

## Introduction

Among the 193 countries worldwide that are recognized by the United Nations, 123 are said to be democratic (www.freedomhouse.org). Thus, more than half of those States have set up a form of government that is characterized by the participation of its people, under whatever form that may be. But what do we mean, anyway, when we talk about democracy? Each individual surely has his/her own perception of what democracy means; however what is the real explanation to give? What is democracy composed of? What are the required elements that would enable its establishment? And what are the required activities that would help to consolidate such a form of government? What are the advantages, where are the weaknesses?

This brochure addresses these issues in depth and deals with other questions. It tries to bring light into this relatively blurry jungle of information that is turning around the theme of “democracy“. This handbook is particularly targeting ‘neophytes’ who are ready to absorb a basic notion of a broad democracy.

Following a primary explanation of the term under study, as an introduction, key elements known as specific characteristics of democracy, will be defined in a more accurate way:

Another paragraph will deal with how to keep up and strengthen an already effective democracy. This cannot be done without the participation of the population and that is exactly why it is important that you, as a young active member of the society in which you are living, be well informed.

To conclude, we will come to a point in which you are certainly interested in: The outlook of democracy.

If you found our introduction quite interesting, all we need to do is to wish you a good reading for what comes next!

### 1. What is Democracy?

The word ‘democracy» is a term that comes from Greek and it is made up with two other words *demos*= People and *kratein*= to govern, to rule. “Democracy” can then be literally translated by the following terms: *Government of the People* or *Government of the Majority*. Democracy, as a State form, is to be distinguished from monarchy, aristocracy and dictatorship. You may have already heard about the most common definition of democracy: ‘the government of the people, by the people and for the people’ (Abraham Lincoln)? To put it another way we can say that a government comes from the people; it is exercised by the people, and for the purpose of the people’s own interests. This description is only a very broad one, to start with, but the pages that follow will explain to you in a more concise way the different facets of democracy.

### 2. Key elements of States organized under democratic principles

#### 2.1 Fundamental freedom and fundamental rights

Human rights are much more than a mere component of democracy. They represent sine qua non requirements for the well performing of a democratic system. The development and

evolution of human rights are only possible when humans live in a democracy, given the fact that it is only within this system that the population itself can draw up the laws that will rule and publicly control the three powers: the legislative power (power to propose and vote for laws: in Madagascar, this is the role of the Parliament), the executive power (power to enforce laws: in Madagascar, this is the role of the President of the Republic and the Government) and the judiciary power (power to make and to promulgate laws: in addition to, for example, the High Constitutional Court). Moreover, human rights are only efficient when the State power is linked to an autonomy and independence right, and when all the individuals are treated on equal terms in front of this justice. In the same way, it is essential, in any democracy, to establish a clear separation of powers, so that the judiciary can be autonomous and independent. The result will be a triangular relation between Democracy, Human Rights and Separation of Powers, which thus represent interdependent elements.

But with this, would you now be able to explain what 'Human Rights' really mean? A strict definition would describe them as rights that are inherent to the individuality of each person, in terms of protection against any inclination of the State to harm an individual; a human being is endowed with these rights the moment he/she is born and the State cannot withdraw them from him/her. They form the very foundations of the human relations that rule life in society, be it at international, national, local or family level. What follows is a brief explanation of the different fields that they cover:

- The Individual Personality Rights constitute the core of human rights, given the fact that they include, for example, the right to life and the right to free personality development. Thanks to these rights, a human being can, for instance, be protected against attacks and manifestations of violence aimed at his/her person, and preserve his/her integrity and human dignity.
- Political and Civil Rights are there to make sure that each citizen can participate without any restriction to the political life of his/her community. This means that he or she should not fear any non justified sanction. The most important rights, in this matter, concern not only freedom of speech and freedom of the press but also freedom to hold meetings and to set up associations.
- Thanks to Social and Economic Rights, minimum living wage for the survival of a human being must be guaranteed for him/her. This includes, among others, the right to education, because it is necessary to start from the principle that everybody has to benefit from a training so as not to be left starving and deprived of resources, later on.
- Some relatively new rights have been added to this list: they are the *Third generation Rights*. They are there to demonstrate that human rights can evolve and that they are not fixed, stuck at their starting point. One can include in these rights, for example, the *Rights to Development*, which aim at reducing the gap that separates the rich and the poor. The *Rights to Environment* have also been added, in order to make sure that species that are vital to human are not damaged or even destroyed.

Those are formulas that all sound very attractive, but you must be wondering what to do to make sure that all these rights are effectively enforced; since empty formulas would not be of great help for you. You are totally right and some regulations have been made for that purpose: in 1945, upon some States' instigation, the 'United Nations' were created; nowadays, almost all the States across the world are members of this institution. In 1948, it published the '*Universal Declaration of Human Rights* ', which, since then, have always evolved. In order to be able to see to its actual effectiveness, some commissions, sub-commissions as well as committees have been put in place, like for instance, the '*Children's Rights Committee* '. In a situation where one State commits infringement of human rights,

there is, at The Hague- Netherland, an International Court of Justice that is entitled to deliver sanctions to any offender.

The United Nations are supported by a large number of non-governmental organizations which, through the contribution of active militants in the protection of human rights, can establish and publish reports on diverse infringements of these rights: thus, they can get governments not to continue accepting such exactions.

There are for that matter several regional treaties aiming at protecting human rights: for instance, the “African *Charter of Human Rights and People’s Rights*” ([http://www.africa-union.org/About\\_AU/au\\_in\\_a\\_nutshell.htm](http://www.africa-union.org/About_AU/au_in_a_nutshell.htm)). It was adopted in 1981 among the African Union Organisation, which was renamed “African Union”, later on. It is supposed to take into consideration the African cultural values. To make sure that this treaty is effective, a committee and a court of justice for human rights and people’s rights were instituted within this organisation. Upon a unanimous decision of its members, this court of justice was merged with the “African Court of Justice” in 2004.

In Madagascar, there are several NGOs and associations that fight for the human rights’ watch and respect.

## 2.2 Elections

Elections constitute one of the most important pillars of democracy. Those are the texts of *Electoral Law* that rule and clearly define both the organisation of these elections, and how to undertake the deduction of the votes in order to assign them to 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 practised. Democratic elections, as such, must meet some requirements that you may already know a little:

- 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 then *secrete*, 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 electorate's votes should be final, meaning that the election results should be enforced effectively, which implies that they must be accepted as legitimate.

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.
- 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.

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.

- 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.

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.
- 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, it is in fact coalitions that are set up. Very often, small political parties are used as means to get the majority and, once included within the government, they benefit from a superior influence over the percentage effectively acquired during the elections.
- 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.

In some countries like Germany, for example, proportional election right is submitted to a "restriction clause". The latter stipulate that a political party must obtain a certain number of votes (translated in percentages), in order to be allowed representations at the Parliament. This clause is used to avoid a profusion of small political parties at the Parliament.

In Madagascar, until now, both election systems have been combined regarding lists and candidates, during legislative elections. During the 2002 legislative election, for example, the absolute majority system was used for candidates to be elected in constituencies that presented seats to be filled; whereas in constituencies where two seats were to be filled, it was preferred to adopt the proportional system with lists of candidates. During the legislative election in September 2007, the absolute majority system was used with lists of candidates in the constituencies that had two seats available; on the other hand, in constituencies that had only one seat to be filled, the absolute majority system was used with candidates without lists. The proportional system was also used in Madagascar during the 1993 legislative election, to promote the creation of parties in the framework of the political liberalization.

As you can see, there are different forms to be considered when you set up and implement democracy. There is no fixed recipe, valid as a rule, concerning elections and the two polling systems. Each country must take into consideration specific circumstances that define, with regards to the existing cultural, political and social fields, the best way to carry out elections.

## 2.3 Rule of law

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. What follows will be a brief explanation of these.

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 him/her anyway? 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 as well 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 to do. Nobody must be sanctioned without legal ground and in general, laws must not be retroactive. In addition to the principle of right security, there is the fact that *the administration is subject to laws*. The latter has only the right to take action within a framework assigned by the parliament majority. 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.

## 2.4 Separation of powers

There are three State powers within a State:

- The legislative power draws up and adopts laws;
- The executive power enforces laws and government policies;
- The judiciary power represents the legal framework for exercising the power.

You might already know that the term “separation of powers” actually means “division” of the State power into three parts: the ones that have just been cited above. 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 but the objective of this brochure is not to bring confusion to your mind, but on the contrary, to clarify notions! That is why we are going to take each system separately, to show you to what extent relations between the legislative and the executive powers can be different, according to the case.

In parliamentary regimes, the government stems from the parliament that is elected by the people. Ministers within the Government can also be vested with a double mandate. The government is put in place by the Parliament and can be destitute in the same way at any time by the latter. The Government attributions and that of the parliament interlock. 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 organisation 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.

In Madagascar, the presidents who succeeded each other in power have each laid down in the Constitution and put into practice “their presidential regime“, according to their personal profile and their interests to be protected. From 1993 to 1996, an attempt to enforce some elements of the parliamentary regime failed. The result was the destitution of the former President by the Parliament.

## 2.5 The Parliament

Even if relationship between the Parliament and the Government can be very different in democracies, parliaments fundamentally always have the same functions. They are vested with the *office of proposing laws*. They hold the right to put forward proposals of laws. In the systems of parliamentary governments, this right is often assigned to the government, as it represents the majority in the parliament, and the likeliness of having a bill passed is greater in this case. In a general rule, the relative majority is enough to pass a bill. On the other hand, laws that deal with essential themes such as the Constitution, for example, often need a majority of two third or a referendum, to be validated.

As it has been mentioned in the last chapter, the parliament is vested, in front of the government, with the *office of controlling*. In case of doubt concerning the work of the government, the parliament can create inquiry commissions or order the judiciary power to carry out investigations. In the parliamentary system, the National Assembly has also the possibility to destitute the government. In this system, control is rather between the government and the opposition, and much less between the legislative power and the judiciary power.

Parliaments are then mostly characterized by their *function of articulation and expression of political will*. This means that:

- Members of Parliament articulate or express population will, because it is the population that they represent.
- Members of Parliament try to inform the population on their job, through public sessions, reports of those sessions in the media, as well as specifically targeted demonstrations; they try at the same time to support the population in expressing their political will.

A forth function, that of *election office*, concerns only the National Assemblies of parliamentary government systems. In this case, it is the members of parliament who elect or destitute the Head of Government, and sometimes, all the members of government. In some countries, it is also the members of parliament who elect the members of the High Court of Justice.

We have clarified in a very general way the parliament offices; but now we need to know what effectively the tasks of each of these parliamentarians are, or, in the case of a second Chamber, the tasks assigned to senators. Members of Parliament are elected to the parliament as representatives of the people by abiding to the principle: one citizen, one vote. That is why the number of Members of Parliament in the constituencies is set proportionally to the number of population.



You must have already wondered what deputies do all along the day. As a general rule, they are subject to a double pressure as they must demonstrate their attendance at the parliament, on the one hand, and at their constituency on the other hand.

In their constituency, they arrange appointments with some organizations or other institutions, grant audiences and talk directly to the citizens to try to understand issues about their place of work.

Work within the parliament is not limited to meetings in which all the deputies participate. There are, in addition to that, several circles and working groups, special committees and commissions that make up an important part of the daily job of a deputy. In general, it is experts that are invited in the special committees, to exhibit their knowledge on a specific theme. Then follows some discussion on the different points of view and joint work is done in order to find out some common grounds. There are also talks about bills/drafts, prior to bringing them to the Assembly. In most countries, deputies are vested with parliamentary immunity to protect them against the arbitrariness of the executive. Immunity implies that deputies are not exposed to lawsuits and judicial sanctions all along the duration of their parliamentary mandate.

Two political principles emerge within a democracy and play a crucial role in the way a deputy works; those are: the *majority principle* or the *competition principle* and the *consensus principle*.

The majority principle or competition principle is founded on the principle of majority, which means that decisions are made on the majority basis. As a general rule, there is in this system, a great number of political parties which compete with each other. In this case, the advantage is that decisions can be made rapidly, and that the government can work in an efficient way. Normally, in this case, the parliament benefits from the mechanisms and structures that are willing to express and take into consideration the interests of the minority groups in their decision making process at the parliamentary level.

According to the consensus principle, maximum actors are included in the political process. There is an attempt to make decisions through consensus. ([http://www.hsl.ethz.ch/pdfs/2003\\_4\\_S17\\_Papadopoulos.pdf](http://www.hsl.ethz.ch/pdfs/2003_4_S17_Papadopoulos.pdf)). This brings the advantage that nobody has to feel excluded in the expression of his/her point of view. But at the same time, this type of decision making involves long discussions beforehand, and gives to minorities the opportunity to integrate their interests in the process of discussing the points of view.

## 2.6 Democratic Pluralism

In a democracy, pluralism is considered and applied as a form of social order and policy. In the field of politics, pluralism implies that a large number of interest groupings and associations that get together freely are reciprocally in a situation of competition to win influence on social and political life. These groupings can be of political, economic, religious, ethnic or of any other nature. A plural society is characterized by respect, acceptance and recognition of all points of view; no matter how different or diverging they can be; and their dissemination, as well as their enforcement should not be faced with any obstacle. Pluralism is based on controversial discussions whose results are often built on compromises which eventually satisfy all the involved groups, or at the very least, are acceptable as a whole. In pluralism, either dialogues, points of view exchanges or discussions, as well as ideas and opinions that are debated there have a constructive feature within the framework of social processes of expression of ideas and political will of citizens, even if they are either contrary to or opposed to the regime in place or even closer to the opposition.

You may have already noticed that, even in a plural society, some interest groupings are more influential and stronger than others, and that in reality, the competition principle does not apply in the simple, fluid and easy way we have just described it. But it is exactly for this reason that the State has the important role of detecting possible flaws in the competition system, and to find out the necessary palliative measures. There is, for example, the possibility to provide additional aid to the weakest interest associations, to make them more competitive. These state regulation measures are necessary to maintain pluralism in action.

In pluralist societies, in parallel to these interest associations that solicit socio-political or economic influence; there are groupings that directly covet posts: those are the political parties.

Like many other citizens, you must already have raved at political parties, because they have, for example, promised to take some measures, and they have not done anything about it afterward. In spite of these criticisms that one can direct to political parties regarding the results of their work, it is necessary to recognize that they constitute nevertheless a necessary and indispensable element to any democracy. People can exercise their sovereignty through these political parties; it is really thanks to them that they can react in an effective way. The alternative would be to elect a representative, as a population, and to take on all the tasks that are the duties of political leaders. But this is just not possible, given their large number and the complexity of the themes. Instead of that, it is necessary to have groupings and political parties, to put people forward as candidates for different government offices, to discuss solutions to problems that come up and to represent the interests of their voters. In this way, they constitute, on the one hand, spokesmen/ women for ideals and political objectives of the population. On the other hand, these political parties take part in a decisive way in the construction of population political will, as they know how to grasp the positions of this population in order to articulate and shape them in the midst of the discussions. It is not enough to consider the parties as mere messengers that convey information on the people to the leaders. They must also be considered as active groupings that contribute to the construction of political will, because they take as well the role of mediators for instance, when there is a conflict between the point of view of the people and that of the parliament, or between the government's opinion and that of the president.

In general, it is the people who share the same ideals and the same points of view who get together to create a political party and to integrate their program proposal in the policy. In a plural society, the creation of political parties is free, which means that every body has the right to create a party. In a general rule, political parties have also a core program that reflects its values and its long term objectives, as well as an electoral program, which is rather a short term oriented one.

Because political parties within pluralist societies must face important tasks, it is important that they be organized in a transparent and democratic way. This implies, on the one hand that each citizen can freely and openly integrate a political party; and on the other hand, it must be stipulated that each member has the right and the possibility to participate in the definition of the party line, at the election of the leader of the party and the appointment of candidates to political and state functions. In addition to their role in the articulation of the population's interests, and the building up of its political will, it is also the political parties that put in place the required personnel to the government offices. As they link the people to their representatives, or the representatives of the people to the leaders, parties are as indispensable in the political scenery of a plural society as the interest groups and associations described earlier.

## 2.7 The Government and the Opposition

The leadership of a community will fare better if taken on by only one person or a small group, as long as this community is expected to be able to act. You must already have noticed this in your daily life, in a more reduced framework. When one class or working group has to discuss something, the first thing to do is to elect a leader; to put in place and maintain a structure. Without this leader, the debate takes place in a disorderly manner and coming up with results is difficult. If we transpose this image to the case of the State, we can see clearly why it is necessary to have a government.

The government, which is always supported by the parliament or presidential majority party (with or without coalition with the other parties), can only function with an intact and efficient state administration, which enforces the decisions. The administration helps not only in the drawing up of the new laws but also in their enforcement. It is then possible to say that the state power is not taken on by the government alone, but it also calls for the concrete adhesion of the administration to manage a country in a reasonable way. In democracies, the administration is institutional, centred on its personnel and is ideologically non-identical to the majority party. It stays permanent, to serve the State, and not the party of the majority, no matter which party holds the majority and supports the regime in power.

In a democratic State, there is always an opposition that exists parallel with the government. During the elections and at the level of the different state organs, (Parliament, Senate, regional and communal councils, etc.), in most cases, there is one or several opposition parties that confront the party of the power in place. The opposition controls the government. It constitutes a beacon for the government. Its presence is necessary to guarantee an exchange of points of view that are characterized by useful controversies. Democracy in fact feeds its dynamic on such permanent conflicts between points of views, and on the discussions that result from them. But you must be wondering since when conflicts are positive or are of some use? Anyway it is with help of a discussion without either taboo or restriction, during which all opinions are freely expressed that all the perspectives can be addressed and the best solution can then be found. This idea is conveyed in a Malagasy proverb saying that by gathering and synthesizing many people's ideas, it is possible to reach the highest levels of reasoning sphere ("*Ny hevitra ny maro mahataka-davitra*"). In the best cases, the opposition party is for that matter always the potential substitute of the majority party and already exercises, for that reason, a pressure on the government. It criticises the measures taken by the government party and tries at the same time to put forward its own program. In the daily life of the parliament, the opposition can directly influence the drawing up of the laws. In general, it is not possible to initiate some amendments of the Constitution without its agreement; by negotiating skilfully, or by imposing in a tactful way; it can also change other bills drawn up by the government. Besides, the opposition plays the role of expressing interests that are not taken into consideration by the government, as well as that of ensuring that all relevant issues have been discussed openly and in depth.

To meet all those expectations, the opposition must be vested with parliamentary rights. The majority party must not have the right to change the rules of the game in such a way that it could give rise to some disadvantage for the opposition. The latter must have the possibility of challenging the government and of putting forward its criticisms. It is important anyway that, during election campaigns, the opposition have the same advantages as the party in power. This means, to go into some details, that it must have the same access to the press, the radio and television and that its program can be presented freely in the streets. Despite all these rules, a fair game between the government and the opposition is only possible if the two

parties respect the fundamental principles of democracy and if they are ready to willingly take action according to these principles.

We have just described the general framework that defines the working context of the opposition, but you surely have the impression that at a particular point or another, things do not happen in such a simple way and without any problem in practice. This impression is totally justified because the job of the opposition is not as easy as that, even in modern democracies.

It may happen that a party stays in the opposition for years and, over time, loses its motivation to continue leading hot discussions, or to put forward its own program. Meanwhile, the opposition is always obliged, through the different interest groups, to work with the government party. During this cooperation, it can easily go beyond its role of control instance. That is why, nowadays, law texts are so complex and so complicated that it is necessary to have a correct global grasp of reality, of first class information, to be able to draw up correctly. The government is vested, in this field, with a huge advantage, because it can depend on the work of the administration. For an opposition that often does not have a large number of experts at its disposal, it is far more difficult to put forward law texts

The most efficient support for an opposition to be functional is the public opinion that is well aware of itself, which knows how to make constructive criticisms. In a society that considers parliamentary conflicts as something productive; the opposition can integrate its ideas and contributes in a decisive way to the establishment of democracy. The people also play an important role as referee, as it is the citizens who vote their government at regular period of time. In democracies, each citizen can adhere and freely belong, and without any fear of reprisals, to a chosen opposition party according to his/her interests and convictions. This makes part of the fundamental right of a citizen and will make sure that the opposition does have the freedom and the possibility to present its ideas, opinions and society projects to the citizens. This allows the latter to have and to know alternatives to government proposals. That is why citizens can vote freely in democracies: they have at their disposal several options and can choose the best suited.

In several African countries that have chosen to set out for democratic transformation toward the end of 80s, the "Opposition Charter" or the "Opposition Statute" constitutes the judicial foundation for the opposition work. There is an attempt to protect the opposition from the arbitrariness of the executive power and the party in power, and to give to all parties – be they in power or in the opposition, the same chance to win in the democratic race. Some specific regulations have been included regarding the funding of the parties, the rights and obligations of the parties on power and the opposition parties, as well as access of the opposition parties to state media. In Madagascar, in 2002, in the framework of the 'States General of political parties', the law on parties that had existed since 1990, was deemed obsolete by all the parties; but it has not been changed yet until now. Reforms on election law have been debated since 2000. Madagascar does not have any opposition charter.

## **2.8 Public opinion and freedom of the media**

*Public opinion* is of a decisive importance for democracy. Are you wondering why? Public opinion is made up with citizens or specific groups that reflect on their community and express their criticisms, their proposals or their agreement to influence the construction of political will. It is not possible to talk about only one, but of several public opinions because in a plural society, there are always several stands. Public opinion is then a tool to control the politicians that lead the country. On the one hand, this is important for the opposition as the

latter is only potentially active in front of the government through this public opinion. Indeed, what important changes would an opposition bring if it was only able to express criticisms in closed rooms? It is when the opposition represents its stands and opinions, finds itself obliged to react, otherwise it is running the risks of disaffection or destitution, from its citizens. Moreover, public opinion serves the whole population in its effort to display criticisms and its incitements to well defined actions. Each citizen has the right to gather information and to contribute somehow to the expression of public opinion when he/she organises, for instance, a meeting in order to exchange information. In this context, political and social human rights play an important role: the freedom of opinion, as well as freedom to hold meetings and to set up associations which allow citizens to participate in the expression of public opinion, without having to put up with any pressure. Public opinion then constitutes a controlling tool, which is very important in a democracy and which implies that it is only politicians who confront this public opinion who can display true interest for citizens' desiderata.

What articulates public opinion, or more accurately, public opinions? How can you, for example, know what happens every day in politics? And what are the instances that inform you on the current controversies concerning society?

As far as the dissemination of positions and opinions are concerned, it is the media, that is to say television, radio and newspapers, but also more and more, internet, that play a decisive role. In the current mass societies, communication can only be carried out through mass media. Interchanges of information can only be done through the direct contacts of dialogues, because over time our societies have become too populated. Political parties, particularly, must call on the media to lay their projects and their stands in front of the population. Democracies are not any more basically characterized by direct communication, but rather by media communication. It is by the way for this reason that the media are considered as the "fourth power" coming after the judiciary, the executive and the legislative powers, because they constitute in fact the most important controlling tools of the public opinion.

However, the media can only play this role outside any form of state influence. The freedom of the press, another fundamental freedom, also plays an important role in this context. There are several organizations of public utility all over the world which are devoted to the observation of the press freedom in each country, as well as the protection of journalists who feel threatened due to the researches that they carry out for their profession. You may have already heard about the "*Freedom House*" organisation? It publishes many times a year a report entitled "Freedom of the Press", in which the press of different countries are put into categories for being free, partially free or not free ([www.freedomhouse.org](http://www.freedomhouse.org)).

In addition to possible state restrictions, there is also an internal evolution within the media that represents a danger for plural expression in the publication of information intended for public opinion. One can notice a recrudescence of monopolies, in fields as diverse as the press, radio and television: several newspapers or several television broadcasting stations are under the management of the same company. This is mostly due to the fact that, nowadays, a large quantity of capital assets and technical knowledge is necessary to create a television station or a newspaper. Consequence: it is not everybody that can participate in the expression of public opinion. The main worry lies mostly in the fact that monopolies of opinion are set up through such concentration, which no longer allows any expression of opinion, any construction of personal idea or global political will, any publication of information respecting pluralism. And when we say that the media constitute a "fourth power", we can only question this evolution. It is particularly a danger for the establishment of plural democracy in countries undertaking transformation.

Officially, the press is not censored in Madagascar. Nevertheless, the access for the opposition and the citizens «that think otherwise» to state media is quite difficult or even impossible. Some politicians who have success have sometimes their own modern media enterprises at their disposal.

### **3. Democracy does not keep up all alone!**

You might have had a feeling through the preceding part that a democracy endowed with all the key elements mentioned above is firmly established and will function as well for ever! Democracy unfortunately is not considered as a permanent building, like a stable and well constructed house for instance, that will stay unchanged beyond the centuries.

Democracy is rather a process that must be maintained and consolidated permanently. It is not just a type of State, with simple procedures and simple mechanisms. It is not enough then to have three separate State powers, to have citizens ready to run for the legislative elections, that a head of State or a mayor be elected every four or five years and that there are several political parties, etc. Democracy must be taken on by the whole population and all the aggregate of political elite. It can only be established and consolidated when it put forward a conviction that is shared by all the members of society: thus, ways of thinking and behaving, e.g., the political culture, must be based on and directed to democratic values.

The following paragraphs will give you some information on important elements that have been chosen to feature the process of democratic consolidation: decentralisation, fundamental democratic values, government leaders and political education.

#### **3.1 Decentralisation**

In your country, who makes the decisions when a new road, for instance, or a new market has to be built or renovated? Is it the local, communal or regional authority, or the central State, that is the minister or the Head of State?

Decentralisation means that the administration of a country is not based on the central instances, but to a certain point, decision making processes are entrusted to the basic community (“grass root“).

It is then more reasonable to directly make decisions at regional levels where the inhabitants are directly concerned by their impacts. When the government system is organized with the purpose of staying close to the population, the identification of the inhabitants with the instances of their region, which means political participation, can increase. For many people, it is more logical to get committed in politics when they effectively have the possibility to make themselves the decisions that directly concern them.

Thus, in the framework of decentralisation, the central government transposes its power and authority to the local and regional structures set up outside the central State: those structures will then be able to plan, decide and manage themselves their own business. These local and regional structures are called regional bodies. At the top of the regional bodies, there are the representatives, elected within the population that live there. Administrative structures exist, parallel to the regional bodies, to represent the central State at local level: they are then managed by State civil servants. The latter represent the central State, control and support the representatives elected locally.

Regional bodies are organized according to the following principles:

- Affaires are dealt with at the level that corresponds to the body which is the closest to the issues to be addressed. In other words: the solution to a problem is entrusted to subordinate levels, as long as the latter can and are willing to take care of those issues to be addressed. This is the principle of subsidiarity.
- Regional bodies are neither administratively subordinated to the central State, nor to its local representatives.
- Regional bodies are managed by themselves.
- Regional bodies live on population contributions, their decision competence and responsibilities have been transposed.

When a State is decentralized in its structure, this means that the regional bodies take on the decision competence and responsibilities of the population. It is then necessary that they have at their disposal their own financial resources.

Decentralization is very useful for the consolidation of democratic structures. It makes the access of the inhabitants to political decisions much easier. It increases the inhabitants' motivation to get involved in politics; and this political commitment is probably greater than in countries with centralized organization. In some great countries, like in Madagascar by the way, those who live far from the headquarter of the government and its political structures have no possibility to take part in political life, apart from elections, when there is no regional structure.

Nevertheless, decentralization does not mean that the central government is not important. It is exactly the opposite that is true as the government must show enough political will and commitment to be able to establish such a change. Decentralization is not only an administration restructuring, but also a political process of transformation. Apart from the administration, these changes affect all the levels and all the sectors of society.

Here are some examples of States with a decentralized organisation: the Federal Republic of Germany, Switzerland, Great Britain and the USA. Madagascar belongs to the group of countries in which centralized organizational structures are part of the tradition, like France and other former French colonies. In these countries, the decentralization process is always torn between centralism and the participation of regional bodies, in a context democracy consolidation. In those countries, the decentralization process is highly politicised, to the detriment of the fact a democratic mode of government is being established.

### **3.2 Democratic governance**

Governance is the exercise of a power or of an authority with the objective of managing the affairs of a State, an organization or a society. Democratic governance, or 'good governance', is based on the enforcement of the fundamental values of democracy in the power exercise. But what are in fact these fundamental values of democracy?

Given the fact that democracy constitutes a conviction, its orientation concerns fundamental values that help human beings to apply democratic transformations and to try to live this democracy. Those fundamental values, among others: justice, equality, solidarity, tolerance, pluralism, the taking into account of the minorities, non-violence, dialogue and negotiations, free community life. Democracy then respects and takes into consideration, as much as possible, the interests of the minorities in the framework of the adoption of majority decisions.

The most important principles of good governance that can be drawn from the fundamental values of democracy are: participation, efficiency, efficacy, sense of responsibility and responsibility, the act of reporting, adaptation capacity, transparency, rule of law and participation.

Good governance is always composed of two aspects:

- A socio-political and human dimension that defines, among others, the role and functions, as well as the political participation of the different actors, including the way of thinking, behaviour and leadership style of the leaders;
- A technical dimension that defines, among others, norms, administrative and financial procedures, accounting, evaluation indicators etc.

The more the government neglects the socio-political dimension, the more pronounced technocratic tendencies there will be, or even an authoritarian style of government and leadership, which will get citizens, mostly in newborn democracies, to have negative considerations toward their leaders and toward the policies that latter implement.

You surely have already understood that good governance is not only based on the State or its leaders, but also on all the actors and all the groups of actors that take part in the democratization and development of the country. The main actors of the system of good governance is then composed of, apart from the (central) State, the regional decentralized bodies, the political parties, the civil society and the private sector as well as the citizens, of course.

In a good governance system:

- The roles are clearly defined, well distinguished and balanced among different actors and groups of actors, in the law texts as well as in practice.
- The interests of the different actor groups are articulated in decision making.
- Leaders are characterized in the exercise of their power by a democratic behaviour and a democratic type of leadership, like the taking into consideration of the fundamental values of democracy, the respect of contrary opinions of others, the taking into consideration of laws and rules in force, tolerance, capacity and good frame of mind for dialogue, discussions, non-violence.
- In front of this, citizens and groups of actors are encouraged to express themselves, to take part in the processes of decision making and to control the exercise of power by the leaders in place.
- Between the two camps (the State authorities and the other groups of actors), the controlling mechanisms always function well and in a transparent way; the channels of information and communication are fluid and efficient.
- There are informal and formal participation structures that function well for consultations, concertations, dialogues and negotiations, in which all citizens and social groups, man and woman, young and old, minorities or majorities can and have the right to participate freely and without any fear.

Political education represents an efficient means for the institutionalization and interiorization of the fundamental values and other democratic cultural elements.



### 3.3 Political education

Nowadays, commitment can become a crucial problem in our democracies if it is present in the least measure. People also talk about “*aversion for politics*”. This means that the majority of the population does not want to take part in politics, to participate in elections or to get committed in anything. We can also talk about a globally negative opinion vis-à-vis the political activities and structures. What is this political aversion due to generally?

There are several factors that may contribute to it. First of all, the relationship between the voters and the elect can deteriorate when the elect, for example, do not respect laws and conventions, and that as a result, confidence disappears among voters. Moreover, the expectations of the voters can be deceived when the elect do not react at all, or react in an unsatisfactory way to existing issues. Evidence of the deteriorating relationship between the voters and the elect can be noticed with the decreasing number of the political party members, and also a decrease in turnout rate. The latter is particularly problematic because at the same time, the legitimacy of the politicians goes down as well. Secondly, aversion for politics comes up when political education is insufficient whereas political processes are becoming more complex. As we have already described above, the end result is that the population cannot develop personal judgment of its own and is not therefore able to get involved in politics. Thirdly, people get the feeling that the diverse parties do not differ much from each other because of lack of ideas, and so they are not motivated to go to vote. Fourthly, the mass media have a tendency to talk about political events in a negative way, rather than a positive manner. There are always more pleasant reports to read but they are so superficial, at the place of important information. This image is transmitted to the population and blocks the motivation to participate in politics. Fifthly, as they are, rules and institutions have been created in such a way as to complicate population participation.

In countries like Madagascar and other African countries that have experienced population movements in the framework of democratic transition, certain parts of the population tend to have bad opinion of leaders because the reforms and transitions requested by those voters and promised during election period have not been realized. Apart from social and economic reforms, there are often fundamental institutional reforms (among others the Constitution, election law, laws ruling the parties, independence of the judiciary, governance, decentralisation, etc.), as well as the change of behaviours in favour of democratic fundamental values and types of leadership. It is mostly those countries that are currently undergoing a democratic transformation process and which can neither take the liberty of having aversion for politics, nor commit civil disobedience; indeed, who would do otherwise than establish democracy and bring social development?

In order to strengthen social commitment and awareness of the democratic values, particularly among young democracies, political education is indispensable. Political education can make political culture move toward democracy. But what can you really learn in political education?

In addition to the training and the consolidation of awareness regarding democratic values, this is about learning to better know the fundamental structure of politics. Indeed, how would you get committed in politics if you have no information about either the functioning, or about how to get committed? Basic knowledge on the most important questions is transmitted so that people will be able to have a personal idea on the subject. And the same problems come up each time: how would the population draw up and represent their own point of views on some questions if there is no information accessible publicly? It is at this point that you realize very clearly that political education is not yet well valorized. Besides, knowledge on information and the media are transmitted as well.

Political education is, on the one hand, mostly conveyed by the state, by proposing for instance a course on politics at school; but prior to that there is a course on the exercise of power and the leadership style of the members of the State. The latter always represent as many models as regards the application of democratic fundamental values. Secondly, some organizations in the civil society are equally engaged in political education.

As a whole, political education transmits basic knowledge on politics. It is used to train people by giving them a basic understanding of politics and some political process. Thanks to this knowledge, they should be able afterwards to develop personal judgment and to get involved in politics. In democracies, political education does not concern only the population as a whole or the youth: it also concerns the whole society, that is to say, the intelligentsia and the elite of the political leaders. In Germany for example, there are “popular universities” and political foundations for that. The Friedrich Ebert Foundation (FES), one of the German political foundations, for example, is devoted to political education in order to convey the spirit of democracy to the ordinary citizens, the leading elite and the future generations, in all the different fields of our existence. Among other things, this foundation organizes, through training seminars, discussion forums and meetings.

But a brochure like this one equally contributes to that by informing you and helping you to better understand democracy.

#### **4. Does the future belong to democracy?**

Does all this mean that it is only in democracy that peace, welfare and liberty reign? To answer this question is not that easy. Anyway, it is clear that democracy can bring an important contribution in making citizens feel that it is good to live in a State, to express themselves freely, to know that the economy is thriving and security guaranteed.

In this context, it is becoming more and more important that even different States cooperate and make efforts to develop models that are common to their States or to the continent. It is only in this way that wars can be avoided and that anarchy and chaos would not reign. With the help of modern means of communication, no State in the world should leave its citizens in ignorance or in doubt regarding their rights and the freedom that take place in other countries. If it wants to avoid that its citizens try to claim these same rights by means of revolution or coups, it must be ready to allot those to them in advance.

There is still a long way to go for all the States in the world to be democratically ruled and for “all authorities to stem from the people“.

Many countries, including Madagascar and other African States, undertook important steps as “transition” along the democratization path, toward the end of 80s and the beginning of 90s. The goals of democratization consist in:

- Changing the authority structures of the power and the government;
- Creating new procedures, new mechanisms and new forms of social participation, and finally,
- In creating the socio-political conditions necessary to social development.

We must not forget that democracy represents a path to development. The democratization process then leads to development, through democracy. The newly created procedures, mechanisms, structures of power and development conditions must evidently be consolidated. The key words in this field are:

- The taking into consideration of and the promotion of fundamental freedoms and fundamental rights ;
- The democratization of elections;
- The promotion of plural media, as well as multipartite systems that function;
- The emergence of political cultures and a governance that is based on the democratic values;
- Furthering of democracy, and finally,
- The promotion of a rapid and sustainable economic growth that takes at the same time into account the social interest ranges of society.

This is the reason why democracy consolidation concerns all interest groups, all population parties as well as all social fields and actors. Democracy requires a permanent participation of the citizens because contrary to autocratic State forms that require the subordination of submitted people, it is only strong, thanks to the strength of responsible citizens.

Research outcomes have shown that the young in particular do not feel concerned about politics. It is supposed to be due to, among others, the fact that young people below the age of 18 often have no right to speak/take the floor; consequently, they are not of any interest to politicians, given that they do not represent any vote at the elections. When one has no right to speak, there is obviously a decrease in the motivation to want to get committed at all. However, this is very important because, indeed, it is those young people who can help print their values in society. Furthermore, there are other paths and means to express or materialize one's engagement.

Have you ever tried to become a member of an organization? To participate does not necessarily mean that you want to become a politician. In addition to State institutions, a healthy democracy needs a basic structure made up with organizations such as parties, associations and clubs, or initiatives of citizens who support democracy. It is necessary to freely take responsibilities and get involved.

If you want to do something, you could for example go to a club or Fokontany meeting, to see what is decided there, and maybe even bring your personal opinion. Or else, you can meet with friends in order to exchange information on political events and discuss these.

Participation consists in willingly exercise influence on decision making processes, on whatever field and whatever level that is. It is only in this way that democracy can be built, interiorized and kept alive! You too, and you indeed, are an actor of democracy!