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HOW TO ASSESS A DEMOCRACY. WHAT ALTERNATIVES?

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The assessment of a democratic regime is a classic topic in political science, which more recently has been attracting a lot of attention and reconsidered in different empirical perspectives. In fact, this issue has been reconsidered and reworded within empirical research as: “What is a good democracy?” or, better, “What is democratic quality?”.

When looking back, at least as far as the early 1970s, the origins of our question are evident: a) if in recent decades discontent, dissatisfaction, and alienation are growing political phenomena in old, established democracies, the reasons for these attitudes, resulting from the perceived low quality of the regimes, are particularly salient; b) if more and more countries are defined as democratic, the question of what the implemented regimes labelled as democratic effectively are is more and more relevant and consequently the key question again seems to be: what is the democratic quality of those regimes?; c) if situations of uncertainty with regard to existing regimes are growing, that is, if there are a large number of so called hybrid regimes, the problem of looking behind the façade is still relevant and how to turn these regimes into democracies by improving their quality is once again very salient.

If we focus on the existing rich literature on democracies and democratizations, there are at least three main streams of literature: 1) for scholars who have been working on democratizations, consolidation and crisis included, the need to look behind the façade of established institutions meant addressing questions about the content and actual working of those institutions; 2) scholars of established democracies, especially those belonging to the Anglo-Saxon tradition, i.e. the UK, Canada, and Australia, conducted research on so-called democratic auditing; 3) a number of data banks, such as those of Polity IV, Freedom House, the Economist’s Intelligence Unit, the World Bank, and also the Bertelsmann Index, provide measures of aspects related to democratic performance and, more generally, to the quality of democracy.

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Contents

| | |
|--------------------------------------------------------|----|
| Introduction | 4 |
| Minimalist definition of democracy | 5 |
| The traditional institutional analysis: Lijphart | 6 |
| What is a quality democracy? | 7 |
| Procedures | 9 |
| Substantive dimensions..... | 18 |
| Outcomes | 21 |
| Conclusions..... | 26 |
| References..... | 26 |

Introduction

The assessment of a democratic regime is a classic topic in political science, which more recently has been attracting a lot of attention and reconsidered in different empirical perspectives. In fact, this issue has been reconsidered and reworded within empirical research as: “What is a good democracy?” or, better, “What is democratic quality?”.

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Here, I start from a definition of minimalist democracy; present the most successful classic, institutional analysis of democracy assessment conducted by Lijphart. Then, I disentangle the empirical and normative aspects of the topic by proposing a way of assessing democracy through its qualities, with its main possible indicators.

In the second part of the lecture a few examples of democracy will be shown by pointing out levels and characteristics of each dimension or specific quality.

Minimalist definition of democracy

The basic reasons why a minimalist definition is empirical helpful are three and can be explicitly stated: 1) it is essential for understanding when in a transitional process a regime turns into a minimalist democracy, or is close to doing so; 2) it helps to capture the complexities of a transitional period when a regime may already be democratic in some respects, but continues to remain authoritarian in others; 3) if properly expressed, it helps to trace more immediately the existence of a democracy in a country.

Here, we are interested, above all, in the third reason. In this perspective, the best minimalist definition is still the one inspired by Dahl several years ago [1971, esp. ch.1]: a regime should be considered democratic if it has at least the following: a) universal male and female suffrage; b) free, competitive, periodic and fair elections; c) more than one political party; d) different and alternative sources of information. Such a minimalist empirical definition has been considered as a procedural one (see, e.g. [Withehead, 2002, p. 10]). However, it must be noted that ultimately it considers genuine respect of at least civil and political rights to be essential, assuming that these rights exist if there is effective universal suffrage, the quintessential expression of political rights, that is, if the right to vote extends to the whole adult *demos*; if, as a consequence, there are free, fair and regular elections, an expression of the effective existence of freedom of speech and thought; if there is more than one genuinely competing political party, a manifestation of the existence of a real and practiced right of association; and if there are different sources of media information with different proprietors, proof of the existence of the above-mentioned freedoms. In other words, in this definition strictly procedural aspects such as competition and participation are actually complemented by an effective guarantee of freedoms where the substantive elements are also present (see also Part Three on this).

One important aspect of such a definition is that if just one of these features is absent or ceases to exist, the regime concerned would

no longer be a democracy but some other political-institutional arrangement, possibly an intermediate one characterized by differing degrees of uncertainty and ambiguity. Finally, it is again useful to stress that the minimalist definition must focus on the characteristic institutions of democracy — elections, competing political parties (at least potentially), media pluralism — thereby tying in with the definitions given above, such as those of Dahl and Schumpeter, and shifting the level of abstraction of those two definitions onto the more immediately empirical plane of the institutions that are indispensable for a democratic regime.

An important addition was made to this definition by Schmitter and Karl [1993, p. 45–46], who stress that democratic institutions, existing rights and also the decision-making process should *not* be constrained by either non-elected elites or external powers. When considered jointly, all six requested characteristics are clearly demanding, and the four adjectives attached to elections are particularly onerous. It is not easy to have “recurring, free, competitive and fair” elections, indeed in some democracies that have been consolidated for decades there are charges of corruption even today. Moreover, as Diamond [2002, p. 28] recalls, “often particularly difficult are judgments about whether elections have been free and fair, both in the ability of opposition parties and candidates to campaign and in the casting and counting of the votes. In other cases, the element of ‘more than one source of information’ is difficult to meet if we only make reference to TV broadcasts. Or in yet other countries a decision-making process not constrained by an army, which ironically can be formed by democratic officers — see the Turkish case — is difficult to achieve”.

The traditional institutional analysis: Lijphart

Lijphart [1984; 1999] has identified two models of democracy — majoritarian and consensus democracy — and a wide range of hypothetical cases, fitting existing democracies, in between. The two models are characterised by a number of dimensions that can be grouped together into two subsets: one relating to the executive branch and the political parties, and one relating to the unitary or federal character of the political system. The first subset includes: 1) composition of the cabinet: whether staffed by a single-party or a coalition;

2) relations between the executive and legislative branches: whether the executive dominates the legislature, or there is a balance between the two; 3) the number of parties and the features of the party system: two-party versus multi-party systems and the number of cleavages; 4) the electoral system: whether plurality or proportional; 5) relations between government institutions and interest groups: whether pluralist or neo-corporatist in nature. The second subset includes: 6) the dispersal of government power: unitary versus decentralised power; 7) the number and the diversity of parliamentary chambers: monocameralism versus weak or strong bicameralism; 8) a rigid versus a flexible constitution.

These dimensions can be used to advance the following propositions: there is democratic change from majoritarian to consensus democracy, or vice versa, when all or nearly all the relevant dimensions indicated above change in one direction or another; there is adjustment only when one or some of those dimensions change substantially (as explained below), but the democracy goes on being majoritarian or consensual; there is adjustment and shift (i.e. partial change) when some dimensions change and those move in the same direction, that is to say in a majoritarian or a consensus direction.

What is a quality democracy?

An analysis of the quality of a democracy, that is, an empirical check of how “good” a democracy is, requires not only that some definition of democracy (see [Morlino, 2011, ch. 2]) is assumed, but also that a clear notion of quality is established. A survey of the use of the term in the industrial and marketing sectors suggests three different meanings for quality.

1. Quality is defined by the established procedural aspects associated with each product. A ‘quality’ product is the result of an exact, controlled process carried out according to precise, recurring methods and timing; the emphasis is on the *procedure*.

2. Quality is contained in the structural characteristics of a product, be it the design, materials, or functioning of the good, or its other particulars; the emphasis is on the *content*.

3. The quality of a product or service is indirectly derived from customer satisfaction, their repeat request for the same product or service, regardless of how it is produced or its actual contents, or how

the consumer acquires the product or service. According to this definition, quality is simply based on *result*.

In summary, the three different notions of quality are grounded either in procedures, contents, or results. Each has different implications for empirical research. Importantly, even with all the adjustments demanded by the complexity of the “object” under examination — democracy — it is still necessary to keep these conceptualizations of quality in mind in the creation of definitions and models of democratic quality/ies. At this point, democratic *deepening*, a notion poorly developed in the literature, only means “the process of developing what in different normative perspectives are considered the qualities of a democracy”. The subsequent questions, thus, are: What are the most relevant normative notions of democracy? What are the procedural, content and result qualities in a democracy?

A quality democracy is a “good” democracy, that is, “a stable institutional structure that realizes the liberty and equality of citizens through the legitimate and correct functioning of its institutions and mechanisms” [Morlino, 2011, ch. 2]. This means that a good democracy is a broadly legitimated regime that completely satisfies citizens (*quality in terms of result*); is one in which the citizens, associations, and communities of which it is composed enjoy liberty and equality, even in different forms and degrees (*quality in terms of content*); and the citizens themselves have the power to check and evaluate whether the government pursues the objectives of liberty and equality according to the rule of law (*quality in terms of procedure*).

A different, but relevant definition is that proposed by Roberts [2010, p. 31]: “the quality of democracy is equivalent to the degree to which citizens control their rulers or alternatively the strength of linkages between citizens and policy makers”. Although such a definition makes a great deal of sense, it has two problems. First, it is not useful for building a tool that can be applied by experts with — or on behalf of — different normative positions as it gives an empirically narrow notion of democracy that is focused on policies; past research abundantly displayed how values and procedures by themselves have been considered important components of democracy (see the following section). In other words, one can produce multiple distinct empirical notions of democratic quality. Yet as a normative contested concept that is empirically translated, a more farsighted tool is needed to account for people with different normative positions. Second,

the notion of linkage or anchor is relevant, yet it is not present in this analysis of the processes of consolidation [Morlino, 2011, ch. 5]. If it is applied at this point, it causes conceptual confusion between two different, although possibly overlapping, phenomena.

Considering the above, eight possible *dimensions* or *qualities* on which democracies might vary should be at the core of the empirical analysis of the aforementioned normative notions of democracy. The first five dimensions are procedural, which although also relevant to content, mainly concern the rules. The first procedural quality is the *rule of law*. The second and third procedural qualities relate to two forms of *accountability* (*electoral* and *inter-institutional*). The fourth and fifth are the classic dimensions of *participation* and *competition*, which, however, have a special theoretical status (see below). The sixth refers to the *responsiveness* or correspondence of the system to the desires of citizens and civil society in general. The seventh and eighth dimensions are substantive in nature. These are the full respect for rights that are expanded through the achievement of a range of *freedoms* and the progressive implementation of greater political, social, and economic *equality*. These dimensions will be further detailed in separate sections below.

Procedures

The first procedural dimension encompasses decisional output and its application and is constituted by the rule of law. The second and third concern the relationship between input and output and regard the two accountabilities, i.e. electoral and inter-institutional accountability. Competition and participation are the other two key procedural qualities. A large body of literature, unable to be summarized here, exists on all these dimensions. In short, each dimension will be analysed with respect to three aspects: the empirical definition, the problems of implementation, and the central condition or conditions.

The *rule of law* is not only the enforcement of legal norms. It also connotes the principle of the supremacy of law, that is, the Ciceronian *legum servi sumus*. It minimally entails the capacity, even if limited, to make authorities respect the laws, and to have laws that are non-retroactive, of public knowledge, universal, stable, and unambiguous. These characteristics are fundamental for any civil order and a basic

requirement for democratic consolidation [Morlino, 1998]. In this vein the basic sub-dimensions of the rule of law include:

1) individual security and civil order; focus on the right on life, freedom from fear and torture, personal security and right to own property guaranteed and protected throughout the country;

2) independent judiciary and a modern justice system; focus on mechanisms establishing an independent, professional and efficient judiciary system that allows equal access to justice, which is free from undue pressures and in which decisions are enforced;

3) institutional and administrative capacity to formulate, implement and enforce the law; focus on the governance system (president, government, and parliament), capable of ensuring the production of high-quality legislation and its implementation throughout the country in a transparent policy making process that allows for the participation of civil society, and the presence of a professional, neutral, accountable and efficient state bureaucracy;

4) effective fight against corruption, illegality and abuse of power by state agencies; focus on the existence and implementation of a comprehensive legislative framework to prevent and fight corruption;

5) security forces that are respectful of citizen rights and are under civilian control; focus on the mechanisms of civilian control over security forces as well as on efficient, uncorrupted, disciplined police forces respectful of human and political rights.

In developing an analysis of these dimensions a number of particularly critical and more specific aspects can be identified, which include:

- individual security and civil order as outlined above at point 1;
- application *erga omnes* of the legal system, also at the supra-national level, which guarantees the rights and equality of citizens;
- absence, even at a local level, of areas dominated by organized crime;
- absence of corruption in the political, administrative and judicial spheres;
- existence of a local, centralized, civil bureaucracy that competently, efficiently and universally applies the laws and assumes responsibility in the event of an error;
- existence of an efficient police force that respects the rights and freedoms guaranteed by the law;
- equal, unhindered access of citizens to the justice system in cases of lawsuits between private citizens or between private citizens and public institutions;

- reasonably swift resolution of criminal inquiries and of civil and administrative lawsuits;
- complete independence from any political influence of the judiciary.

All of the above concern the efficient application of the law and the fair resolution of lawsuits within the legal system. Each can be evaluated through various indicators and the relevant data can be analysed on a case-by-case basis using both qualitative and quantitative techniques. The main characteristics and the degree to which the rule of law is respected can be determined for each indicator in a country.

It should be emphasized that the level of detail and thoroughness of an investigation is dependent on the quantity of cases addressed. Sub-dimensions that should remain in an analysis, even in a quantitative analysis involving many cases, include: the level of corruption based on all available data on the phenomenon; the access of citizens to the court system; and the duration of legal proceedings using the pertinent judiciary statistics. It is obvious, however, that this scarce number of indicators provides an incomplete portrayal of the phenomenon.

The analysis of the democratic rule of law in each country should be done carefully, observing trends that counter its full realization. It remains an essential factor of democratic quality, and plays a very important role for the existence and development of the other dimensions (see below). What then are the fundamental conditions that allow for at least a moderate development of the rule of law? Research on various dimensions of this theme suggest that the necessary conditions for the democratic rule of law are the dissemination of liberal and democratic values on both the popular and especially the elite level, as well as the existence of bureaucratic and legislative traditions and economic means necessary for the effective implementation of laws. However, these conditions only exist in few countries, and they are very difficult to create. Consequently, it is difficult to cultivate and enhance this dimension of democratic quality. The most reasonable and concrete strategy is to proceed in short, measured steps that follow the aforementioned lines and objectives.

In general, accountability is the obligation of elected political leaders to take responsibility for their political decisions when asked by citizen-electors or other constitutional bodies (see, among others, [Mainwaring, 2003, p. 7]). Schedler [1999, p. 17] suggests that ac-

accountability has three main features: information, justification and punishment/compensation. The first element, information on the political act or series of acts by a politician or political body (president, cabinet, government, parliament, etc.), is indispensable for attributing responsibility. Justification refers to the reasons furnished by the governing leaders for their actions and decisions. Punishment/compensation, the third feature, is the consequential action taken by the elector, other person or body following the evaluation of the information, justification and other aspects and interests behind the political action. All three of these elements require a public dimension characterized by pluralism, independence and the real participation of a range of individual and collective actors.

Accountability can be either electoral or inter-institutional. Electoral accountability is that which electors can demand from their elected official. In other words, it is that which the governed can request of a particular person or body in light of particular acts. Electoral accountability is of periodic nature; it is dependent on the various national, local, and if they exist, supra-national elections. The voter makes a decision and either rewards the incumbent candidate or slate of candidates with a favourable vote, or else punishes them by voting for another candidate, abstaining, or nullifying the ballot. The governor and the governed are involved in electoral accountability and thus are politically unequal. This dimension of democratic quality can become less irregular only through a consideration of the various electoral occasions at the local, national, and — for European citizens— supra-national levels. Continuity is also sustained when citizens can vote in referendums on issues regarding the activity of the central government.

Inter-institutional accountability is the responsibility governors have to other institutions or collective actors with the expertise and power to control the formers' behaviour. In contrast to electoral accountability, for the most part the actors are political equals. Inter-institutional accountability is relatively continuous, being formally or substantially formalized by law. In practice, it is usually manifest in the monitoring exercised by the opposition in parliament, by the various decisions and checks made by the court system, when functional, and by constitutional courts, state accounting offices, central banks, and other bodies of a similar purpose that exist in democracies. Political parties outside of representative institutions also exercise this kind of control, as do the media and other intermediary associations

such as unions, employers' associations and the like [O'Donnell, 1999; Schmitter, 1999]. Hence, this notion of inter-institutional accountability is not strictly legal. Societal accountability proposed by Smulovitz and Peruzzotti [2000, p. 147–58] is part of such a notion; although considering it an autonomous concept could add confusion to an empirical analysis.

Two additional considerations remain necessary. In the discussions of accountability, a spatial metaphor (i.e. vertical for electoral and horizontal for inter-institutional), is commonly used [O'Donnell, 1994; Morlino, 2004]. This author posits that neutral expressions (electoral and inter-institutional) are more appropriate since they avoid assumptions entailed in the metaphor. Differing from the vertical accountability, horizontal accountability implies a comparable power and authority among the different institutions. However, this is not the case, for example, when the executive branch and an independent authority such as the ombudsman are compared. Vertical accountability, moreover, implies an asymmetry of power between electors and elected representatives that effectively exists although not at the moment of elections.

Second, electoral accountability is based on two assumptions from the liberal tradition that highlights the interconnectedness and possible tensions among the aforementioned qualities. The first assumption is that if citizens are given the opportunity to evaluate a government's responsibility with reference to the satisfaction of their own needs and petitions, they are capable of doing so. The second related assumption is that citizens, either independently or as part of a group, are the only possible judges of their own needs. As they have a relatively accurate perception of their needs, no third party can decide these for them. It is a mistake to not acknowledge these assumptions as well as to consider them as a mere ideological choice.

Certain underlying conditions must exist to ensure that the two forms of accountability can be fully satisfied. For electoral accountability, political competition and the distribution of power must minimally be sufficiently fair to allow for genuine electoral alternatives at the various levels of government. Altman and Perez-Liñan's [2001] focus on competition and their development of an indicator to measure the "balanced presence of opposition in parliament"; the indicator has a negative value when the governing party numerically dominates the legislature or when the opposition is so strong that it poses problems for the government's decisional efficacy. The

absence of alternation and bi-polarism between two parties, or between party lines or coalitions, undermines the importance and force of electoral accountability. The presence of inter-institutional accountability hinges on a legal system that provides for the use of checks and balances by other independent public entities. Next, it is also necessary to have the magistracy and other public institutions that are independent of the executive and legislative branches and capable of concretely exercising the legally established checks. This form of accountability demands strong and well-established intermediary structures, such as parties and associations organizationally well-rooted and present in civil society; a responsible, vigilant political opposition; independent media conscious of its civil function; and a well-developed network of active, informed organizations and associations that hold democratic values. It is also essential that interested, educated, and informed citizens who have internalized the fundamental values of democracy remain involved in the political process. Furthermore, for one form of accountability to exist to any effective degree, the other must also be present, thereby reinforcing one another.

As research reveals [Diamond, Morlino, 2005], participation and competition are qualities that can affect all other dimensions. Participation can be defined as the entire set of behaviours, be they conventional or unconventional, legal or borderline vis-à-vis legality, that allows women and men, as individuals or a group, to create, revive or strengthen group identification or to try to influence the recruitment of, and decisions by, political authorities (the representative and/or governmental ones) in order to maintain or change the allocation of existing values.

The two basic goals of participation are to achieve or strengthen an identity or to satisfy a specific interest. That is, participation means to be a “part”, to revive or to affirm a sense of belonging or identification with a group of a different sort (identity participation) and to aim to achieve a particular goal (instrumental participation). A third aspect is the manner in which participation makes citizens more informed and involved by also developing their civic attitudes and facilitating communication and social relationships [Elster, 1997; Pettit, 1997]. Through participation, citizens become more aware of their rights and duties and develop more structured, conscious political opinions. These aspects aid in the development of more effective political behaviour [Verba, Brady, Scholzman, 1995].

From an empirical perspective, there are various forms of conventional participation and these include, for example, involvement in electoral campaigns, involvement in partisan and other associational activities, personal contacts with politicians and collective forms of action. There are also several forms of non-conventional participation, such as strikes, demonstrations, riots, among others, and some of which also imply violence [Barnes, Kaase, 1979]. Although it is obvious that an analysis of participation should also distinguish these actions, it should be considered the manner in which violent, radical participation is against the law and generates distinct types of reactions. That is, eventually it should be accepted that only moderate participation is a quality whereas radical and violent participation is important yet not acceptable due to its potential for conflictive, more radicalizing, and violent consequences. Additionally, the complete panorama also includes political parties, interest groups, movements that are at the core of democratic action in several countries and generate different consequences, which are unable to be analysed here. Political elites have ample opportunities to create favourable circumstances and incentives for participation. Leaders often seek compliant, supportive participation; and as part of this, clientelism and similar arrangements can help in new democracies, not only in old ones that have experienced the phenomenon.

Forms of participation regarding policies and deliberative democracy have developed more recently in some countries; when these are present, they should also be considered. The reasons for this type of development primarily include: globalization and sheer imitation, technological innovation, growth of citizen education, but also changes in public bureaucracy, decentralization, and the search for new manners of legitimation by politicians or to obtain additional resources.

A basic condition for widespread participation in a good democracy is extensive basic education and literacy, and alongside it political knowledge of governmental institutions and their procedures, rules, issues, parties, and leaders. Cultural attitudes, which value participation and equal worth and dignity of all citizens, are supporting conditions that should not be overlooked. These attitudes entail tolerance of political and social differences, and thus acceptance by all individuals and organized groups of the right of others (including their adversaries) to participate equally within the confines of the law. As shown in the abundant literature (see especially [Putnam, 1993; 2000]), these conditions and attitudes are present when there also is

so-called social capital, characterized by a context in which individual, social, and associational relationships where cooperation exists and when “bowling alone” is a rare. Finally, it should be reiterated that extensive participation also requires the rule of law that defends the right and ability of weaker social groups to full participation [Diamond, Morlino, 2005, p. XVI–XVII].

Competition is the second “engine”, which can develop other qualities, in addition to being considered a “quality” in its own right. This exists when more than one political actor is involved in political decision-making processes. As is well known, the very notion of competition has different facets. There is competition within the party system, within parties, as well as within different interest groups in distinct intercommunicating arenas. The relationship between competition and democracy, which has been a central issue in democratic theory (see, e.g. [Schumpeter, 1942: 1964; Downs, 1957; Sartori, 1957; 1987]), requires explanation. To summarize: if political competition exists, so does democracy. However, the opposite is not always true. In some cases, democracy can exist without competition, as in the cases that Lijphart [1968; 1999] labels as “consociational” or “consensual” as opposed to majoritarian democracies. If the basic notion of competition is that of peaceful, non-threatening interaction among individuals and groups with the purpose of allocating a recognized value that is repeatedly at stake [Bartolini, 1999; 2000], the possibility of competition and the legally unconstrained choice of accommodation and consensus show how competition can be set aside and democracy maintained. This point is more noticeable when looking at the more competitive development of Dutch or other typically consensual democracies. At the same time, this postulate demonstrates how rule of law and freedom are also conditions of competition, not conditioned by it.

The main salient empirical sub-dimensions are on the input and output sides. At the level of input, the relevant competition is that among political actors, characterized by freedom for all political parties to compete with each other and complemented by the fairness of political competition. This level implies that there are few parties and established “rules of the game”, which make the competition possible within a politically free and fair context; that is, there is contestability. Higher, effective electoral competition exists in case of higher electoral volatility, yet this aspect overlaps with electoral accountability.

On the output level of the political process, alternative patterns in the formation of governments and different potential choices among policy alternatives exist. Within parliamentary institutional arrangements the competition to form the cabinet and even the competition inside the cabinet, if it is based on a coalitional, is a key aspect of democratic process. Due attention to (partial or total) alternation of incumbent actors as well as to the cabinet duration and reshufflings merits attention. In case of presidential or semi-presidential regimes, despite their differences, the composition of cabinet and parties and political groups represented remain important. This implies the possibility of incumbent elite turnover, as well as the possibility to distinguish between political proposals and programmes during the electoral campaign and sometimes beyond.

The occurrences between societal actors, especially interest groups, and between political and societal actors should also be taken into account when analysing competition. This in and of itself is an extremely broad field of analysis entailing different channels of representation (in addition to electoral, functional, and even the plebiscitary channels); relationships among organizations active in those channels; and especially the relationships between parties and unions, entrepreneurial organizations or other organizations [Morlino, 1991, p. 447].

The legal and constitutional order, which is the rule of law complemented by a working inter-institutional accountability, is one of the conditions for vigorous competition. Political party and campaign financing in contemporary democracies is such an important foundation of electoral viability that it is difficult for challenging parties and candidates to compete effectively without some fair and minimum standard in this regard. While there is considerable scepticism regarding the efficacy of laws that limit campaign spending—in part because of the ease with which they are evaded in new and old democracies alike—some floor of public funding for significant parties and strict requirements for the full and rapid reporting of all contributions to parties and campaigns seem to promote greater electoral fairness and competitiveness [Pinto-Duschinsky, 2002]. In addition, it is hardly necessary to iterate how the different aspects of electoral systems such as electoral formula, size of electoral districts, thresholds for allocation of seats and structure of the ballot affect the results of electoral competition. Those results also depend on fairness in access to the mass media, pluralism in media ownership, some disper-

sion of economic resources in society, and the enforcement of political rights by an independent judiciary. There is also an important linkage with horizontal accountability because the most important institutional guarantee of freedom and fairness (and hence competition) in elections is an independent and authoritative electoral commission [Pastor, 1999]. Finally, the existence of rules that make the competition stronger and demanding is a typically recurrent manner of strengthening both poles of conflictive actors; in this perspective, it is again a recurrent way of shaping, if not subverting, competition.

Substantive dimensions

Freedom and equality are the two main democratic values, and they are plainly central to a number of normative definitions of democracy [Morlino, 2011, ch. 2]. For the most part, those values can be empirically translated into a set of political and civil rights for freedom and social rights for equality/solidarity.

Political rights include the right to vote, the right for political leaders to compete for electoral support, and the right to be elected to public office (passive electorate). But in a good democracy, the political right *par excellence*, that is, the right to vote, can be strengthened and extended if the electoral mechanisms allow the voter the possibility/right to elect the government either directly (elections for head of state or prime minister who also holds office as head of government), or else *de facto* (when the leader of the winning party or coalition in a bi-polar context is elected prime minister). An more intense version of this right is achieved when citizens can influence or choose the electoral candidates in intra-party or primary elections. The extension of political citizenship to adult residents in a given territory so that immigrants can also participate in this part of the political process remains a problem to be resolved.

Essential civil rights include personal liberty, right to legal defence, right to privacy, freedom to choose one's place of residence, freedom of movement and residence, right to expatriate or emigrate, freedom and secrecy of correspondence, freedom of thought and expression, right to an education, right to information and a free press, and freedoms of assembly, association and organization, including political organizations unrelated to trade unions. In addition, the so-called civil-economic rights should also be mentioned within the broader category of civil rights. Elaborated by Giddens [1984], these

include not only the rights to private property and entrepreneurship, obviously constrained within the social limits established in law, but also rights associated with employment and related to the manner how the work is carried out, right to fair pay and time off, and right to collective bargaining.

As the overwhelming majority of democratic legal systems have established this set of civil rights, two primary dimensions appear to be important for a good democracy. The first pertains to the capacity to augment the legacy of rights enjoyed by citizens without limiting or damaging others. The second concerns the actual procedures by which these rights are granted to all residents in a certain area. The latter returns to the issue of efficiency raised in the discussion on the rule of law. As previously stated, the right to a legal defence, for example, entails the right to due process, a speedy trial and legal assistance regardless of one's economic means. Although the overlapping of such rights appears disordered and less than elegant from a theoretical perspective, this overlap is inevitable when demonstrating the manner in which rights and freedoms are the "content" of democracy and important in their own right. Thus, the overlapping between rights and the rule of law can be clarified when it is recalled that the actual implementation of existing rights is only possible when the majority of the sub-dimensions of rule of law (see above) are effectively functional.

The main social rights of a democratic polity include the right to health or to mental and physical well-being; the right to assistance and social security; the right to work; the right to human dignity; the right to strike; the right to study; the right to healthy surroundings, and, more generally, to the environment and to the protection of the environment; and the right to housing. Although, scarce variation exists regarding these rights from country to country, full compliance with these rights is an obstacle in all countries and versus political or civil rights, these have greater potential for improvement.

The costs that these rights, particularly social rights, entail for the community is the greatest problem associated with these three kinds of rights. Consequently, there have been attempts to redesign policies that support social rights in a way to alleviate their economic burden. However, it is understood that a broad application of social rights is the best available means to diminish inequality.

Despite this, democratic countries demonstrate serious deficiencies with regard to social rights, which are often more precarious

than civil or political rights. Therefore, the main prerequisites for the further consolidation of social rights (beyond political will) entail sufficient societal affluence to obtain the means for implementing cohesive policies for less affluent individuals, and concurrently unified and organized unions that represent a broad range of employees and are capable of obtaining the recognition and eventual expansion of these rights [Rueschemeyer, Huber-Stephens, Stephens, 1992].

The implementation of equality, if possible, is closer to utopian objectives and is not always advocated by all supporters of democracy. In this sense, at least two phases in the affirmation of this value are distinguishable. The first is widely accepted and concerns formal equality. It infers both equality before the law, and the prohibition of discrimination on the basis of sex, race, language, religion, opinions, and social and personal conditions.

The second is more problematic and pertains to the pursuit of substantive equality. It concerns the lifting of barriers that limit social and economic equality, and therefore “the full development of the human person and the effective participation of all workers in the political, economic, and social organization of a country”.

All of the rights that specify how to implement freedom and equality in a democratic society are now inserted in the constitutional charters of a number of countries. Furthermore, the European Union’s Charter of Fundamental Rights, attached to the Treaty of Nice (December 2000) and the annex to the European Union Treaty of Lisbon (2009), clearly specifies all of the aspects of dignity, freedom, equality, solidarity, citizenship, and justice. These are still referable to the two substantive dimensions of equality previously discussed. The problem, therefore, is not understanding or defining these values. They are now embedded in the legal cultures of many countries throughout greater Europe and could easily be exported to many non-European countries at least at the level of knowledge. Rather, the level of implementation is a problem. If there were a perfect, complete implementation of the rule of law at the European level, and if other countries completely absorbed the European Charter into their own legal systems and also completely recognized the rule of law, liberty and equality would be possible. The fundamental problem, however, stems from the fact that two important pre-conditions still do not exist. First of all, full, diffuse, effective legitimacy of the concrete means for implementing the two democratic values do not exist at the mass level or at the level of political elites. Second, the

economic and administrative means for implementing these values remain inadequate.

In this sense, it is necessary to emphasize the manner in which the problem of legitimacy is salient. In terms of democratic consolidation, legitimacy concerns the acceptance and support of democratic rules and institutions [Morlino, 1998]. In terms of responsiveness (see below), legitimacy is associated with the presence of attitudes and behaviours that confirm satisfaction with existing democracy. For the substantive dimensions of democratic quality, legitimacy connotes broad support for a regime that implements the aforementioned values. In effect, this happens extremely rarely in European countries since the aspect of efficiency or even of accountability is deeply entrenched in the various conceptualizations of democracy. Yet, in the best of cases, an affirmation of freedom that is limited only to basic rights, and an affirmation of equality that incorporates only the most important social rights exist. In this sense, the concrete assurance of these values meets with resistance and opposition for reasons unrelated to economic constraints that many people consider completely justifiable. Thus, the explanation for the dissemination of these political conceptions, which largely or partially mute equality, can easily be traced back to the cultural traditions of a country as well as individual choices.

At this point, the relationship between the procedural outcomes and the substantive dimensions of quality democracy should be sufficiently apparent. It bears reiteration that the affirmation of democratic values emerges through their transformation into formalized rules, institutions, or at least routines or recurring patterns, which then become elements of the legal system and of the rule of law. Yet, the assessment of accountability is based on the values of those who undertake the assessment; the related political decisions can — and should — be assessed in relation to how successfully they implement those beliefs. The substantive dimensions would not make sense without the procedural dimensions, as is a well-known principle of democratic regimes. However, for the overall quality of a democracy, substantive dimensions are more important than procedural dimensions.

Outcomes

In analyzing democratic quality, it is fairly common to refer to the *responsiveness* of government, that is, the capacity of government of satisfying the governed by implementing its policies in a way that

corresponds to their demands. This dimension is analytically related to accountability. Indeed, judgments on responsibility imply that there is some awareness of the actual demands, and that the evaluation of a government's response is related to how its actions either conform to or diverge from the interests of its electors. Despite the tensions between them, responsiveness, therefore, must be addressed in connection with accountability. In fact, these tensions stem from the possible conflict between the assessment by the people elected regarding their decisions implemented and their related responsibility, and the responsiveness of these people elected to the needs of the electors. In the Western constitutional tradition the attempt to overcome that tension is done by giving to the people elected the possibility of evaluating the public good and at the same time of isolating themselves from specific groups' particular needs. In its turn the behaviour of the people elected is controlled through checks and balances established in liberal democratic constitutions, i.e. through inter-institutional accountability.

Responsiveness is not particularly difficult to define. Eulau and Karps [1977] have demonstrated the manner in which responsiveness is a way to observe representation "in action". They also show the manifestation of this dimension through four main components in relation to: policies at the centre of public interest; services that are guaranteed to the individuals and groups represented by the government; distribution of material goods to their constituents through public administration and other entities; and the extension of symbolic goods that create, reinforce or reproduce a sense of loyalty and support towards the government.

As stressed by the overview proposed by Roberts [2010, ch. 5], the empirical analysis of responsiveness is more complicated. The idea that even educated, informed and politically engaged citizens always know their own needs and desires is at best an assumption (see above), is especially tenuous in situations where citizens might need specialized knowledge to accurately identify and evaluate those very needs and desires. However, simplified, though still satisfactory solutions, are still in order. Empirical measures of citizen satisfaction can readily be found in the many surveys that have been regularly conducted for several years, especially in Western Europe, but also, as of late, in Latin America, Eastern Europe, and other countries around the world. Some scholars have also indirectly obtained a second measure of responsiveness by measuring the distance between those who

govern and the governed for certain policies, and not just in terms of left/right divisions (see, e.g. [Lijphart, 1999, p. 286–288]).

Perhaps the most effective method for assessing responsiveness is to examine the legitimacy of government, that is, citizens' perception of responsiveness, rather than the reality. In a somewhat different tone, this is related to the previously discussed fundamental process of democratic consolidation [Morlino, 1998]. In fact, certain dynamics that opened the door to democratic consolidation in many countries, such as uncritical acceptance of the institutions in place, simple obedience for a lack of better alternatives, or negative memories of the past are no longer relevant in terms of measuring legitimacy, and might even be interpreted as delegitimizing factors. Here, the core aspect is that the support for democratic institutions, and the belief that these institutions are the only real guarantors of freedom and equality, is diffuse at every social level from the most restricted elite to the general masses. The dissemination of attitudes favourable to existing democratic institutions and the approval of their activities would suggest satisfaction and, indirectly, that civil society perceives a certain level of responsiveness. In contexts characterized by high legitimacy, a full range of interests and forms of political participation should also be observable.

However, analyses of this type bring to light a number of problems and limitations. The end of the twentieth century was accompanied by various challenges to legitimacy. These challenges prompted Kaase and Newton [1995, p. 150ss] to speak of the “crisis of democracy”, for example, with particular reference to citizen disenchantment with political parties, the emergence of anti-party attitudes, and the growing incidence of more general dissatisfaction and anti-establishment attitudes. In their analysis, Pharr and Putnam [2000] do not hesitate to use the term “dissatisfied democracy”, and they, together with Dalton [2000, p. 25], emphasize the decline of “the capacity of political actors to act according to the interests and desires of citizens”, that in this analysis indicates a decline in responsiveness. On the whole, these three authors see a decline of confidence in public institutions. Newton and Norris [2000] second this impression, with specific reference to parliament, the legal system, the armed and police forces, and public administration. In her analysis of corruption Della Porta [2000] also notes this growing lack of confidence in government, the scanty application of law and, more related to this author's perspective, the resulting inadequate responsiveness. Moreover, here one also sees the connection between the rule of law — or

rather the absence of its guaranteed application — and the incapacity of governments to respond to the demands of their citizens, for whom the guarantee of law takes precedence over other needs or preferences.

There are at least two orders of objective limits on responsiveness. First of all, elected leaders do not always seek to understand and respond to citizens' perceptions and positions. As discussed above, at times they work instead to maximize their own autonomy and influence citizens' perceptions and understandings of what constitute the most important issues. Politicians take advantage of the complexity of problems, and, evidently, of the shifts in political priority that occur over the course of a single legislature — a period that usually spans four or five years.

The second order of limits is shaped by the resources a government has at its disposition to respond to the needs of its populace. Limited resources and economic constraints on public spending affect the responsiveness of even the wealthiest countries. For example, if a certain population that already enjoys an upward trend in its average living standards demands better pensions and other improvements, a government burdened with budgetary limitations cannot possibly act on their behalf. Likewise, the persistent problems posed by unemployment and immigration are also illustrative of the near impossibility of finding generally satisfactory, legitimate, and responsive solutions in contemporary democracies. Indeed, the situation is increasingly characterized by discontent, dissatisfaction, fear of poverty, and general democratic malaise. Such conditions contribute to a de-legitimization of democratic systems and encourage the type of populism.

Table 1. Dimensions, Sub-dimensions, Indicators of Democratic Qualities

| Dimensions | Sub-dimensions | Indicators |
|--------------------|-----------------------------------------------------|---------------------------------|
| Rule of Law | 1. Individual Security and Civil Order | Physical Integrity Rights Index |
| | 2. Independent Judiciary | Independence of the Judiciary |
| | 3. Institutional and Administrative Capacity | Bureaucracy Quality |
| | 4. Presence of Corruption | Control of Corruption |

| Dimensions | Sub-dimensions | Indicators |
|---------------------------------------|-----------------------------------------------------|-----------------------------------------------------|
| Electoral Accountability | 1. Free, Fair and Recurrent Elections | Electoral Process |
| | 2. Freedom of Party Organization | Freedom of Assembly and Association |
| | 3. Clarity of Responsibility | Effective Number of Electoral Parties in Office |
| Inter-Institute Accountability | 1. Legislative-Executive Relations | Executive Constraint |
| | 2. Constitutional Court | Const. Court Rules on Legislative & Exec Actions |
| | 3. Plural and Independent Information | Freedom of the Press |
| Participation | 1. Opportunities for Participation | Political Pluralism and Participation |
| | 2. Election Turnout | Voter Turnout |
| | 3. Party Membership | Party Membership |
| | 4. Social Participation | Associational Membership |
| | 5. Non-Institutional Political Participation | Demonstrations, Petitions |
| | 4. Illegal Political Participation | Unofficial Strikes, Occup. Buildings |
| Competition | 1. Competition among Actors | Competition |
| | 2. Opposition Strength | Effective Number of Political Parties in Opposition |
| | 3. Conditions for Competition | Equal Access to Funding |
| Freedom | 1. Personal Dignity | Personal Autonomy and Individual Rights |
| | 2. Civil Rights | Empowerment Rights Index |
| | 3. Political Rights | Political Rights |
| Equality and Solidarity | 1. Distribution of Resources | Gini Index |
| | 2. Existence of Economic Discrimination | Women's Economic Rights |

Table 1 (end)

| Dimensions | Sub-dimensions | Indicators |
|-----------------------|------------------------------------------------|--------------------------|
| | 3. Social, Security and Cultural Rights | Welfare State Spending |
| Responsiveness | 1. Government Performance | Government Effectiveness |
| | 2. Perceived Satisfaction | Perceived Legitimacy |

Conclusions

There are a number of reasons to discuss and reflect on the ways how a political regime should be assessed to check if that regime can be considered a democracy. The first and the most obvious one is related to the legitimacy that a regime defined as a democracy can achieve in the views of their citizens. Of course, this can also be done through mass survey analysis. But the methods that are suggested here carry the asset of avoiding the traps of perception and the possible manipulation of it.

There is a second important reason: policies of democracy development are more or less effective and should have different contents in relationships with the fact the regime is an authoritarian regime, a hybrid regime, a minimalist democracy, or is an advanced established democracy. In fact, different policies have a different impact in different context.

What has been discussed here is the contemporary picture when this issue is considered. Of course, a few possible examples might better show how effective and helpful the methods are. On this Lijphart (esp. [1999]) in some of his most recent book discusses a number of European examples and I do the same in my “Changes for Democracy” (2013).

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