It is our way of using the words “democracy” and “democratic government” that brings about the greatest confusion. Unless these words are clearly defined and their definition agreed upon, people will live in an inextricable confusion of ideas, much to the advantage of demagogues and depots.¹

Tocqueville

Democracy as an idea and as a political reality is fundamentally contested. Not only in the history of democracy marked by conflicting interpretation, but also ancient and modern notion intermingle to produce ambiguous and inconsistent account of the key term of democracy. It is sometimes argued that democratic government was born in the city-states of ancient Greece and that we inherited democratic ideals from that time. In fact, however, this assertion can be refuted easily.² In the Greek view, as we just see, a democratic order would have to satisfy at least six requirements:

1. Citizens must be sufficiently harmonious in their interests so that they can share, and act upon, a strong sense of a general good that is not in marked contradiction to their personal aims or interests.

2. Secondly, they must be highly homogeneous with respect to characteristics that would otherwise tend to produce political conflict and sharp disagreement over the public good. In this view, no state could hope to be a good polis if its citizens were greatly unequal in their economic resources and the amount of leisure time available to them, or if they adhered to different religions or spoke different
languages or differed significantly in their education or, certainly, if they were of differing races, cultures, or ethnic groups.

3. The citizen body must be quite small, ideally even smaller than the forty to fifty thousand of Periclean Athens. The small size of the demos was necessary for three reasons. It would help to avoid the heterogeneity and hence the disharmony that would result from extending the boundaries and thereby including, like Persia, people of diverse languages, religion, history, and ethnicity, with almost nothing in common. It was necessary also in order for citizens to acquire the knowledge of the city and of their fellow citizens, from observations, experience and discussion, that would enable them to understand the common good and to distinguish it from their private and personal interests. Finally, the small size was essential if citizens were to assemble in order to serve as the sovereign ruler of the city.

4. Fourthly, citizens must be able to assemble and directly decide on the laws and decisions of the policy. So deeply held was this view that the Greeks found it difficult to conceive of representative government, much less to accept it as a legitimate alternative to direct democracy. To be sure, from time to time leagues or confederacies of city states were created. But genuinely federal system with representative governments failed to develop, in part, because the idea of representation could not compete successfully with the profound belief in the desirability and legitimacy of direct governments with primary assemblies.

5. Citizen’s participation was not limited, however, to the meetings of the assembly. It also included actively participating in the administration of the city. It has been estimated that in Athens over one thousand offices had to be filled—few by election but most by lot— and nearly all these officers were for one year term and could be occupied only once in a lifetime. Even with the relatively “large” demos of Athens, every citizen was almost certain to occupy some office for a year, and a large number would become members of the highly important council of Five Hundred, which determined the agenda for the assembly.
6. Finally, the city state must, ideally at least, remain fully autonomous. Leagues, confederacies, and alliances might sometimes be necessary for defense or war, but they must not be allowed to preempt the ultimate autonomy of the city states and the sovereignty of the assembly within that state. In principle, each city must be self-sufficient, economically and militarily. Indeed, it must possess all the conditions required for a good life. But to avoid too heavy a dependence on foreign trade, a good life would necessarily be a frugal life. In this way, democracy was linked to the virtues of frugality, not to affluence.\(^3\)

Each of these requirements stands in stark contradiction to the realities of modern democracy. The Greeks gave us the word but did not provide us with a model. The assumptions and practices of the Greeks were quite different from those of modern democrats. The Greeks had little idea of the rights of the individual, an idea highly associated with the modern concept of democracy. Greeks granted the right of political participation to only a small minority of the adult inhabitants of the city. Those granted this right were able to take political decisions by direct vote on issues, which is very different from the system of representative government that has developed in the west in the past two centuries.

In his Gettysburg address of 1863 Lincoln characterized in words that seems to express its very spirit: “government of the people, by the people, for the people”. It is symptomatic that this aphorism defies analysis and poses insoluble problems of interpretation. If we attempt to dissect the phrase “government of the people” all the following conjectures are possible: (1) government of the people means self-governing a direct democracy; (ii) conversely, that the people are the object of government, and they are governed (iii) that the government belongs to the people, whatever this “belonging” may mean; (iv) that government is chosen and guided by the people; (v) that government emanates from the people in the sense that it derives its legitimacy from the people’s consent; and (vi) that the government is responsible to the people. As for Lincoln’s “by the people”, it can hardly be deciphered. The final phrase “government for the people” is not ambiguous, in that very likely Lincoln meant, in the people’s interest,
for their benefit. However, the only clear statement contained in the formula can hardly qualify, per se, a democracy: for any government claims that its purpose is to govern for the people.\textsuperscript{4} Lincoln’s words have stylistic impetus rather than logical one.

As the word democracy is derived from demokratia, the root meaning of which are demos (people) and kratos (rule) which means a form of government which the people rule. ‘Rule by the people’ may appear an unambiguous concept but appearance are deceptive. The history of idea of democracy is complex and mixed by conflicting conceptions. There is plenty of scope for disagreement on the issues: Who are to be considered ‘the people’? What kind of participation is envisaged for them? What conditions are assumed to be conducive to participation? Can the disincentives and incentives or costs and benefits, of participation be equal?

Likewise the idea of ‘rule’ evokes a plethora of issues: How broadly or narrowly is the scope of rule to be construed? Or, what is the appropriate field of democratic activity? If ‘rule’ is to cover ‘the political’ what is meant by this? Does it cover: (a) law and order? (b) relations between states? (C) the economy? (d) or the domestic or private sphere?

Does ‘rule by’ entail the obligation to obey? Must the rules of ‘the people’ be obeyed? What is the place of obligation and dissent? What rules are permitted for those who are avowedly and actively ‘non-participants’? Under what circumstances, if any, are democracies entitled to resort to coercion against some of their own people or against those outside the sphere of legitimate rule?\textsuperscript{5}

Thus, even a cursory examination reveals that it is impossible to arrive at a clear and precise meaning of democracy by focusing on the literal meaning of the term. The definition ‘rule by the people’ involves complex problems that are difficult to be solved. Different scholars writing on the issue have defined and used the term democracy in diverse ways. Observers of democracy generally choose, implicitly or explicitly, among four main types of definition: constitutional, substantive, procedural, and process-oriented. A constitutional approach concentrates on laws a regime enacts concerning political activity. This we can look across history and recognize differences
among oligarchies, monarchies, republics, and a number of other types by means of contrasting legal arrangements. Within democracies, furthermore, we can distinguish between constitutional monarchies, presidential system, and parliament-centered arrangement, not to mention such variations as federal versus unitary structures. For large historical comparisons, constitutional criteria have many advantages, especially the relative visibility of constitutional forms.

Substantive approaches focus on the conditions of life and politics a given regime promotes: Does regime promote human welfare, individual freedom, security, equality, public deliberation, and peaceful conflict resolution? If so, we might be inclined to call it democratic regards of how its Constitution reads. Two troubles follow immediately, however, from any such definitional strategy. First, how do we handle tradeoffs among these estimate principles? If a given regime is desperately poor but its citizens enjoy rough equality, should we think of it as more democratic than a fairly prosperous but fiercely unequal regime? Second, focusing on the possible outcomes of politics undercuts any effort to learn whether some political arrangements including democracy promote more desirable substantive outcomes than other political arrangements.6

Advocates of procedural definition single out a narrow range of governmental practices to determine whether a regime qualifies as democratic. Most procedural observers center their attention on elections, asking whether genuinely competitive elections engaging large numbers of citizens regularly produce changes in governmental personnel and policy. If elections remain non-competitive and an occasion for smashing governmental opponents, the procedural analyst rejects them as criteria for democracy. But if they actually cause significant governmental changes, they signal the procedural presence of democracy.7 However, in principle one could add other consultative procedures such as referenda, recall, petition, and even opinion polls, but in practice procedural analysts focus overwhelmingly on elections. Freedom House evaluations incorporate some substantive judgments about the extent to which a given country’s citizens enjoy political rights and civil liberties. But when it comes to judging whether a
country is an “electoral democracy”, Freedom House looks mainly for procedural elements: A competitive, multiparty, political system; Universal adult suffrage for all citizens (with exceptions for restrictions that state may legitimately place on citizens for criminal offences); Regularly contested elections conducted in conditions of ballot secrecy, reasonable ballot security, and in the absence of massive voter fraud that yields results that are unrepresentative of the public will; Significant public access of major political parties to the electorate through the media and through generally open political campaigning.\textsuperscript{8}

Liberal, representative democracy, where political parties mobilize public opinion and alternate in power to ensure accountability, is the only case one finds of a sustainable democratic order. It combines institutions with a reinforcing political culture that together guarantee the rule of law while ensuring that policy follows the considered preferences of public sentiment. Other models of democracy either mimic some democratic attributes or under pressure simply lapse into anarchy or authoritarianism. Truly democratic institutions and political cultures engage public opinion within a framework of checks and balances that limit both majority rule and executive power. Transparency in public business and debate mark another characteristic of a liberal regime. Stable, periodic transfers of power help ensure accountability. Representative democracy along these lines allows citizens to rule themselves in polities beyond the smallest communities, by enabling leaders to mobilize opinion that facilitates consensus and allows them to implement policies.\textsuperscript{9} It operates as both a political culture for regulating behavior within the system and an institutional framework for governance.

Democracy’s institutional role sharpens this operational definition. Institutions, whether democratic or otherwise, allow for predictability and act as buffers to shocks to the system. Without such buffers, disputes within a polity have a greater and wider social impact. Besides controlling the inevitable competition that arises within a society, institutions link governments with the people and important groups beyond the capital, thereby enhancing ties between the core and the periphery to give the state legitimacy among those it rules. Legitimacy derives partly from meeting popular expectations and
partly from effective institutions that allow states to secure consent, mobilize resources, and accomplish their everyday business. Without such institutions, sovereignty exists only nominally, and competition brings ongoing civil strife.\textsuperscript{10}

There are four principal characteristics that are fundamental to the understanding of a modern democracy; the first of these is universal suffrage and participation in politics. This implies that the citizens of the state are entitled to universal enfranchisement, that is they can freely decide upon who to elect as their representatives within the legislature. However, there are limitations on universal suffrage, commonly this means only those over eighteen years of age that have not been judged mentally unfit and are citizens of the state are entitled to vote. Universal suffrage also implies universal value of a vote. Each citizen is equal and votes are not weighted in favour of any one class, creed or religion of citizen.\textsuperscript{11}

The second element is that all are equal before the law. The law is impartial and does not treat individuals differently on the basis of religious or political affinity. Thirdly the government is subject to constitutional checks by the judicial system. The judiciary is also independent of the government; however, these constitutional checks do not imply a right to create legislation as these right remains with the representatives of the citizens that is the legislature. The final point is that the people enjoy great freedoms, such as free speech, a free press and the right to pursue and make free choices as long as these choices do not infringe on the liberty of other citizens.

The terminological difficulties in defining democracy immediately become apparent. The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.\textsuperscript{12} So if in our own course of individualised action we infringe on the freedom of others or cause harm to them then society has the right to impinge upon liberty. Yet there is no definition of how or when harm is caused. So with the idea of ‘great freedoms’ as with other characteristics of liberal representative democracy we should be aware that any definition becomes blurred as it is further examined. Ultimately the meaning of democracy itself is not fixed and removed from debate.
In this debate over the definition of democracy two competing camps can be identified. On the one hand, are the scholars who tend to define democracy in narrow, minimalist or procedural terms. On the other hand, are the ones who have favored broad, maximalist or performance-based conceptualization of democracy. Whereas narrow definitions of democracy focus on the democratic procedures such as elections, those favoring broad or performance-based definitions focus on substantive policies or other outcomes that might be viewed as democratic dispensations who favour the broad conceptualization of democracy argue that almost all normatively desirable aspects of political life - and sometimes even of social and economic life - should be included as definitional aspects of democracy: representation, equality, participation, dignity, rationality, security and freedom. For instance, Michael Saward conceives rights to include an adequate education, adequate health care, income that would provide the basic requirements of a civilized lifestyle in his conceptualization of democracy.

The term ‘democracy’ does not have a meaning that is universally applicable and objective. Democracy is a term which is heavily associated with value judgments. As Giovanni Sartori argued, democracy is a “deontological” concept:

What democracy is, cannot be separated from what democracy should be. A democracy exists only as far as its ideals and values bring it into being. Nodoubt any political system is sustained by imperatives and value goals, but, perhaps democracy needs them more than any other. For in a democracy the tension between factand value reachesthe highest point, since no other ideal is farther from the reality in which it has to operate.
The narrow definition of democracy can be traced back to Joseph Schumpeter. In his classic book, Capitalism, Socialism and Democracy, Schumpeter focuses on the deficiencies of what he termed the “classical theory of democracy”, which defined democracy in terms of “the will of the people” and “the common good”. First, he argues that there is no such thing as a uniquely determined common good that all people could agree on or be made to agree on by the force of rational argument. The common good means different things to different individuals.\(^\text{17}\) Schumpeter himself points out:

Democracy does not mean and cannot mean that the people actually rule to any obvious sense of the terms ‘people’ and ‘rule’. Democracy means only that the people have the opportunity of accepting or refusing the men who are to rule them.... Now one aspect of this may be expressed by saying that democracy is the rule of the politicians.\(^\text{18}\)

Schumpeter, sought to develop an empirically based ‘realistic’ model of democracy in opposition to the main streams of political theory from classical times, he sought to free thinking about the nature of public life from what he took to be excessive speculation and arbitrary normative preferences.

By democracy, Schumpeter meant a political method that is institutional arrangement for arriving at political, legislative and administrative-decision by vesting in certain individuals the power to decide on all matters as the consequence of their successful pursuit of the people’s vote. Democratic life was the struggle between rival political leaders, arranged in parties, for the mandate to rule. The essence of democracy was the ability of the citizens to replace one government by another and
hence, to protect themselves from the risk of political decision makers transforming themselves into an immovable force. Making these criticisms against what he terms as the classical doctrine of democracy, he puts forward another theory of democracy. The "democratic method" he wrote, "is that institutional arrangements for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for people’s vote". With this definition, he assumes that in a democracy the role of the people is to produce a government or an intermediate body which in turn would produce a national executive or a government. In this way, Schumpeter formulated a narrow concept of democracy. According to him, democracy was simply a political method, a mechanism for choosing political leadership. The citizens are given a choice among rival political parties who compete for their votes. Between elections the decisions are taken by politicians. At the next election, citizens can replace their elected officials.

Robert Dahl’s contribution to narrow or procedural conceptualization of democracy is quite critical because he has offered the most generally accepted listing of what he terms the “procedural minimal” conditions that must be present for modern political democracy (or as he puts it, polyarchy) to exist. He regarded the continuing responsiveness of the government to the preferences of its citizens as a key characteristic of democracy. In order to assure such responsiveness citizens must have opportunities to (1) formulate their preferences, (2) signify their preferences to their fellow citizens and the government by individual and collective action, and (3) have their preferences weighed equally in the conduct of government. Dahl continues to argue that the following institutions can bring about these opportunities:

1. Elected officials: control over government decisions about policy is constitutionally vested in elected officials.
2. Free and fair elections: elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon.
3. Inclusive suffrage: all adults have the right to vote in the election of officials.
4. Right to run for office: all adults have the right to run for elective offices in the government, although age limits can be higher for holding office than for the suffrage.

5. Freedom of expression: citizens have a right to express themselves without the danger of severe punishment on political matters, including criticism of officials, the government, the regime, the socioeconomic order, and the prevailing ideology.

6. Alternative information: citizens have a right to seek out alternative sources of information. What is more, alternative sources of information exist and are protected by laws.

7. Association Autonomy: to achieve their various rights, citizens also have a right to form relatively independent associations and organizations, including independent political parties and interest groups.23

Dahl mentions that these guarantees constitute the two different dimensions of democracy: competition and political participation.24

Some scholars writing after him like Samuel Huntington and George Sorensen added new dimensions to his two dimensional conceptualization of democracy: civil and political liberties.25 Larry Diamond, Juan J. Linz and Seymour Martin Lipset together with Philippe C. Schmitter and Terry Lynn Karl went a step further. These writers added an “implicit” dimension to the conceptualization formulated by Huntington and Sorensen: multiple channels that exist for representation of citizen interest beyond the formal political framework of parties, parliaments and elections, that is to explain, civil society and accountability.26

Rather than calling it “minimalist definition of democracy”, it may be more appropriate to refer to it as “expanded minimalist definition of democracy”. Because, in addition to the dimensions included in Schumpeter’s and Dahl’s minimalist definitions of democracy, the definition employed in this study includes a wide range of civil and political rights guaranteed under rule of law, civil society and accountability. It is necessary to mention that competition is dependent on the existence of the
following three conditions: “ex-ante uncertainty”, “ex-post irreversibility” and “repeatability”. Ex-ante uncertainty means that there is some probability that at least one member of the incumbent coalition will lose in elections. Here, uncertainty is not the same as unpredictability: before the elections predictions on the possible outcome of the coming elections can be made. All that is necessary for outcomes to be uncertain that is it should be possible that the ruling party could lose. Ex-post irreversibility means the assurance that whoever were to win the elections, he or she will be allowed to assume office. The outcomes of elections must be irreversible under democracy even if the opposition wins.

The final feature of competition is that elections must be repeated. Whoever wins the elections would not use his/her office to make it impossible for the competing political forces to win next time. All political outcomes must be temporary: losers do not give up their right to compete in the future, to influence legislation, or to seek recourse to the courts. Unless the losers are given the political guarantees that their ability to contest future elections will be protected, the mere fact that elections have been held does not suffice to qualify the regime as democratic. Only if the losers are allowed to compete, win and assume office, the regime is democratic.

The second criterion, political participation, can be defined as participation in the process by which political leaders are elected and/or government policies are shaped and implemented. The main forms of political participation can be listed as follows: Voting in local and national elections; Voting in referendums; Campaigning in the elections; Active membership of a political party; Active membership of a pressure group; Taking part in political demonstrations, industrial strikes with political objectives, rent strikes in public housing, and similar activities aimed at changing public policies; Membership of consumers’ councils for publicly owned industries and; Various forms of community action, such as those concerned with housing or environmental issues in the locality.

The existence of channels for public participation in the political process is likely to increase the propensity for citizens to comply voluntarily with governmental
rules and orders. If people have had the opportunity to play a role in the selection of public officials, to communicate their views on public issues, and to influence decision makers, they are more likely to accept that governmental decisions are legitimate, even if these decisions are disliked.

Before moving to the issue of civil and political rights, it is necessary to emphasize that, “political participation”; means the “voluntary political participation”. Voluntary and compulsory participation can each be found in both authoritarian and democratic regimes. However, the relative proportions of these types of participation differ dramatically in authoritarian and democratic systems and help explain the differences between the two. In the past, most of the communist regimes systematically excluded most kinds of voluntary participation- particularly competitive elections for high government office and the freedom to form independent associations- and introduced new forms of compulsory mass participation directed from above. Compulsory participation reached its apex in the period of full-fledged totalitarianism. Thus, compulsory participation is heavily associated with undemocratic regimes, whereas voluntary participation is mostly attributed to democratic regimes.

Without rights to basic liberties, democracy cannot be expected to function. Some writers tended to exclude political and civil rights from their studies of democratization due to the difficulty of finding any reliable empirical indicator for the degree of these rights but even these writers acknowledged that they constitute an essential aspect of democracy. At the heart of the democracy lies the right of all citizens to have a voice in public affairs and exercise control over government, on equal terms with other citizens. In order to make this right effective, there is need for some political institutions for ensuring competitive, inclusive and fair elections. The exercise of this right is dependent on the guarantee of those human rights that we call civil and political which are inscribed in such conventions as the International Covenant on Civil and Political Rights and the European Convention on Human Rights.
The requirements of freedom of information are essential in terms of citizen awareness of issues that might be placed on the agenda for collective decision.\textsuperscript{37} The right of agenda setting is ineffective without meaningful information. Information and knowledge are required to be an equal participant in agenda setting. In a populous and complex society, information concerning current affairs and political decision-making will depend on dissemination of channels of mass communication.\textsuperscript{38} Increased access to official information leads to greater public trust in the government and the democratic system.\textsuperscript{39} The main argument for the freedom of expression as a necessary condition of democracy is that it may enable citizens to have access to the basic information and arguments that can be utilized in the process of preference formation.\textsuperscript{40} As already argued, in democracies, people’s preferences are respected. But to make a preference, one should have knowledge of two or more possible ways of resolving a public problem or an issue. To have knowledge of two or more ways of resolving issues, different sources of information must be allowed to operate and people must be free to express their views on certain issues and persuade others. By this reasoning, people cannot really have preferences unless there is a considerable measure of freedom of expression.

If the democratic defense of a guaranteed right to freedom of expression relies primarily on its capacity to enable the formation preferences, the defense of freedom of association revolves around the importance of representing preferences within decision-making structures.\textsuperscript{41} If it is important to achieve an accurate representation of people’s preferences, then it is critical that freedom of association be enshrined so that people sharing the same aims come together, express their views and cooperate with each other in an attempt to shape laws and policies. While introducing the criteria for democracy, it has been stated that political and civil liberties should be guaranteed under rule of law. The basic meaning of concept of rule of law is that the laws, not the will of individual persons or groups should rule and that no one, including organs of state should stand above law.\textsuperscript{42} To ensure that those who make and administer the laws do not use their positions for their own advantages, laws must
be distinguished from other types of rules and commands that have coercive force. Furthermore, laws must be clear, general, consistent with one another and constant over time.\textsuperscript{43}

The importance of rule of law for democracy arises from three points.\textsuperscript{44} First, as already argued, the rule of law states that the government and its officeholders, even the chief executive, are not above the law. If no one is the above law, then officeholders cannot abuse their immunity. They cannot determine the outcomes of their own legal disputes and they cannot favor their family and friends. Second, the rule of law moderates the passion for revenge. Legal process takes the prosecution of criminal offences out of the hands of aggrieved and places it in the hands of a professional prosecutor representing “the people”. In this way, the cycle of private revenge is blocked. Third, the rule of law provides the kind of predictability in human affairs that citizens need to carry out their individual life plans. This is a necessary condition for individual liberty, if liberty includes the freedom to formulate and carry out a rational plan of life. The rule of law allows individuals to form certain reasonable expectations about how others would behave and how their actions will be received. They can know what the law allows them to do and what is required of others. In a Rule of Law, there are fundamental principles and procedures that guarantee the freedom of each individual and which allow participation in political life. There is, first of all, the right to a free blossoming of individual personality. To sum it up, the power of the State is linked to the laws that rule it. Thus, the notion of Rule of Law is directly opposed to that of “Police State” or “Despotic State”. In a democratic State, all the citizens are equal in front of the law, even State employees and administration. The latter can only take action when it has been vested with the accruing responsibility by law or by the Constitution. Seen this way, a Rule of Law is then always founded on the respect of law and Constitution. This is a system that holds the State accountable for its acts in front of the citizens and it also gives the latter the opportunity to take a stand and to react according to its acts. In this State ruled order, citizens are completely free to take part in political life as well.
State of Law procedures are subject to some fundamental principles. In the Constitution of a Democratic State of Law, the notion of “independence of the judiciary” is well rooted. This means that the judiciary is strictly distinguished from the executive and the legislative powers. As we have already explained above, the executive power is the power that enforces laws while the legislative assigns the power to put forward bills and to turn them into laws. It is only through the separation of powers that magistrates can carry out their job, free from either pressure or influence of any kind and in an independent way. They must only use rights and laws and cannot be destitute of their function without their agreement, as long as they have not, themselves, infringed laws. Moreover, it is necessary to make sure that the judiciary keeps the monopoly of the verdict. Indeed, what would be the use of an accused being declared not guilty by a judge, and the police still arresting a person? In a Rule of Law that works well, any intervention of the police, military or ‘gendarmes’ in the private life of a citizen implies that a judge has been entitled to give the order to do so.

Security Right constitutes another fundamental principle of Rule of Law, which means that each action of the State must be measurable and foreseeable. Citizens must be informed of what the State has the right to do, what they themselves can do and what is forbidden for them. Nobody must be sanctioned without legal ground and in general, laws must not be retroactive. In addition to the principle of right security, the administration is subject to laws. The latter has only the right to take action within a framework assigned by the parliament. Each action initiated by the State must then be backed by a law which, in turn, is made legitimate on the basis of democratic principle. This regulation is linked to the notion of the justifiable condition of the administration. The control initiated by the judiciary must guarantee that the administration stays within what is stipulated by laws. Any citizen who deems an administration act to be unfair has the right to call on the judiciary to protest and to demand in this way a verification of the incriminated act. Because administration subjection to law would only be a vain formula if a judge could not freely take action, it is argued that the precedence of the Constitution in front of the law can avoid some bad will of distorting facts. Thus, a Rule
of Law ties politics to law and right, submits any expression of the power under judiciary control and guarantees in this way the citizens’ freedom.

While introducing the criteria for democracy, it has been stated that the notion of accountability is implicit in the definition of democracy. Concern with public accountability originated in England in the seventeenth century, with the commercial classes’ insistence that the king account for how their accumulated surpluses were spent. The concept was redefined by the modern liberal theory and came to embody three related aspects: accountability with regard to public funds, responsibility with regard to the use of governmental power by politicians and civil servants and the executive’s responsiveness with regard to anticipating public needs and sensibilities. Accountability is implicitly based on two assumptions from the liberal tradition that highlight the interconnectedness of all of the dimensions explained above. The first assumption is that if citizens are genuinely given the opportunity to evaluate the responsibility of government in terms of its satisfaction of their own needs and requests, they are in fact capable of doing so, possessing above all a relatively accurate perception of their own needs. The second assumption is that citizens, either alone or as part of a group, are the only possible judge of their own needs; no third party can decide those needs. To leave these assumptions unmentioned is mistaken; they should instead be stated and taken into account from the outset. It is also erroneous to consider each of them as a mere ideological choice. It is instead important to acknowledge that western democracies have followed a liberal -democratic trajectory and that any concrete analysis of the quality of democracy must take this into account and shift towards a direction marked by more egalitarian choices.

Accountability is considered the obligation of elected political leaders to answer their political decisions when asked by citizen-electors or other constitutional bodies. Schedler suggests that 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 organ (the government, parliament, and so on), is indispensable for attributing responsibility. The justification refers to the reasons
furnished by the governing leaders for their actions and decisions. The third, punishment/compensation, is the consequence drawn by the elector or whatever other person or body following an evaluation of the information, justifications, and other aspects and interests behind the political act. All three of these elements require the existence of a public dimension characterized by pluralism and independence and the real participation of a range of individual and collective actors.

Accountability can be either vertical or horizontal. Vertical accountability is that which electors can demand from their elected official, that the governed can require of the governor in light of certain acts which he/she has executed. This first type of accountability has a periodic nature, and is dependent on the various national, local, and if they exist, supra-national election dates. The voter decides that either awards the incumbent candidate or punishes them by voting for another candidate, or abstaining from the vote, or by nullifying the ballot. The actors involved in vertical accountability are the governor and the governed, and are thus politically unequal. This dimension of democratic quality can become less irregular only if one considers the various electoral occasions at the local, national and supra-national levels. Continuity is also supported when citizens can vote in referendums on issues regarding the activity of the central government.

Horizontal accountability is the responsibility governors have to answer to other institutions or collective actors that have the expertise and power to control the behavior of the governors. In contrast to vertical accountability, the actors are, for the most part, political equals. Horizontal accountability is relatively continuous, being formally or substantially formalized by law. In practice, it is usually manifest in the monitoring exercised by the governmental opposition in parliament, by the various judgments and checks emitted by the court system, if activated, and by constitutional courts, state accounting offices, central banks, and other bodies of a similar purpose that exist in democracies. Political parties outside of parliament also exercise this kind of control, as do the media and other intermediary associations, such as unions, employers’ associations, and the like.
Certain underlying conditions must exist to ensure that the two forms of accountability can be fully claimed. For vertical accountability, political competition and the distribution of power must at least be fair enough to allow for genuine electoral alternatives at the various levels of government. Altman and Perez-Linan’s (2001) focus on competition and their development of an indicator that measures the ‘balanced presence of opposition in parliament’. This indicator has a negative value when the governing party dominates the legislature in terms of seats or when the opposition is so strong that it poses problems for the decisional efficacy of the government. The absence of alternation and bipolarism between two parties, or between party lines or coalitions, diminishes the importance and force of vertical accountability. If it exists, it is relevant only at the level of individual candidates.49

The presence of horizontal accountability instead hinges on a legal system that, as mentioned above, provides for the exertion of checks and balances by other public entities that are independent of the government, and not competing as an alternative to it. This form of accountability demands strong and well-established intermediary structures; a responsible, vigilant political opposition; independent media that are conscious of its civil function; and a well-developed network of active, informed organizations and associations that share democratic values.

Given the well-known political processes and the complexity conveyed about them at the level of information, justification, and evaluation, politicians have ample opportunity to manipulate their contexts in such a way to absolve themselves of any concrete responsibility. Accountability frequently becomes a catch-phrase more connected to the image of a politician than to any decisions he or she may have taken or results he or she might have produced. Negative outcomes are easily justified by making reference to unforeseen events, or by taking advantage of a favorable press to influence public opinion. At the same time, good results, obtained sometimes at the cost of sacrifices by the governed, might result in negative or punitive judgments for the governor at the time of the next elections.
Thus, accountability tends to be defined in terms of responsibility of the governments and public officials to the citizens and accounting for actions and policies. The accountability mechanisms limit the abuse of power and provide a system of periodic punishment for undesirable government policies and rewards for the desirable ones. Persistent corruption, the absence of justice and the exclusion of the opinions of the people may result in a loss of confidence in the state. This, in turn, results in loss of state legitimacy. If this occurs, citizens may transfer their loyalty from state to other channels. This situation puts state in danger. Thus, the legitimacy of the state and the stability of the system are dependent on accountability to some extent.

Elections, separation of powers together with checks and balances between branches of government, political parties and civil society are instrumental in bringing about political accountability. Elections constitute one of the most important pillars of democracy. Electoral Laws define both the organization of these elections, and how to undertake the deduction of the votes in order to assign them the corresponding seats. There is an active electoral law and a passive electoral law. Citizens who can use active electoral law have the right to vote whereas those who can use passive electoral law have the right to be elected. In most cases, the whole electorate can use both types of right. This does not mean, however, that any State which opts to carry out elections can be qualified as democratic right away: there are similarly other forms of government in which elections are practiced. Democratic elections, as such, must meet some requirements that are: Democratic elections are free when citizens have the right to choose from several candidates or parties that can run for the election without any restriction. They must also be free to decide whether they want to use their right to vote or to abstain from doing so, if they prefer; Democratic elections are equitable when each citizen who can use his/her right to vote has at his/her disposal a vote and when neither his/her origin nor his/her sex, language, incomes or possessions, job or social stratus/class, sexual identity, training, religion or political convictions have an influence of whatever kind on the assessment of the value of his/her vote; In democratic elections,
there must be no way of knowing for which political party or for which particular candidate a citizen has voted. They are secret, when each citizen can put his ballot in an envelope, without having been either watched over or influenced, in the secrecy of the polling booth, and when he/she is also able, in the same way, to put his/her envelope inside the ballot box afterwards; Democratic elections are, therefore, public and transparent. Which means on the one hand, that each citizen has the right to attend the counting of the votes when the ballot box is opened; this also means on the other hand, that it is possible to completely follow the whole process of the passage of the constituents’ votes: starting from the ballots inserted into the ballot box till the final counting undertaken to establish the calculation that will eventually share out; In addition to the requirements mentioned above, it is also important to institute elections on regular basis. Everybody, in that case, has the possibility to know the date of the coming elections, and to get ready for that ahead of time. It is a way to make sure that the current government is defined within a time frame and that its people have the right to remove it from office. The electorate should represent the whole population, which is to mean that apart from the underage population, no group should be excluded and; finally, the electorates’ votes should be final, meaning that the election results should be enforced effectively, which implies that they must be accepted as legitimate.52

Regarding election process, there are in fact two separate systems: the absolute majority votes and the proportional ones. Both have crucial importance, given the fact that they influence not only the political structure but also the formation process of the political will. To settle the choice on which polling system to adopt, one has to take into account not only the political traditions and historical situations but also social conditions, because those, eventually, may authorize solely one of the two possibilities. Several parameters may be subject to some variations: the internal regulations of the party, the relations between the parties, as well as the relations between the government and the Parliament, according to the enforcement of either the absolute majority election system or the proportional one. An election loses its primary function if it is manipulated
through the choice of a polling system; it will then have negative impact on the so-called “elected” organs which will then lose their legitimacy.

In the absolute majority system, the polling area is divided into as many constituencies as necessary, depending on the number of seats to be assigned (at the Parliament, for example). Those candidates or lists of candidates that can gather the majority of votes from their constituents will be assigned the seats to be filled. This polling system brings about some advantages: With their program, the candidates are dealing with a large proportion of the population with the purpose of trying to win the majority. Therefore, the contents of their program are generally more rational, trying to avoid extreme points of views in this way; The government must effectively take into account the presence of the other political parties, thanks to the clearly established evidence from the majorities. In this system, the voters have a significant influence on the government. Its functioning is closely linked to the bipartite system and; In the case where there is a private candidate or a candidate who does not belong to any list, there is a very close relationship between the Parliament and the constituency. The distance between the voters and their representatives remains small.53

But there are nonetheless some difficulties that go with this absolute majority system: Overall, it is only the candidates from an important political party that can manage to gather the majority of the constituents’ votes; This majority principle often prevents the representation of minorities within an organ with seats to fill (at the Parliament, for example). Not to mention the fact that some groups of voters who represent a relatively important number of constituents, but who are ranked at the second place in their constituency, cannot be represented either, as only one candidate must win at the level of each constituency and; Elections results can be rigged (by the group in power) with the purposeful manipulation of the constituencies’ size, because it is within the constituencies that the majorities are formed.54

In the proportional system, the Parliament seats are assigned according to the percentage obtained by the political parties over the total number of votes from the whole constituency. The assignment of seats (at the Parliament, for example) thus
reflects, much more than what happens in the absolute majority system, the effective choice of the population. The candidates are elected through the lists in their constituency. Like the absolute majority system, this second polling system is characterized by some advantages; The proportional system allows the representation of all political trends, even that of the minorities.; Thanks to this system, it is easy to create new political parties because all it takes is to have the capacity to obtain some percentage of votes in different constituencies to guarantee one’s entry in the organ to be filled and; At new elections, it is possible to avoid extreme political inversions, as the government is usually composed of coalitions, particularly in the case of parliamentary political systems, in which it is the parliamentary majority which determines the making up of the government.

Likewise, the proportional system is characterized by some difficulties; If one has to take into consideration all the existing political trends, a large number of political parties will indeed be represented at the Parliament. In general, none of these political parties can gather a majority and, consequently, coalitions are set up. Very often, small political parties are used as means to get majority and, once included within the government, they benefit from a superior influence over the percentage effectively acquired during the elections and; For the population, it is difficult to perceive which political party is exactly responsible for which policy; and thus, it will find it difficult to clearly target the decision to be made for the next poll.55

**Separation of powers**

Separation of powers actually means “division” of the State power into three parts. In a democratic State, the power of the State can be controlled and influenced efficiently, first and foremost, by itself. The State power must then be distributed among several organs. In general, it is the Constitution of a country that settles how the State power is to be distributed among different organs and what attributions are to be
assigned to them respectively. As a general rule, there are two government systems that need to be distinguished: the “parliamentary regime” and the “presidential regime”. In some countries, they are sometimes intermingled into mixed forms.

In parliamentary regimes, the government stems from the parliament that is elected by the people. In general, it is the government that deals with documents for the drawing up and proposals of law. However, it cannot decide anything on the way those bills are passed. Each bill is subject to a vote at the parliament; consequently, the government depends on the parliament for passing the bills that it puts forward. Political parties play a very important role as the majority at the parliament constitutes the necessary requirement for accession to government seats. At the parliament, the opposition plays an important role as an additional control instance of the power. To sum up, a parliamentary regime conveys the idea that the government and the parliament must act together. The government system of a parliamentary regime is put into practice in some countries such as Great Britain and Germany.

The government system of a presidential regime, on the other hand, is constituted in a different way: the United States of America represent the best known example. There, legislative and executive powers are separated, either at institutional level or in the concrete and technical exercise of the power. The President, representing the executive power, and the Congress, representing the legislative power, are vested with their office through well distinguished elections. Members of the government have no right to have a seat at the American Congress. Unlike a parliamentary regime, the Congress has no power to destitute a President, even if the latter is held guilty of an illegal action and is juridically liable to a sanction. The President, for his part, has neither the power to dissolve the Congress, nor the right to propose laws. Political parties, in this government system, play a relatively unimportant role. This model conveys the idea that reciprocal control can be better carried out when the two powers, the legislative and the executive, are strictly separated. There is no infallible and immutable recipe that can be directly extended to all cases, as far as the organization of the separation of powers in a modern democracy is concerned. But the most important
thing is that the State power is not in the hands of only one person or a small group of persons, because in most cases, that ends up in an abuse of power.

Civil society a multiple channels that exist for representation of citizen interests beyond the formal political frameworks of parties, parliaments and elections consist of a number of organizations, both formal and informal: interest groups, cultural and religious organizations, issue-oriented movements, the mass media, research and educational institutions and so on. What distinguishes civil society from political society is that civil society organizations are concerned with and act in the public realm without seeking to win control over state. It should be emphasized that civil society organizations are voluntarily formed and they are autonomous from the state. By contrast, the purpose of groups in political society especially political parties is to win and exercise state power. It should be emphasized that civil society is a voluntary formation and it is autonomous from the state. Only by being autonomous from the state and acting voluntarily, civil society can represent the interest of the citizens and contribute to democracy. Civil society serves the development of democracy in many ways. First, civil society can enhance the representativeness of democracy by providing additional channels for the expression and pursuit of a wide variety of interests. Second, it can monitor and restrain the arbitrary action of rulers, thus it increases accountability. Third, it can contribute to forming better citizens who are more aware of the preferences of others and more self-confident in their actions. Fourth, civil society provides an immediate layer of governance between the individual and the state that is capable of resolving conflicts and controlling the behavior of citizens without public coercion. The process of participating within organizations fosters tolerance, trust, moderation and accommodation that facilitate the peaceful solution of conflicts. Fifth, through organizational practice civil society organizations train new leaders who may sometimes cross over into political arena. Finally, by enhancing accountability, responsiveness and participation, civil society can strengthen state legitimacy.
For studying the working of democracy in Kazakhstan, the notion based on procedural definition of democracy has been followed. This includes meaningful and extensive competition among individuals and political parties for all effective positions of government power through regular, free, and fair elections that exclude use of force. People enjoy political and civil liberties—freedom of thought and expression, freedom of religion, freedom of information, freedom of assembly and demonstration, freedom to form and join organizations, freedom from terror and unjustified imprisonment secured through political equality under a rule of law. Moreover the role of mass media and the development of civil society is inseparable part of democratic dispensations.
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