

RETHINKING DEMOCRACY

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WORKING GROUP 3

“Resilient Democracies, Resilient Institutions”

Position Paper

By Richard Youngs

Senior Fellow, Democracy, Conflict and Governance, Carnegie Europe



Introduction

This working group was asked to deliberate on the resilience of democracies and democratic institutions. This is potentially an extremely broad ranging topic, covering dozens of issues related to democratic decay and reforms needed to democratic practice. In this document we offer a selective focus on democratic challenges that have become especially serious and urgent in the wake of the Covid-19 pandemic.

In the years preceding the Covid-19 crisis, democracy was in fragile health. While the picture was far from uniform and democracy's troubles often exaggerated, the democratic mood music was generally somber in the 2010s. Since the beginning of 2020, the pandemic has placed additional strains on democratic institutions and practices. It has also intensified efforts at many levels to improve and defend democracy. The Covid-19 experience has sharpened debates about democracy's future worldwide.

In reflecting on these debates, this paper does three things. First, it assesses how resilient democracy has been in the Covid-19 emergency. Second, it examines the effect the pandemic has had on the pre-existing trends in democratic politics. And third, it suggests ways in which the Covid-19 crisis both requires and possibly opens the door to democratic rejuvenation.

Our focus here is not specifically on emergency measures as such. These are the subject matter of the Global Commission on Democracy and Emergencies, convened by the Club de Madrid over the past year, and supported by International IDEA, OXFAM and Edelman as knowledge partners. That commission has generated ideas to strengthen the ability of democratic institutions to function during emergencies, protect fundamental rights within emergency responses, deliver emergency services to all citizens and uphold citizens' trust in democracy. Its deliberations have addressed oversight mechanisms during emergencies, Covid-19-related disinformation, and leadership requirements in emergencies. This working group 3 has a wider remit: the paper does not attempt a general all-inclusive analysis of democracy but considers how Covid-19 plays into ongoing debates about democracy.

How resilient has democracy been?

In order to offer well-grounded recommendations, it is necessary to examine exactly what we have learned from different political responses to Covid-19. Democracy has proven resilient in some countries, less so in others - resilience being understood as political systems' ability to absorb and weather the effects of crisis and recover from them. It is vital that the right lessons are drawn from well-performing democracies and understand what has helped make both their formal institutions and wider democratic culture resilient. Conversely, it is important to isolate the precise reasons for shortfalls in democratic resilience in other cases.

When the pandemic hit in early 2020, fears quickly took root that it could severely test democracy's resilience. The early phase of the pandemic was dominated by concerns that governments' emergency measures would leave democratic rights and institutional checks worryingly depleted. As the crisis has unfolded and many governments' measures moved

through several phases of response, the effect on democracy has perhaps not been as dramatic across the board as many initially feared might be the case. Indices show that the level of democracy worldwide has declined but at a similar rate to declines registered in years prior to the pandemic.

Data from the Varieties of Democracy institute show this pattern. As of July 2021, only 13 states out of the 144 countries measured had recorded no rights violations at all. Most democracies recorded minor or moderate violations – of the 30 countries experiencing only minor infringements, 22 were democracies. 35 democracies saw either moderate or major violations. Of the 44 states that suffered major violations, 30 were autocracies. Overall, non-democratic or partially democratic states experienced more serious infringements in political rights, although many democracies suffered worryingly far-reaching restrictions too. The situation has improved over time: for the second quarter of 2021, 83 states saw either no or only minor violations, compared to 48 for the same period in 2020.¹

A general dynamic is that democracies and semi-democracies that were already suffering major democratic erosion have seen that negative trend deepen, while in states with higher quality democracy the effects have been more subtle. Some of these more subtle effects may not show up fully on index measurements. Latin America provides examples of governments using pandemic restrictions to undermine the position of civic leaders as in Colombia, introduce uncertainty over elections as in Bolivia or tighten informal, de facto control over intermediary public bodies as in El Salvador.

Lying behind Covid-19's menace to democratic resilience, three quite distinct dynamics are evident. One is that of governments using restrictive legal or emergency measures in their genuine attempts to mitigate the Covid-19 emergency, laying aside democratic rights within the limits of the law. Another is that of governments taking advantage of the virus using emergency measures in disingenuous fashion to tighten their own hold on power and hollow out democratic checks-and-balances. And finally is the wider challenge of Covid's ravages rendering more difficult the effective exercise of democratic rights and functioning of formal democratic institutions.

At the international level, a widespread concern is that some democracies' clear mismanagement of the crisis has left a dent in global dynamics supportive of democratic norms. The fact that China has provided far more vaccines to developing states than Western countries could be undermining democracy's global appeal.

On the positive side of the equation, resilience has come from different sources. In many democracies, courts and parliaments have pushed back against executives' use of emergency measures and watered them down. In around a dozen EU states, governments have been pushed into introducing measures to boost judges' independence in 2021. In some cases, courts have even forced governments to retract measures of genuine utility in fighting the virus, like some quarantine and testing rules. Surveys suggest that citizens' distrust in democratic governments has evolved in very different ways across different countries due to Covid-19.²

¹ V-Dem, *Pandemic Backsliding*, July 2021 Brief.

² Edelman Trust Barometer 2021, <https://www.edelman.com/trust/2021-trust-barometer>

Indeed, in some ways, citizens' skepticism has kept a healthy critical pressure on government and helped improve authorities' Covid-19 strategies. Democratic protests and activism have proven robust since early 2020; indeed, protest intensity has actually increased and has in many cases focused on calls for democratic reform. Far from displacing democracy protests, the Covid-19 pandemic has in some countries added to the demands of protestors and intensified pressure for democratic change. In addition to protest, Covid-19 created an opportunity for greater democratic innovation by governments and citizens working together. Most major cities, for example, have either widened existing or created new participative platforms to engage local populations in Covid-19 recovery plans.

Impacts on broader democratic erosion

A crucial issue is how these Covid-19-related developments interact with the broader trends in global democracy that predated the pandemic. Looking towards the recovery phase, it will be important to identify precisely what kinds of additional strains Covid-19 has placed on democracy and where it has added particularly acute risks to democratic resilience – and conversely where it has perhaps begun to mitigate some of these wider strains.

While Covid-19 has dominated virtually all political debate since early 2020, it is only one factor among many that are reshaping democracy worldwide. Democracy stands challenged in significant ways well beyond the pandemic's impact – and democratic institutions must be prepared for other kinds of crisis and emergency likely to emerge in the future. A range of underlying concerns persists and some of these longer-standing trends have worsened in 2020 and 2021. Trends are not one-directional: positive developments have also unfolded separate from Covid-19. Democracy might be seen as an always-evolving set of practices, rather than a static concept in need of preserving from imminent redundancy. The picture is complex, as Covid-19 factors and other political dynamics have increasingly intertwined with each other, meaning it is often difficult to isolate Covid-19's impact on a particular political development.

With these caveats and nuances in mind, a number of pertinent concerns are of particular note to this working group:

Governability. Concerns have been mounting from years over democracies' ability to provide effective governance. This is a key source of concerns about institutional resilience. In many democracies, parties have struggled to form stable governing coalitions. Decision-making efficiency and responsiveness have declined. Parties seem less willing or able to compromise around practical problem-solving agendas and this is one element of the much-discussed widening of political polarization. Crucially, this has been a source of much societal consternation during the pandemic to the extent that democracies' basic decision-making effectiveness has in many countries left much to be desired. And in turn, Covid-19 has itself intensified these same problems of governability.

Civil liberties and civic space. Restrictions on civil society organizations are worsening in many democracies. This reflects a trend that has been present and gathering greater force for at least

a decade. Well over a hundred governments – including most democratic ones - have enacted some kind of constrictions on civil society organizations. Some newer restrictions are related to Covid-19, or at least governments justify them by reference to the health emergency. Other restrictions reflect other issues or are justified in other terms, like security. Restrictions on civil liberties is the main source of the declining democracy scores of democratic states; this is a problem both driven by and far wider than Covid-19.

CIVICUS's 2021 State of Civil Society Report shows deepening problems especially in authoritarian states but in democracies too. The CIVICUS Monitor, a participatory research platform that measures civic space globally, uncovers rising concerns over state surveillance, an increase in the coercive capacities of law enforcement agencies to enforce lockdowns and restrictions on human rights defenders and organizations uncovering grave human rights violations and high levels corruption. Those seeking to protect the rights of the politically, economically or socially excluded particularly in remote locations have been most at risk.³

Populism. Some populist parties have lost appeal during Covid-19 but many retain significant levels of support and a few have even gained ground. Perhaps most significantly, populism may be shifting shape. In some democracies, populist-style groups are fashioning an agenda around opposition to government intrusion and moving away somewhat from such an overwhelming focus on migration. Different strains of populism seem to be forming: some illiberal leaders have used top-down powers to speed up vaccines and bear down on new variants, whereas others have used the pandemic to advance a more libertarian agenda against state powers. In some regions like Latin America populists may gain from a focus on Covid-19's accentuation of inequalities, while in other regions like North America or Europe they tap into more of an anti-state feeling. These diverse trends in populism have different implications for democracy and will require different kinds of counterstrategies.

Participation. For around two decades, many party memberships and electoral turnouts have been suffered serious declines. At the same time, citizens have participated in higher numbers in other forms of democratic engagement. The pandemic reinforced the need for engagement by highlighting the importance of connections and trust in society: whether people are engaged with one another and with their institutions affects their willingness to wear masks, follow safe distancing practices and get vaccines. Many people sought out engagement with one another in order to retain their connections and help each other with day-to-day needs during the crisis. In parallel, mass protests have increased in number around the world; not all such mobilizations are about democracy or even necessarily favourable for democratic reform, but a large number of them have been.

More structured forms of deliberative participation, like citizen assemblies, have also gained support. Even as experts were called upon for their advice during the pandemic, Covid-19 has given a further boost to both protest activity and organized participative experiments. In particular, the pandemic has inspired digital democratic innovations, as Covid-19 disrupted existing patterns of engagement and forced public officials, their staff, and citizens to adapt to a world where face-to-face meetings were impossible. This has spurred newer democratic

³ <https://civicus.org/state-of-civil-society-report-2021/> <https://monitor.civicus.org/COVID19May2021/>

innovations to serve the pandemic's most pressing needs: generating verified information and reliable data; mobilizing resources, skills, and knowledge to address the health emergency; connecting volunteers and service organizations with people who needed help; and implementing and monitoring public policies and actions.⁴

Disinformation. Few issues have received more attention over the last decade than the rise of disinformation and a wider set of pernicious digital practices that distort basic principles like truthfulness and access to reliable information. The relationship between disinformation and democracy is complex. One risk lies in the way that disinformation itself makes it harder for citizens to exercise high quality democratic rights. But an equally real danger has arisen of governments' counter-disinformation strategies also infringing core freedoms and rights. Many democratic governments have in recent years introduced laws to regulate online activity more strictly, taking aim at both external government-sponsored influence operations and the social platforms. Yet many of the same governments have also used digital means to empower themselves, narrow democratic freedoms and increase surveillance. Covid-19 turbo-charged the prevalence of disinformation and demonstrated even more clearly the damaging effects it can have.

International dynamics. International efforts to defend and extend democratic norms appears to have waned over the last decade. Some international cooperation has certainly taken place in defence of democratic breakthroughs, for example in Ukraine or in development-aid commitments around the Social Development Goals. But, overall a more realpolitik tone has become apparent in international relations. Most democracies have given priority to their economic and security interests. Again, the international dimensions of Covid-19 have accentuated this set of challenges: China's provision of vaccines around the world and its assertive Covid-19-related diplomacy have added a further dimension to sharpened geopolitical rivalries across the world. Western governments' refusal to allow in those with Chinese vaccinations damages the image of the democratic world in the eyes of many citizens around the world. As Covid-19's affects were becoming stronger, in mid-2021 events in Afghanistan quite separately added further doubts to the future of the international democracy support agenda.

Priorities for democratic renovation

Many different levels of reform are needed to improve the vitality and resilience of democratic institutions and practices. This paper cannot cover all of these, so it rather focuses on a few select areas where the Covid-19 experience has had a major impact on pre-existing democracy agendas – either by aggravating already-present challenges or opening new opportunities for positive change. We focus here on issues that flow directly out of the Covi-19d experience, while also reflecting wider issues that have been accentuated by the pandemic – that is, those issues identified in the previous section above. This is not an exhaustive list of everything needed to make democracies more resilient and responsive, but a select number of areas where action and reform are now especially pressing.

⁴ T. Pogrebinschi, 2021, *30 Years of Democratic Innovation in Latin America*, Berlin, WZB

Democratic crisis readiness. While this working group was not concerned directly with emergency measures (for which, see the [CdM Global Commission on Democracy and Emergencies](#)) there are underlying reforms that would help democracies deal more effectively in the future with such serious events. States need updated emergency measures that include better accountability mechanisms and will in the future allow effective government crisis responses but also with societal involvement and oversight.

Channels of civic involvement should be fostered in a way that helps ensure early-warning signals find more timely response from state authorities. New emergency measures should guarantee better access to information in future crises as a means of underpinning the legitimacy and resilience of state institutions. They should ensure minorities are fully involved – as one example of why this is important, indigenous communities in Latin America and elsewhere have been largely excluded and this has complicated Covid-19 management in 2020 and 2021. Future crisis responses need to be more participative and also include groups that are more fully inclusive and representative of their societies.

Democratic civics. The pandemic has revealed the need for stronger and more dense networks of civic organization to underpin democratic resilience. The assault on civil society that was underway well before the pandemic makes this an especially deep-rooted imperative: stronger and more widely cast local organization is essential to withstanding democratic governments' subtle and piecemeal narrowing of civil liberties and the democratic space for self-organization. Covid-19 revealed how important such active citizenship is in emergency situations to bolster government policies and formal institutions.

The rich networks of democratic innovation, deliberation and mobilization that have crystalized in recent years provide a dynamic launchpad: these need to be extended to involved greater number of citizens and to ensure that protests, assemblies and organized CSO campaigns work together more smoothly with each other – both in normal times and emergency periods. All these actors need to coordinate to ensure that all civic restrictions are removed and that Covid-19 is not used as a pretext for a more controlled form of democracy. Close attention will need to be given to monitoring what happens in the post-Covid-19 period, to ensure that the pandemic's legacy is not one of weaker civil society and stronger police powers. CSOs will need to lead this effort, and often call to account democratic governments for failing to comply with their own rhetoric. The CdM would be well placed to create a standing body that oversees such an effort; it could play an especially valuable role in ensuring a tighter intermeshing of civic dynamics and formal institutions and leaders.

Democracy and state capacity. Much debate in 2020 and 2021 has focused on how the pandemic shines a stronger spotlight on the need for stronger state capacities to reduce inequality not only in economic opportunity but also the exercise of political rights. It is widely recognized that the Covid-19 experience has tipped the scales decisively in favour of more interventionist economic policy. If this shift is to be beneficial and not detrimental to democratic quality, then the development of better state services needs to go hand in hand with wider civic involvement in deciding on these. The pandemic shows how democratic resilience requires a smoother dovetailing between formal institutions and informal citizen mobilization around effort to reduce

social and economic inequalities. A correct balance is needed between societal pluralism and state efficacy.

This kind of accountability and civic engagement need to be enhanced especially in relation to governments' large recovery aid packages of support; debates will inevitably sharpen over where this money goes. The understandable desire to get such funds allocated quickly is already generating problems of corruption, as contracts fail to meet the highest standards of financial probity: international organization and new democracy initiatives will need to pay particular attention to this challenge in the next several years. Cases like Brazil show how a lack of government transparency is undermining de facto democratic accountability over socio-economic measures. Many of the same democratic governments that profess a commitment to defending democracy are also guilty of indulging corrupt practices both domestically and internationally. The CdM and others should lead a new project to examine this complex relationship between state-capacity and democracy in the post-Covid-19 recovery period.

Dealing with post-Covid populism. Democracies will need to deal with the illiberal movements triggered by frustrations with Covid-19 restrictions. These emergent movements are a part of civil society and can be seen as signs of a healthily critical citizenship but will need to be channeled into firmly democratic directions. Democratic reformers will need to adjust their counter-populism strategies if and when these movements and parties gain traction from a 'reigning in the executive' narrative. It may be more difficult simply to demonize this variant of populism as anti-democratic than with previous variants of populism. There may be an opportunity for democratic-liberals to build the case with some such groups that 'protecting the individual from state intrusion' actually requires the very checks and balances and constitutional guarantees towards which many populists have been somewhat cavalier in recent years. The CdM could play a role in such bridge-building between liberal and illiberal actors to head-off negative clashes after Covid-19 hopefully subsides.

International democratic coordination. Democratic resilience much also be boosted at the international level and cannot be ensured by national or sub-national reform initiatives alone. In the face of Chinese and Russian vaccine diplomacy and a perception that some autocracies, like China, have handled the crisis well, sustained effort will be needed to develop a narrative on democracy's advantage in emergencies. The importance of better regional responses in the future to protect vulnerable democracies needs to be more fully recognized in this sense. The forthcoming Biden summit needs to grasp this issue openly and frankly, rather than being framed only as an effort to 'get tough' of autocrats. The summit needs to be used to press governments to adopt democracy 'commitments' but could also usefully address these deeper and more subtle issues relating to democracies' own shortcomings during the pandemic. The CdM and other civil society leaders should make this point forcefully in trying to widen the summit' agenda into a fully comprehensive approach to democratic challenges. They could also use the one-year period between the first and second summits (in December 2021 and December 2022, respectively) to make sure this new international process connects with the other issues discussed in this report, like equality of rights and democratic state-capacities.

Participating Members

Working Group Leader

- **Richard Youngs**, Senior Fellow, Democracy, Conflict and Governance, Carnegie Europe

Club de Madrid

- **Danilo Türk**, President of Slovenia (2007-2012) and President of Club de Madrid
- **Dalia Grybauskaitė**, President of Lithuania (2009-2019) and Member of Club de Madrid
- **Jan Peter Balkenende**, Prime Minister of the Netherlands (2002-2010) and Member of Club de Madrid
- **Kjell Magne Bondevik**, Prime Minister of Norway (1997-2000) and (2001-2005) and Member of Club de Madrid
- **María Elena Agüero**, Secretary-General, Club de Madrid
- **Sean Cleary**, Executive Vice-chair of FutureWorld Foundation and Advisor of Club de Madrid
- **Véronique M. Choquette**, Senior Policy and Programme Development Advisor of Club de Madrid

Experts

- **Bettina Obersteiner**, Foreign Policy Manager, Clinton Foundation
- **Gina Romero**, Executive Director, Latin American and Caribbean Network for Democracy
- **Ichal Supriadi**, Secretary-General, Asia Democracy Network
- **Jan Erik Surotchak**, Senior Director, Transatlantic Strategy, International Republican Institute
- **Karolina Olofsson**, Executive Director, The Oslo Center
- **Mandeep Tiwana**, Chief Programmes Officer, CIVICUS
- **Matt Leighninger**, Head of Democracy Innovation, National Conference on Citizenship
- **Nadim Houry**, Executive Director, Arab Reform Initiative
- **Niranjan Sahoo**, Senior Fellow, Observer Research Foundation (ORF)
- **Olmo von Meijenfeldt**, Executive Director and Co-Founder, Democracy Works Foundation
- **Patricia Galdamez**, Senior Advisor to Secretary-General, Community of Democracies
- **Sabine Donner**, Senior Expert, Bertelsmann Foundation
- **Serge Strobants**, Director Europe and MENA Region, Institute for Economics and Peace (IEP)
- **Tyler Beckelman**, Director, International Partnerships, United States Institute of Peace (USIP)



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