political tolerance. Free and fair elections do not give a mandate to oppress or sideline those who have voted against the government. It also does not mean that the majority have the right to rob the minority of its civil liberties, rights, property or life. Tolerance is required for democracy to be sustained over the long run. If minority groups do not benefit equitably from the election process, there can be no peace. That absence of peace would make a mockery of efforts to be democratic.

In many countries, there are examples of rewards being given only for those voters who supported the ruling party, with neglect or punishment for those who voted for the opposition. The distribution of food, water supplies and development resources has been used as a weapon of control to win elections.

Post-election politics can be punitive on the losers. This happens when the elected government views the minority's participation in government as an obstacle, rather than finding a way to include the opposition in reasoned debate and, where appropriate, incorporate opposition positions into government policy.

Tolerance has to do with acceptance of diversity in society. It begins with the way children and young people are brought up. If we teach the young to believe in the principle of winner takes all, we impede the development of democracy. Instead, young people must learn that in an election what the winner earns is an on-going duty to strike a balanced consensus in society. Striking that balance is an art. .

Rule of Law

The third pillar of democracy is the rule of law. There has been much debate on the meaning of this. What is clear, though, is the close connection between the rule of law and democracy.

When the political process is subject to laws and a regulatory framework, it enables citizens to judge the lawfulness of the government. They can find answers to some key questions:

- Does the government govern according to the law or does it take the position that it is exempt from some inconvenient rules?
- Are procedures of government stable and within the law or does government act in an arbitrary fashion, arresting people who challenge its policies and depriving them of their liberty without due process?

I mentioned in my opening remarks the importance of the Magna Carta. That historical document enshrined due process of law. Habeas Corpus is one of the most cherished concepts contained in the Magna Carta. Habeas Corpus prevents arbitrary arrest, imprisonment and execution, by requiring such government action to be justified under law and ensuring the right to due process of the person detained. A political class, which accepts that official actions must comply with the law, is more likely to embrace democracy. Proper application of the rule of law puts a brake on any attempt to destroy liberty, seize property, or violate human rights. It also means that such rules apply across the board to all citizens.

When application of the rule of law is weak, corruption flourishes. Bribery, kickbacks, bid rigging, policy favours for family and cronies are well known in many countries. In these situations, those who seek enforcement of the law may face intimidation or reprisal.

Democracy becomes dysfunctional when the bureaucracy, the judiciary, the legislature, the private sector, the police and the military all use their power to enrich themselves and advance their own interests at the expense of civil society. Laws notwithstanding, corruption undermines the rule of law.

Judicial neutrality is a key premise of the rule of law. If judges apply one set of rules for those with wealth and influence and another set of rules for those without these assets, the entire political and judicial system falls into disrepute, eroding public trust in government institutions to deliver justice.

The rule of law is rooted in a system of moral values. In South Africa, for decades, the rule of law existed within an apartheid system. The law was based on the colour of one's skin. In a properly balanced political and legal system that protects the rights of citizens, those with a particular skin colour cannot use it to obstruct justice. Justice and equality are directly linked with the sustainability of democracy. Generally, once the rule of law is compromised, a regime, despite what it may otherwise profess, slips on its democratic credentials and loses its legitimacy.

The rule of law also has a final function. In a constitutional democracy like Thailand, the constitution defines the institutional arrangements that govern in a democracy. Democracy works best when its institutions and officials operate in a system with checks and balances. The rule of law defines the limits to political interference in decision-making processes. With the rule of law, the system is owned in common by all citizens who are subject to the same laws; those governing do not "own" the system.

To ensure the functioning of the rule of law, it is vital that the integrity and independence of the judiciary and the entire justice system are not subject to undue influence and illegal intervention.

Freedom of Expression

The fourth pillar that sustains democracy is freedom of expression. What people in civil society are allowed to say, print, distribute and discuss is indicative of the democratic nature of a political system. A free press is a measure of the freedom of expression in a society. An Internet that is untrammelled by state control is another.

Few governments, democratic or otherwise, have a genuinely easy relationship with a free press. Yet, despite all its shortcomings, a free press, supported by open Internet access, is indispensable to keeping the public well informed as part of a functioning democracy. Even in an established democracy, government may seek to manipulate a free press into serving its own ends. Governments often conduct spin campaigns, to advance their agenda and dilute the power of independent media.

New technology is unleashing powerful new forces through quantum expansion of information dissemination and space for public discourse. The Internet has revolutionized participation in political debate and action and fostered the formation of e-communities. Mobile phones serve as critical means of facilitating rapid communication.

In countries with authoritarian practices, freedom of information is high on the government's danger list. Such freedom, as represented by the new media, is a few clicks away on websites such as YouTube and on numerous subject-specific blogs. These new forces have made it much harder for governments to control the flow of information.

The fact remains that even democratically-elected governments will go to great lengths to manipulate public opinion whether on TV, in the print media or the Internet. State influence and control over the flow of information should give us pause. The trappings of democracy may appear healthy, but if freedom of information and press freedom are hollowed out, then democracy is compromised. Constant public vigilance remains instrumental in performing a check-and-balance role. This is not always easy, as the law in many developing democracies is neither supportive of freedom of information nor does it favour the press.

Freedom of expression was thought important enough to place in the Universal Declaration of Human Rights. Article 19 of the Universal Declaration on Human Rights provides, “Everyone has the right to freedom of opinion and expression; the right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers.”

Unless citizens have the right to express themselves in the political process, no government can be made accountable for its actions. However, no democracy has absolute freedom of speech.

The key is to balance national and societal interests to create and maintain the level of discussion required for participation in democracy to be meaningful, while drawing lines that take into account a country’s history and cultural milieu. Each country places its own limitations on freedom of expression. What matters is that those limitations are not misused by political forces to limit public scrutiny of policies and actions that impact on the integrity of public goods. For example, if criminal libel laws effectively thwart whistle blowing on irregularities or corruption, democracy is diminished.

Democracy is about multiple voices. These may be contradictory; some may be more informed than others, while others may be personal opinion, gossip or speculation. That is a marketplace of ideas. As in all marketplaces, not everything is of equal value. So long as our institutions enable people to understand how to assess ideas in this marketplace, selecting the rigorous and rejecting the shoddy, democracy is not only sustained, it thrives.

With the Internet, globalization and mass communications, the marketplace of ideas draws from far beyond the borders of any single democracy. While such a marketplace can no longer be easily crafted and controlled by government, no single government can feel quite comfortable in invoking the means to silence dissent or whistle-blowers.

Accountability and Transparency

The fifth pillar of democracy is accountability and transparency. This means that institutions of government and individuals in those institutions must be held accountable for their actions. A government must be accountable to the people who elected it into power. Furthermore, it must be accountable to an independent judiciary or other impartial institutions established to check government action. Be it agricultural policy, fuel pricing or health care services, decisions must not advance the agendas of vested interest groups over the public interest.

Accountability and transparency essentially have the same purpose: to protect citizens against misguided policies or decisions that enrich a few at the expense of the many. When these two guardian angels are compromised, it is an alarm that good governance is at risk, and the democratic process has stalled.

Decentralization

The sixth pillar rests on local or provincial political empowerment. The closer the government is to the people governed, the more responsive the government is likely to be. At the same time, for decentralized democracy to work, there must also be a decentralization of funding, material and human resources and institutional capability.

Decentralization of the political process is another way to curb the concentration of power and influence exercised by political forces. Citizens become more aware, interested and willing to participate in democracy when they see their officials as neighbours and what is at stake as something close to home.

It is at the local level that we see the best example of how democracy is connected with the daily lives of citizens. The physical proximity of the neighbourhood has the same benefits as the online community of practice in a knowledge economy: people with common interests and shared values express and exchange views and insights, influencing one another. Citizens' right of

assembly and participation at the local level nurture the longevity of democracy in a society.

The creation of political parties at the local level facilitates the building of a representative democracy. Local participation by voters and candidates drawn from the same district or province gives credibility and legitimacy to the democratic process. The local administration becomes a training ground for future national leaders.

Civil Society

Civil society is the vital seventh pillar. An active civil society begins its engagement at the grassroots. Community forums, clubs, issue-focused activist groups, charities, cooperatives, unions, think tanks and associations fit under the broad umbrella of civil society. These groups are the participatory vehicles for sustaining grass-root democracy. There is a strong degree of volunteerism, shared interest and common values around which information is gathered, analyzed, views formed and advocacy pursued.

The health of a democracy may be measured by the authenticity of its civil society and the extent of citizen participation in public policy making. Civil society provides an important source of information for intelligent debate on matters of public interest. Civil society also provides a mechanism whereby the collective views of citizens can shape and influence government policy. By bringing into the public domain arguments and information as a context for examining policy, a democratic government is forced to present counterarguments or to modify its position. Such exchange is healthy for democracy. Finally, it is clear that when the deliberative process within a political system accepts the role played by civil society, it also implicitly agrees that citizens have a role to play in checking government decision-making. A vibrant civil society thus makes for more thorough decision-making in a democracy.

In many countries, there is a history of political patronage. The head of a political entity builds up a personal following whose loyalty is to the individual

rather than to a political party or creed. When that happens, democracy cannot be easily sustained.

Leadership Qualities

The pillars of democracy that I've outlined above are necessary but insufficient without leaders to build and maintain the pillars of democracy.

The qualities of leadership for sustainable democracy are to be found in those who act in an honest, transparent and accountable manner. They are consensus builders, open-minded and fair. They are committed to justice and to advancing the public interest. And they are tolerant of opposing positions. Of course, it is often said that democracy is a messy way of governing and that the human condition is flawed. There is truth in both statements. But in admitting our limitations, let us strive to avoid the mistakes of the past and look forward to a new generation of leaders who can build on the lessons of the struggles of ordinary citizens for democracy.

SUMMARY

I've shared my observations of pillars that hold up the architecture for sustaining democracy.

To foster a sustainable democracy, a nation must focus its efforts on building a system that empowers people not only through the right to vote, but also through norms, institutions and values that support that right and make it meaningful.

What will sustain democracy is the shared realization that although democracy is far from perfect, the alternatives are even further from perfection. Some societies come to this realization sooner, others later. Some are experimenting to see if only parts of democracy, such as good governance and accountability, can be enjoyed without the burden of full-fledged democracy.

I wish them well. As long as they demonstrate a commitment to the larger welfare and well-being of the people and deliver public services, the

majority of their people may well be content with the status quo and not protest.

One point in their favour in some fledgling democracies may be a sense of disappointment with representative democracy. Elected officials, instead of serving and protecting the public interest, serve their own interests and those of their cronies. They arrogate the right to dictate in the name of the majority, while riding roughshod over the minority. They become “the public” and are no longer “representatives”.

For the past three decades or so, there has been a trend towards more direct, participatory democracy. In established democracies, this may be an incremental change. However, going from autocracy to mass participatory democracy is a big leap.

What is important is that the seeds of democracy must be homegrown, for it to be accepted and to function. Each society must work out its own contradictions, its own competing priorities.

Experience everywhere highlights the fragility of democracy. Even when seemingly well established, democracy can be subject to tampering, especially in times of crisis. I do not believe there is a democracy so strong that it is invulnerable to the greed and ambitions of men. To nurture and sustain democracy, its beneficiaries must also serve as its guardians; the common people must be ever vigilant and wise. For most of humanity, history has not ended. The struggle for and against democracy will continue far into the night.