

# International Human Rights Doctrine: Should the Rights for Democracy be Included?

Fuad Al Mannan<sup>1</sup>, Sanzida Akhter<sup>2,\*</sup>

<sup>1</sup>Lecturer,  
Department of International Relations,  
Bangladesh University of Professionals (BUP), Dhaka

<sup>2</sup> Assistant Professor  
Department of Women and Gender Studies  
University of Dhaka.

\*Corresponding author's email: sanzida209 [AT] yahoo.com

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**ABSTRACT----** *There is not much doubt that democracy is better than other forms of governments but a theoretical debate is there on whether democracy can be enforced to all societies. The scholars, who advocate democracy as a 'universal value' believes that a country should not wait to be prepared or build a culture for 'democracy' and start running the country under this system. But the 'Rights of Democracy' is not as simple as other parts of the International Human Rights doctrine such a child rights, labour rights or anti poverty rights. If 'democracy' is counted as a 'universal value' and gets included in the International Human Rights doctrine it will seek protection against the violation of this right and the international community will get involved to enforce this right. The International concern for upholding democracy in a country may create conflicting issues with the sovereignty of that particular country. In many cases it was observed that the International concern (or it can be called as Western Concern) for 'democracy' was motivated by the economic and strategic interests. If 'democracy' is imposed from outside or forced to any society it will violate the society's right of self determination. And in some countries it had produced a 'hybrid' or an 'incompletely democratic' regime. In this perspective instead of enforcing 'democracy' to all societies the 'right of collective self-determination' might be the better choice for International Human Rights to regulate the political constitutions of the societies.*

**Keywords---** democracy, universal value, international human rights, famine

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## 1. INTRODUCTION

This article will discuss the theoretical debate about whether Rights for 'Democracy' is a part of International Human Rights doctrine. Many intellectuals believe that political rights can be achieved with absolute satisfaction only in democratic system. They also consider democracy as the best system for governing a country or state. There is a general consensus that democracy is better than other forms of governments but people need to be careful about the generalisation of the view that democracy is applicable to all social settings. However, there is a different school of thoughts including Charles Beitz (2009), who does not support those theorists who regard democracy as a 'Universal Value' because this idea relies on the generalisation. There are reasons to be sceptical against the idea of imposing democracy to those societies where there is no democratic culture. This school of thought argues that if the democracy is imposed from outside it may create a 'hybrid' political system which will have some features of democratic institutions with patterns of personalistic rule that perpetuate the influence of entrenched elites and are relatively unresponsive to popular demands for policy changes. There are examples of many third world countries where in most of the cases the transformation was an 'incomplete transition' and in only one-third cases there was fully consolidated and stable democracy (Beitz C 2009, p.179). For achieving successful democratic transition one society needs to have the required political culture, heritage and history. The human right to democratic institution is different from the anti-poverty rights because anti-poverty rights require the protection of some urgent interest but it leaves the option open on 'how it should be protected'. On the other hand the right to 'political democracy' demands protection of interest but also prescribes a specific kind of institutional mechanism. That is a reason why political rights is a complicated issue in International Human Rights doctrine and it is not a 'consensus belief'. About economic and social development the performance of democratic and nondemocratic regimes are almost similar in the developing and less developed countries (Ross2006, p. 864). And it is not certain if democracy imposed and promoted from outside, will be successful to satisfy people's basic interests in personal and material security. Beitz (2009, p.185) does not believe that any serious reasons occur in the absence of democratic system that outside agents needs to act and he neither supports that the doctrine of 'Human

Rights' should embrace such a right. There is another problem that if the right for democratic institution gets included in the International Human Rights doctrine then it will require actions from the international community or authority to prevent the violation of this human right. In this perspective the right of collective self-determination would be better choice for human rights to regulate the political constitutions of the societies. Joshua Cohen (cited in Synnowitch 2006) argues that if democracy is forced to any society it will violate the society's right of self determination. To achieve full satisfaction of collective self determination most of the societies move towards liberal democracies as the final destination and in this particular stage international community has the responsibility to support the democratic institutions and protect it from the undemocratic take over.

## **2. 'DEMOCRACY' THE BEST POLITICAL SYSTEM BUT NOT A 'UNIVERSAL VALUE':**

Most of the scholars and intellectuals accepted that democracy is the best political system to govern a country. It is believed that democratic institutions can bring better results than an authoritarian system. J S Mill (cited in Beitz 2009, p.175) views that people desire democratic institutions because people's general interests are more protected through these institutions. Another reason is the political participation of general people in this process which promotes the development of responsible character among the citizens. Amartya Sen (1999, p.9) argues that democracy does not only mean majority rule but it has complex demands such as voting and respect for election results, protection of liberties and freedoms, respect for legal entitlements, and the guaranteeing of free discussion and uncensored distribution of news and fair comment. There are some special virtues in democracy such as the importance of political participation and freedom in human life, instrumental importance of political incentives in keeping governments responsible and accountable (Sen 1999, p.10). Democracy plays a constructive role for the formation of values and in the understanding the needs, rights, and duties. The protective role of the democracy is particularly beneficial for the poor and the underprivileged section of the society. According to Sen (1999, p.10) this obviously applies to potential famine victims who face starvation. This section of the society needs political voice to meet their economic needs. Political and civil rights give people the opportunity to draw attention forcefully to general needs and to demand appropriate public action. In this situation Sen (1999, p.13) also views that most often the governments' response to the suffering of their people depends on the pressure that is put on them. The exercise of voting rights, criticizing, protesting, and other political rights can make a real difference to the political incentives that operate on a government. Both Mill (cited in Beitz 2009, p.176) and Sen (1999) support the idea that democratic practice encourages critical participation in public life and through this process advances the greater development interest of the society.

Most of the intellectuals around the world are in consensus that democracy is the best form of political system. However, when some of them claim democracy as a universal value, the debate starts. Charles Beitz (2009) is among those intellectuals who doubt democracy as a 'universal value'. The scholars who argue democracy as a 'universal value' believe democracy as a universally relevant system. Sen is among the most vocal advocates who view democracy as a universal value. The main argument for 'universality' of democracy is that democracy is not a luxury that can await the arrival of general prosperity (Sen A 1999, p.13). The acceptance of democracy as a 'Universal Value' is a major revolution in thinking of twentieth century. This school of thought does not believe that it is necessary for a country which was ruled by authoritarian regimes in the past, requires time for practicing some democratic values and culture before starting the democratic system. Sen (1999) argues that a country should not wait to be prepared or build culture for democracy and then start the system. According to him "A country does not have to be deemed fit for democracy; rather, it has to become fit through democracy" (Sen A 1999, p.13). To strengthen his argument about democracy that it is a 'Universal Value', he describes three main ways in which democracy enriches general peoples' lives. First, he believes political freedom is a part of human freedom and exercising civil and political right is an important part of good-quality lives of individuals as social beings. Sen (1999) believes that preventing citizens from taking part in political activities is a deprivation. Secondly, through the democratic system under-privileged people can make the government or authorities hear their voice in case of economic needs. It was a common misconception that poor people are interested, and has reason to be interested, in bread, not in democracy. Sen (1999, p.13) gives an example about mid 1970s parliament election in India where people, most of them were poor choose to vote for civil and political rights and they firmly rejected the suppression of basic political and civil rights. He further added that 'as democracy has spread, its adherents have grown, not shrunk' (Sen A 1999, p.14).

But Charles Beitz has serious doubts whether democracy is desirable to all social settings. He is against the idea that generalises democracy applicable and appreciated in all societies. Mill and Rawls view that depending on the social and economic circumstances a different form of government can be more acceptable for the citizen of that society (cited in Beitz C 2009, p.176). A country can perform better in socio economic sector under a nondemocratic or a decent hierarchical regime and can have better stability. From the perspective of the specific country, that particular form of government can be more desirable. The instrumental justification of democratic institution depends on the empirical contingencies of a society which forms the idea of justification for that society. For this reason Beitz (2009) suggests that it is not correct to generalise the justification of 'Rights of Democracy' for all societies.

### **3. SEN'S STUDY OF 'FAMINE AND DEMOCRACY' AND ITS COUNTER ARGUMENTS**

Sen (1999, p.149) argues that there will be no famine if a country has functional democracy and free media. In a democratic country the ruling group and ruling political leaders have to pay the price in the next election if they were unable to prevent any approaching famines. He believes that the democratic system is an incentive mechanism because in order to win the next election political parties and leaders have to hear the demands of the citizens and they take care of the urgent interests of the people. In this perspective, Sen gives an example of India, where there were a number of famines when it was a colony of the British empire but after getting independence and starting the democratic process there was no famine (1999, p.150).

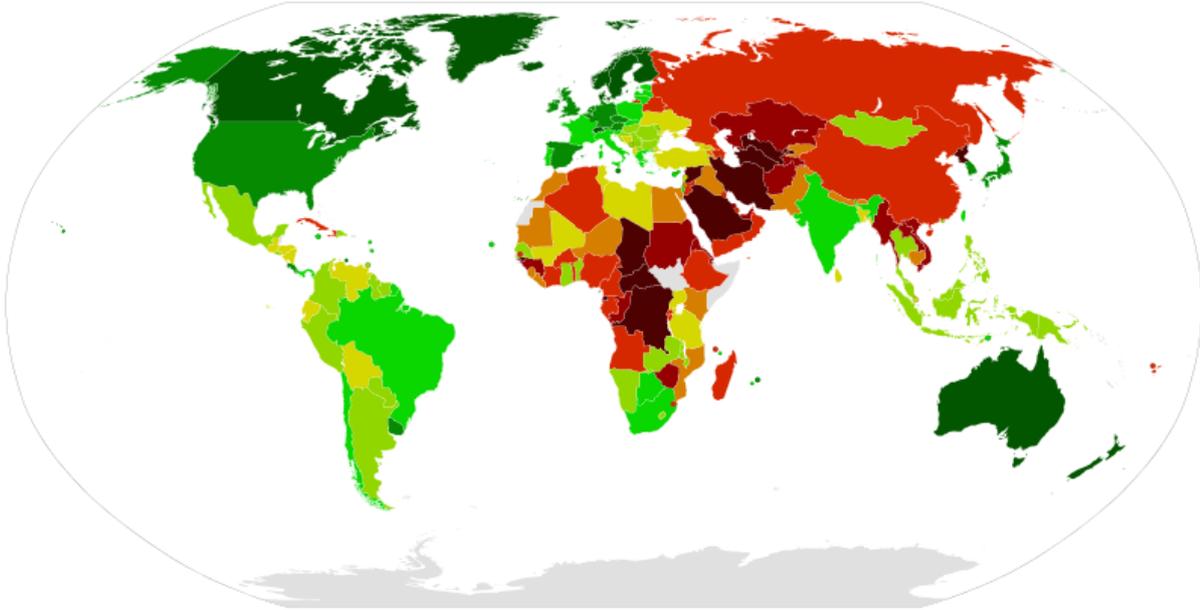
Sen might be correct to some extent that there are not many great famines happening in India, like what has happened in North Korea or Sudan. But surely there are silent famines which still exist in India. The biggest number of hungry people in the world now lives in India. According to Massing (2003), about 350 million of India's one billion people go to bed hungry every night, and half of all Indian children are malnourished. Vandana Shiva, an ecological activist in India, has raised a question about Sen's famous thesis. Shiva (2002) views that although famine disappeared in India but it is making a comeback. Vandana Shiva (2002) also argues that the situation might not be as shocking as the famines in Horn of Africa but it was getting bad to worse. There were more than 300 starvation deaths in first six months of 2000 in India and definitely there is silent famine (Massing 2003).

Famine study of Sen cannot be used as an evidence of incentive mechanism of democracy because it might not function effectively in different circumstances other than the familiar settings. Moreover it was found from the study of Sen that China which is an authoritarian state, did much better in terms of dealing with poverty and starvation than the democratic India. Although China has been criticized for not having freedom of speech and free media, it has brought out 40% of its people from below the level of poverty in last 40 years (Yao 2000, p. 449). China is now the second biggest economy in the world whereas the biggest number of hungry people still lives in India. There were many environmental disasters such as floods, droughts, earthquakes in the recent past in China but it had avoided any kind of famine with its efficient and responsive state mechanism. According to Beitz (2009, p.177) there are speculations but no systematic evidence that democratic institutions are more successful to protect the urgent interests of the people in the developing or less developed countries. Depending on the economic and social condition, different forms of government will be more desirable for the people of different societies. People of that society has the right to decide which type of government they need and it should not be decided and imposed from outside.

### **4. DIFFERENCE OF PERFORMANCE BETWEEN DEMOCRATIC AND NONDEMOCRATIC REGIMES IN THE DEVELOPING COUNTRIES**

In the developed societies democratic system is proven successful to protect the urgent interest of the citizen and majority of the people of those societies are pleased with this form of governments. But in the developing and underdeveloped countries the scenario is different. Beitz (2009, p.177) views that in the developing countries and poor countries where per capita income is below 3000 USD, the performance of the democratic and non democratic governments are similar. About two third countries of the world and more than 70% people of the world are among in this category. The economic performance and performance indicators such as GDP, GNP and inflation rate are almost same in both types of regimes. In terms of social outcomes like infant and child mortality or nutrition level of child; the democratic states did not perform much better than the non democratic ones (Ross 2006, p. 864). The stable political system is often proven essential for economic development. Studies have found that democratic system is more stable in the developed countries with rich economies, but it is less stable in the developing and poorer countries (Przeworski et al. 2000). It was found in many cases where democratic transition process makes the country unstable which hampered the economic development. There were examples of China, Singapore and some other authoritarian and nondemocratic regimes where the economic development were much faster than many more democratic countries. The former prime minister and great leader of Singapore Lee kuan Yew views that because of cultural differences it will be better for the developing countries to first focus on the economic development and then to establish proper democracy (cited in Zakaria 1994). And in the continued process the developed economic condition of the people will help them to be accustomed with the liberal democratic system and gradually the country will adopt more and more liberal policies. He also views that to achieve economic development a country can avoid liberal policies and western liberal democratic values such as freedom of speech and civil liberties (cited in Zakaria 1994). Lee kuan Yew was the main architect of Singapore's transformation into developed country from a developing one. According to Lee, the main concern of the government of Singapore (during his regime) was first to ensure the economic benefit to its citizen and for this reason they sacrificed some of the civil liberties and human rights issues (cited in Zakaria 1994). In the 1970s and 80s Singapore was an example of collective self determination, not a perfect liberal democracy. It cannot be said with confidence that if Singapore had taken liberal democratic system, it would achieve the same economic success what it has now. But the case study of Singapore cannot be the justification of avoiding democratic process or supporting authoritarian regime. On

the other side, some studies have shown that countries with democratic institutions tolerate religious and ethnic diversities, they also admire civil liberties (Beitz 2009, p.178). Democratic governments also allow dissent and freedom of press and electronic media. In the authoritarian or partially democratic regimes these rights are often ignored. Beitz views that if the democratic regime is established securely in a country then it will produce better economic and social outcomes. But he also views that in underdeveloped countries the democratic transition process is more likely to have a negative impact in the economic development (Beitz 2009, p.180). Democracy and human rights for political institutions cannot be generalized for all the countries on the basis of empirical knowledge of these performances because this empirical knowledge lacks certainty.



Greener colours representing more democratic countries  
The Economist Intelligence Unit Democracy index map for 2012, (image courtesy: [www.economist.com](http://www.economist.com))

## **5. DEMOCRACY SHOULD NOT BE IMPOSED FROM OUTSIDE**

This empirical knowledge about the performance of democratic and non democratic countries and the ‘famine study’ of Amartya Sen does not justify the idea that democracy is an essential part of ‘Human Rights’ for all the countries. For different cultures and different societies if empirical basis of the generalization of familiar arguments for democracy is used, it might produce a different result or unexpected outcome in the unfamiliar situations. Beitz (2009, p.180) views that there is no guarantee that if the international community tries to promote democratic reform or change in underdeveloped country, it will produce a long term or sustainable improvement in the life of the citizens of that country. It is also uncertain that the efforts to promote democratic change will bring satisfaction of people’s basic interests in personal and material security. These uncertainties and lack of justification create counter arguments about democratic political rights that it should not be a part of International Human Rights doctrine.

From the example of Iraq, Syria and Libya it was found that enforcing democracy from outside might not bring positive result in the life of the citizens of that country. These case studies will be discussed later in this paper. There are enough doubts that imposing or supporting any democratic reform in a non democratic country from outside will bring benefit to the society. Beitz (2009, p.180) argues that there are many examples that efforts at reform or transition from outside might produce a ‘hybrid’ or an ‘incompletely democratic’ regime. There are not enough evidences that that this type of hybrid or incompletely democratic regimes will perform better than the authoritarian regimes to protect the rights and satisfy the urgent interests of the people. From the 1970s about 80 countries have gone through transformation from nondemocratic regimes to a regime with some formal features of democracy. But only in one third of the countries became successful to achieve stable and fully consolidated democracy (Geddes 1999, p.121). Most of the successful transition had happened in high income countries. Those countries or governments which were not successful to achieve complete transition became a government of ‘hybrid’ political form. This type of governments have a combination of some features of democratic institutions with patterns of personalistic rule and some features of authoritarian political system. These regimes often serve the purpose of only the ruling elites of the society. Most of the time these hybrid (or incompletely democratic) types of governments cannot bring any development in the issues related to personal and civil

rights of the general people and makes the country more unstable. From the idealistic approach it can be said that democratic system performs better than authoritarian system to protect the interests of people. But there is no certainty of achieving successful democratic transition in the developing countries with the available strategies of political action.

## 6. CASE STUDY OF IRAQ AND SYRIA

United States claims itself as the advocate of democracy and democratic rights around the world and becomes self authorised protector of the democracy in every parts of the world (Evans 1996). When it invaded Iraq, one of the main aims of United States was to free Iraqi people from the authoritarian rule of Saddam Hussein (Sky 2011). After 10 years of invasion in Iraq and freeing people from the ‘monster’ (as United States government describe former president Saddam) they were able to establish some sort of democracy there. But the situation is much more volatile now than the time of Saddam regime (Sky 2011). During Saddam Hussein regime there was violation of human rights but at present more people are dying every day in car bomb explosion on the streets of Baghdad or by the brutal activities of ISIS. During the time of Saddam regime there were corruption but now the whole economy is devastated. The conflict between Shiites, Sunnis and Kurds, and the upsurge of ISIS even make the country’s sovereignty more vulnerable (Sky 2011). Probably the same situation is going on in Syria as it has become the battle ground of world powers (as Russia joins the party). There was peace (to some extent) between Shiites, Sunnis and Christians under the authoritarian rule of Basher Al Assad in Syria but now the devastation reached at the highest level (Juzdan 2013). The autocratic rule of Assad should not be supported and he cannot avoid his responsibility for this situation but the process of enforcing democracy had created a humanitarian disaster. And we are experiencing the refugee crisis in Europe because of this situation as Syria is no longer liveable. The rebel groups in Syria, which are so many in numbers and different in ideology, do not have legitimacy to bring democratic change in Syria. Juzdan (2013) doubts that if the United States and its allies in the Middle East had not supported these armed rebels (with weapons, training and legitimacy), the humanitarian crisis would not have been this much severe in Syria.

## 7. PROMOTING ‘DEMOCRACY’ AS HUMAN RIGHTS AND THE ‘DOUBLE STANDARDS’ OF THE PROMOTER COUNTRIES

If the rights for democratic institutions or rights for democracy become part of ‘International Human Rights’ doctrine then this ‘right’ will seek protection against any kind of violation of human rights. There is a possibility that the global super powers, United States and its European allies, will get the legitimacy to promote and push for democratic reforms and an opportunity to intervene in any other sovereign countries. Often these interventions to promote democracy are motivated by economic and political interests of the global super powers (Pilger 2012). From the case study of Iraq it can be seen that the urgent interests of personal and material security of the Iraqi people were not secured by the so called democratic change but US owned giant oil companies such as Exxon, Halliburton, Chevron and Conoco Phillips and other European MNCs have secured their stakes in the oil reserve of Iraq. Now the Multi National Oil companies, mostly US and European, holds 70 percent share in the in oil production of Iraq but during the time of Saddam Hussein the Iraqi government corporation owned 100 percent share of their oil production ( Pilger 2012). At present United States and its allies are very much vocal about authoritarian Syrian regime but keep silence about the democratic struggle of people of Bahrain, which is now lost from the news headlines. There is another example of double standard is now going on in Egypt. A president, democratically elected through a fair election was overthrown by a military coup but the international community and sole distributor of democracy United States are again keeping silence because president Moorsi was not serving the purpose of US’s greatest ally Israel (Fisk 2013). From the idealistic approach United States should have put effort to protect the democratic institution from the nondemocratic take over by the military in Egypt. A quotation can be borrowed from the great thinker Noam Chomsky: “*Stability is when the U.K. and U.S. invade a country and impose the regime of their choice*” (cited in Fisk 2013). The global powers and their allies who view themselves as the authority of protecting democratic rights lose their credibility and moral authority through this type of double standard of ethics and by serving their own interests blatantly. In this scenario the issue of International human rights for democratic institutions would become controversial because human rights are universal and it requires protection against violation of rights from the international community who already have lost their credibility.

## 8. DEMOCRACY AND COLLECTIVE SELF DETERMINATION

Joshua Cohen believes that imposing democratic institution from outside will violate the right of collective self determination of a society or a country (cited in Sypnowitch2006). Beitz simplifies Cohen’s idea that a society is self determining in a morally significant sense if there is accountability and citizen’s interests are represented in the political decision, if there are rights for dissent for everyone, and if the government officials explain their decision and policies in the conception of the common good (Beitz 2009, p.181). From these points it can be realized that the institutions of a ‘decent hierarchical’ society can satisfy these conditions, without being democratic.

Democratic system embraces the principals of political equality which means representation of the citizens in the electoral process from all walks of life. Public offices and public places are open for all. Everyone will get equal access and right in the service of the government. On the other hand people might not get equal representation in political decision making process in the self determining and non democratic society. Political equality is not an essential part of collective self determination. Beitz (2009, p.183) views that the idea of self determination accepts that the decision making process and political decisions needs to be responsive to the interest of the people of the society but this process is not guaranteed in this system. Citizens of this society accept a common good conception of justice and they do not feel demeaned by some of the in egalitarian features of self determining society. But all the societies need to move forward to accept more and more democratic values.

## 9. INTERNATIONAL DOCTRINE OF HUMAN RIGHTS MIGHT HOLD THE RIGHT OF COLLECTIVE SELF DETERMINATION AS POLITICAL RIGHT

Amartya Sen is among the most vocal advocates of the universality of democracy. Sen (1999) gives example of Indian democracy for advocating and prescribing it for other developing countries. But he forgets that India had a long democratic struggle under Mahatma Gandhi against the British colonial government and by doing so Indian people had a long history of democratic culture and heritage. So this example will not be applicable to all societies. Beitz (2009, p. 185) believes it is inappropriate to use the same justification and argument for all the societies when each of them are different in socioeconomic culture. Joshua Cohen (cited in Sypnowitch 2006) views that the right to self determination is a right of not to 'become democratic forcefully' by others. Human rights is surely universal rights and must be action guiding, so any violation of these rights will legitimise the outside agents to intervene and to prevent it. Beitz (2009) argues that in the absence of democratic institutions no such circumstances occur that will generate any justifiable reason for outside agents to intervene. The 'International Doctrine of Human Rights' should not embrace such political rights like the 'Democracy' which has more demanding requirements. In this perspective the most appropriate object for International doctrine of human rights will be the 'Right for Collective Self Determination'.

## 10. CONCLUSION

It has been acclaimed everywhere that well established democracy represents citizen's interest better than other forms of governments. And there is nothing to argue against the democratic political system. All the countries should be encouraged to move towards democratic process. But in the developing and poorer countries democracy did not perform significantly better than autocracies or non-democracies because of socioeconomic issues and cultural factors. Many intellectuals including Amartya Sen fail to establish 'democracy' as a 'universal value' and opinions are divided in this regard. Human rights are universal and applicable for all societies but democracy as a political right is not certainly applicable for all social settings. If democracy is included in International Human Rights doctrine it will be enforced to all countries no matter how benefitted they will be from this system or from the perverted version of this system. Like all other 'Human Rights' it (democracy) will require enforcing authority to have protections from violation. In this era of globalisation no country can oppress its people and the people's right, and then call it as their sovereign issue. International community should support the democratic process in different countries and they cannot ignore the responsibility for protecting the democratic institutions from the undemocratic takeover. In this circumstance the right of collective self determination is a better contender for being a human right to regulate the political constitutions of societies.

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