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From Transition to Defective Democracy: Mapping Asian Democratization

AUREL CROISSANT

This article undertakes a systematic inquiry of democratic development in Asia. It shows two main trends of democratization in south, south-east and north-east Asia. First, in most of the democracies the institutionalization of political rights exists side by side with stagnation or decline of the rule of law and civil liberties. Second, the quality of democracy in the different countries is growing further apart. While new democracies in north-east Asia are on the track to democratic consolidation, democracy in south Asia is on the edge or has already fallen victim to authoritarian renewal. In south-east Asia, democratic consolidation is stagnating. The article also provides for a systematic analysis of why and how defective democracies originate. It argues that not a single primary cause but a set of interconnected variables influences the track of democratic development. While 'Asian values', the type of colonial rule and ethnic heterogeneity give only weak support for democracy in Asia, socio-economic development, political institutions, stateness and political party systems are more important determinants. In the last section the article offers a sceptical outlook on the prospects for further liberal democratic development in Asia, arguing that for most young democracies in the region remaining a defective democracy is the most likely prospect in the near future.

Key words: Pacific Asia; democratization; defective democracy; consolidation; ethnicity

This inquiry undertakes a systematic review of democratic development in Asia. It draws on the concept of defective democracy developed by Wolfgang Merkel and others.¹ The analysis will proceed as follows: first, it outlines an empirical map of democratic regimes in Asia. Then, it categorizes Asia's young democracies under different sub-types of democratic regimes and compares trends in democratic development. Two main trends are visible: (1) in most democracies, the institutionalization of political rights comes along with the stagnation or the decline of the rule of law and civil liberties; (2) the quality of democracy in Asia grows with varying speed. While the new

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democracies in north-east Asia (South Korea, Taiwan) are on the track to democratic consolidation, democracy in south Asia is on the edge or has already fallen victim to authoritarian renewal. In south-east Asia, democratic consolidation is stagnating. The study will attempt to account for why and how defective democracies originate. The final section offers outlook for the prospects for further liberal democratic development in Asia.

Mapping Democracy in Asia

Comparative studies on democratic transitions lead to a clear result. The global tides of democratization generated the weakest results on the Asian continent. As measured by the annual evaluations of political rights and civil liberties by Freedom House, the continent ranks last in terms of democratization.² In any case, 'continent' is a criterion too crude to serve as a reliable taxonomic category. The picture changes, *prima facie*, when we restrict our regional perspective to south-east, south and north-east Asia because of their geographical, historical and cultural similarities. The three sub-regions can comprehensibly be compared. When the third wave of democratization began in 1974, only four countries in the region fulfilled the criterion of free elections and could be categorized as 'electoral democracies'. In 2002 the proportion of 'electoral democracies' in Asia had increased from almost 6 per cent to 40.9 per cent. At present, there are four groups of countries in the region (Table 1).

Although the number of democracies has increased significantly, Table 1 suggests the fragility of democratization in the region. Since the mid 1980s, nine countries have embraced transitions to democracy, the last of them being Indonesia in 1999. However, just a few months after the fall of Indonesia's authoritarian 'New Order', Pakistan's Prime Minister Nawaz Sharif was forced to yield to a military putsch that brought General Pervez Musharraf to power in October 1999. Already in July 1997, democracy in Cambodia had collapsed after a bloody coup against First Prime Minister Prince Norodom Ranariddh. In October 2002, King Gyanendra of Nepal scrapped the upcoming general elections and suspended democracy. Though the 'third wave of democratization'³ also engulfed the shores of Pacific Asia, democratization still faces much uncertainty; even where democracy has survived so far, the democratic regimes remain unconsolidated or 'defective'. Most regimes have, in varying degrees, significant defects in the areas of the rule of law, civil control of the military, fighting corruption, developing stable political institutions and settling political conflicts by peaceful means. A regional trend to 'non-liberal' democracies in Asia is, once again, hard to deny when we consider data from Freedom House. While there was a steady increase in political rights and civil liberties in Asia as a whole, the

TABLE 1
POLITICAL REGIMES IN ASIA (2003)

	South Asia	South-east Asia	North-east Asia
Electoral democracies (second wave)	Sri Lanka, India	—	Japan
Electoral democracies (third wave)	Bangladesh	Indonesia, Philippines, Thailand	South Korea, Taiwan
Failed democracies	Nepal (democracy suspended, October 2002), Pakistan (coup d'etat, October 1999)	Cambodia (putsch, July 1997)	—
Autocratic regimes	Bhutan, Maldives	Brunei, Laos, Malaysia, Myanmar, Singapore, Vietnam	China, North Korea

Sources: Classifications by the author based on information from Freedom House, *Freedom in the World. The Annual Survey of Political Rights and Civil Liberties, 2001–02* (New York: Freedom House, 2002); *Nepal Research* (<http://nepalresearch.org/politics/>, accessed 10 April 2003).

political rights in most of its new democracies are better guaranteed than civil liberties, the gap between them seeming to remain constant. One-third of all electoral democracies in Asia fulfil the criteria of liberal democracies, while the rest remain ‘semi-liberal’ or ‘illiberal’ (Table 2).⁴

Types and Trends of Defective Democracy

‘Illiberal’ or ‘semi-liberal’ democracies observe the formal procedures of electoral democracy but combine them with autocratic characteristics. However, these regimes are more accurately categorized as ‘defective democracies’. But first, we must differentiate between regimes with firm and distinct defects and other regimes where defective democracy still seems to allow progress towards liberal democracy.

South Asia

Between 1988 and 1990, a transition took place in Bangladesh, Pakistan and Nepal. In Nepal, admittedly, the founding elections of democracy in 1991 brought a genuine anti-authoritarian force, the Nepali Congress (NC), into power. However, there was no successful elite settlement between the democratic actors, the old autocratic forces and extreme left-wing groups,

TABLE 2
THE PERCENTAGE OF LIBERAL, SEMI-LIBERAL AND ILLIBERAL
DEMOCRACIES IN ASIA (1972–2002)

	Liberal democracy	Semi-liberal democracy	Illiberal democracy	Autocracies
1972–73 (N = 22)	4.5	13.6	9.0	72.7
1982–83 (N = 21)	4.7	9.5	0.0	85.7
1992–93 (N = 21)	4.7	23.8	19.0	52.3
2001–02 (N = 22)	13.6	13.6	23.8	50.0

Notes: Regimes with an average freedom score of 2 or better are classified as ‘liberal’, those with scores of 2.5–3.0 as ‘semi-liberal’ and those with a rating of 3.5 or higher as ‘illiberal’. The minimal condition for classification as a democracy is the regular conduct of free elections.

Source: Calculations by the author with data from Freedom House, *Freedom in the World* (<http://www.freedomhouse.org/research/freeworld/FHSCORES.xls>, accessed 10 April 2003).

which would have stabilized Nepali democracy. In many areas of the country, Maoist guerrillas fight a revolutionary war. The Maoist rebels possess a significant amount of support among the poor, the intelligentsia, ethnic minorities and the rural people.⁵ The massacre of the royal family in June 2001 further reinforced the crisis of democracy. In October 2002, finally, King Gyanendra assumed executive powers by decree, dissolved parliament and appointed a new cabinet by his will alone. This steady erosion of democracy ended in a barely disguised takeover of power by the monarchy.

As in Nepal, the democratic process in Bangladesh is marked by severe polarization and a high incidence of political violence. When in opposition, the major political parties took their political protest to the streets, which instigated strikes and walkouts, causing an imbalance in the democratic polity and hampering economic development. While the military, returning to the barracks, no longer vies for power and the separatist movements among ethnic minorities have also lost momentum since the late 1990s, the political elite uses its democratically gained power to safeguard the political and economic interests of their own families. Alternatively they simply take revenge on their political opponents. Technically, the judicial branch is independent from the legislative and executive branches. The lower courts, however, do not enjoy the confidence or respect of the general public. In the lower courts, the rule of law and judicial independence are unpredictable, particularly in rural areas; in recent years the ‘government has adopted a strategy of procrastination which has resulted in a public crisis of confidence in the state of

the judiciary'.⁶ The courts face a chronic backlog of cases and the police are notoriously corrupt. Fighting corruption is exploited as a political tool.⁷

While Nepal's democracy has almost completely collapsed and defects exist in a large scale in Bangladesh, democracy has altogether vanished in Pakistan. Military tutelage over the elected government has burdened the democratic system ever since the 1980s. As demonstrated by Musharraf's putsch against Prime Minister Nawaz Sharif, the 1990s did not bring about the withdrawal of the army from politics. Although a multi-party system was in place since the late 1980s, the principle of loyal opposition was unknown. Even democratically elected prime ministers after 1988 generally governed by decree, disregarding the largely non-functional parliament and frequently countering the will of other constitutional powers, such as the presidency and the supreme court. Large segments of the population have experienced a dramatic loss of confidence in democracy, and the partially extremist Islamist movement is once again gaining ground. In rural areas, some large-scale landowners maintain clan-based private armies, while in the larger cities militant supporters of political parties have formed armed groups. These private militias engage in firefights with the police and the army. Although Pakistan is officially an 'Islamic republic', the unstable relationship between religion and the state has created a hybrid system in which secular laws and *sharia* exist side by side. It also leads to conflicts between different Islamist groups, which are often settled violently, the Shi'ite minority bearing the brunt of such violence. In rural areas, the social milieu deprives women and the poor of equal rights and freedom of worship where it does not correspond to local custom. Even in the cities, religious conflicts increasingly jeopardize freedom of worship for Shi'ites, Hindus or Christians.

*South-East Asia*⁸

Between 1986 and 1999, democratization appeared in Cambodia, Indonesia, the Philippines and Thailand. In Cambodia, the Paris Peace Accord of 1991 opened the way for the first free parliamentary elections in 1993. With strong financial and political efforts by the West and Japan, the United Nations Transitional Authority in Cambodia organized the elections, which brought about the victory of the royalist alliance FUNCINPEC over the ruling Cambodian People's Party (CPP), which had governed Cambodia since 1979.⁹ But the CPP refused to accept the outcome of the election. Provinces under its control temporarily declared their independence; the CPP threatened to resume the fighting, claiming that the victory of the FUNCINPEC was the result of electoral fraud on the part of the United Nations. The political crisis was settled for a short time when both parties formed a grand coalition government headed by two co-prime ministers of

formally equal rank, Prince Norodom Ranariddh (FUNCINPEC) and Hun Sen (CPP). Additionally, the CPP succeeded in controlling the ministries of national defence and the interior, as well as the armed forces.¹⁰ The compromise proved to be fragile. In early July 1997, conflict led to a fierce struggle between armed members of both parties. Hun Sen's troops defeated Ranariddh's armed loyalists in a military coup. The CPP consolidated its power when it won the elections of 1998 and 2003. Though the elections were clean in technical terms, pressure and threats from the CPP created a political environment that helped the CPP to become the dominant force in Cambodian politics.¹¹

The prospects of further democratization are also uncertain in Indonesia. Among other problems like those of stateness and ethnic nationalism (see below), the main danger for an erosion of democratic rule may come from the Indonesian Armed Forces (TNI). In accordance with its *dwi fungsi* (double-function) doctrine, the TNI traditionally considers itself as the guarantor of the country's territorial integrity, and also the guardian of Indonesia's internal order. The high offices which some members of the military still occupy at all levels of government and administration are a visible expression of the military's distinguished position in domestic politics.¹² On the other hand, radical Islamic groups have not been able to establish a strong presence, due to the moderate and true-to-the-constitution tenor of the majority of Islamic actors, and because of the 'war' on terrorism that Indonesia was pulled into following the Bali nightclub bombing in October 2002. The judiciary is considered to be the most corrupt in South-east Asia. The Indonesia Corruption Watch concluded in 2003 that systematic corruption in Indonesian courts had not improved under the conditions of democratization; rather, it had been consolidated.¹³

Defects in the democratic order also exist in the Philippines and Thailand, albeit not to the same degree as in Indonesia. Transition to democracy in the Philippines in 1986 marked the commencement of the third wave of democratization in Asia. More than one and a half decades after the fall of President Marcos's regime, democratic consolidation is stagnant. At the beginning of 2003, the Philippines still continued to exhibit considerable defects with respect to stateness, the rule of law, institutional stability and political integration. Since 1987, general elections have become the general mode of the transfer of power, but the intimidation of voters and the manipulation of vote-counting frequently occur; the level of violence during elections remains high.¹⁴ Due to the socio-economic background of the elected officials and the interests represented in parliament, the democratic institutions remain a stronghold and guarantee of oligarchic dominance in Philippine society.¹⁵

The police and the military have been kept under civilian control since the mid-to-late 1990s. In the early years of democratic rule, however, veto powers

and reserved domains in the hands of the armed forces posed a serious threat to democracy.¹⁶ The system of presidential government exists alongside a powerful Congress, an independent Supreme Court and a reactive presidency. Taken together these secure the separation of powers and the horizontal accountability of the executive branch.¹⁷ However, the presidential system also exhibits conservative political actors, who have at their disposal several institutional options to block social and economic reforms. Additional factors, such as a political economy of elections which favours elite dominance, a weakly institutionalized, fluid party system and a high level of political corruption incline towards political gridlock and seriously hamper economic development and social reforms. The constitutional consensus in the political elite, existing in the 1990s, experienced serious rifts during the impeachment trial against President Joseph Estrada. In the events of January 2001, it was only the 'military's "withdrawal of support" from its lawfully elected "commander-in-chief"'¹⁸ that prevented a bloody escalation of the political stalemate between President Estrada and the opposition, who had taken their political protests to the streets of Manila.

Defects in Philippine democracy remain severe in the areas of civil liberties, human rights and the rule of law. A corrupt and inefficient judiciary and police, human rights violations by the armed forces, communist or ethnic guerrillas, and citizen militias create for large portions of the populace a 'low intensity citizenship',¹⁹ while members of indigenous minorities often enjoy at best a citizenship that barely reaches 'low intensity'.

While several factors point to the erosion of democratic standards in the Philippines, the situation in Thailand is unclear. Progressive tendencies in essential aspects of democracy provide a contrast to some regressive trends. The new constitution of 1997 improved the institutional framework for an effective rule of law and for the guarantee of civil liberties.²⁰ Most successful was the institutionalization of civilian control over the armed forces. Since the 1930s, the Thai military had exerted a decisive influence upon politics in Thailand. Today, soldiers are still influential in domestic politics; but they cannot control the political process as they used to do.²¹ At the same time, however, new defects emerged, for example the restriction of suffrage concerning the provisions to become a candidate for the parliament. After the inauguration of the current cabinet in spring 2001, evidence accumulated that the government's attachment to political control was so strong that it would not yield to the prerogatives of other constitutional powers such as the National Counter Corruption Commission, the Constitutional Court, or the Election Commission.²² In respect of military professionalism, anti-corruption policy and the public bureaucracy the politics of the current government seem to indicate a step backwards from the successful reforms of its predecessor. More deficiencies exist in the area of the rule of law.

The lack of an administrative culture based on the principles of the rule of law complements shortcomings in the effectiveness of civil liberties. For although civil liberties are constitutionally guaranteed they are violated in daily politics by laws, decrees and administrative regulations on the one hand, by the police and state bureaucracy on the other.²³

North-East Asia

In north-east Asia, two countries demonstrate impressively a progressive development from defective to liberal democracy. With some reservations, this statement applies to South Korea. After almost 40 years of authoritarian rule, a nation-wide popular outburst for democracy led, in June 1987, to a breakthrough for democratic transition. In free and fair elections, the candidate of the ruling coalition, Roh Tae-Woo, won the presidency in December of the same year. With a former general at the top, the government was quickly able to integrate the military into the democratic system. During the very first years of democratic rule, it helped to establish a pro-democracy consensus among the political elite and the people. This became evident in 1993, when Kim Young-Sam became the first civilian to occupy the country's highest office after more than 30 years of military-dominated Korean politics. Finally, the election of former dissident Kim Dae-Jung as president in December 1997 demonstrated that all relevant forces had been integrated into the democratic system.

Current democratic defects cumulate in two areas: first, restrictions on the freedom of expression and association; and second, the 'horizontal accountability'²⁴ of the executive power and its control by the legislature and the judiciary. Though the legal framework for the exercise of political rights had been widened as early as by the end of the 1980s, the public sphere and civil society in Korea were only weakly developed during the 1990s.²⁵ It was not until the late 1990s that an independent and free 'marketplace of opinions' could not take firm roots in Korean society due to restrictions on the freedom of the press, association and information, which were all subject to anti-communist reservations on behalf of the government.

Even though democracy advanced to democratic consolidation in terms of civilian supremacy, strengthened civil liberties and political rights, it has nonetheless serious deficits in horizontal accountability and the checks and balances of the presidency, legislature and Constitutional Court that hinder the development of liberal democracy. These problems of democratic consolidation correlate with flaws described by Guillermo O'Donnell as 'delegative democracy'.²⁶ During the better part of the 1990s, presidentialism in Korea was characterized by a shift of the balance of power between the president and the National Assembly in the president's favour, the Constitutional Court however not being able to keep the struggle for political power within

constitutional boundaries. Nevertheless, though no general suspensions of judicial review and independence have hitherto taken place,²⁷ it is possible to identify at least with regard to the relationship between executive and legislative branches, strong characteristics of a delegative democracy under the condition of a parliamentary majority for the presidential party. During this time, the role of parliament in political decision making was weak. Law making was *de facto* largely taken away from the parliamentary arena and moved into the domain of the presidential executive.²⁸ But in times of opposition dominance in the National Assembly, notably since spring 2003, the contrary scenario has appeared: obstruction by the opposition and excessive confrontational tactics, which have hindered the institutionalization of a stable balance of powers between parliament and presidency and a well-functioning horizontal accountability.

Finally, Taiwan is the most successful example of Asian democratization in the last two decades. Starting in 1986, democratization on the island followed a gradual but steady path from one-party rule to a liberal democracy based on the principles of the rule of law and constitutionalism.²⁹ Though political and constitutional reform, levelling the field of play to strengthen competitive politics, eliminating money and mafia politics, and strengthening the judicial system are not finished yet, the state of human rights, freedom of speech and information, elections and the configuration of powers bear out strong democratic development. Taiwan's democracy is on its way to democratic consolidation, although the process of consolidation is not yet complete.³⁰

Thus the region shows diversity in the dynamics and the profile of defective democracies. Defective democracy is a diminished subtype of democracy. Sub-types of defective democracy – exclusive, illiberal, delegative and enclave democracy – are categorized by their typical defects.³¹ In line with the empirical evidence outlined above, Asia's third wave democracies may be classified as in Table 3.

Table 3 shows that the type of defective democracy is dominant among the young democracies in Asia. At the non-democratic pole of the continuum of political regimes, which underwent some transition from authoritarian rule in the course of the third wave, there are the failed democracies of Pakistan, Cambodia and, most recently, Nepal. Taiwan lies at the liberal democratic end. Between the two poles are five regimes in which transition was followed by a form of defective democracy. The decline of the political power of the military is evident in most Asian democracies, except for Pakistan.³² Most of the democracies were, however, less successful in the institutionalization of the rule of law and civil rights. Limits on political and civil liberties have persisted for a decade or more. Such regimes form a more stable form of defective democracy, although the boundaries between sub-types of

TABLE 3
POLITICAL OUTCOMES OF ASIAN DEMOCRATIZATION

Autocracy	Defective democracy				Liberal democracy
	Exclusive	Illiberal	Delegative	Enclave	
Cambodia (since 1997)		Cambodia (before 1997), Bangladesh			
			Korea (1992–98; 1999–2000)	Indonesia Korea (before 1992)	
Nepal (since 2002)		Nepal (before 2002)			
Pakistan (since 1999)				Pakistan (before 1999) Philippines (before 1992)	Taiwan (since 1996)
		Philippines (since 1992)			
		Thailand (since 1997)		Thailand (before 1997)	

Source: Author’s classification.

defective democracy for instance between illiberal and delegative democracy, in practice are not everywhere clear and precise.

Causes of Defective Democracies

What accounts for why and how defective democracies emerge? Some years ago, Samuel Huntington asserted that the challenge for new democracies was not ‘overthrow but erosion: the intermitted or gradual weakening of democracy by those elected to lead it’.³³ Juan Linz, in contrast, points out that political elites are not always responsible for the deficiencies of the democratic system. Anti-democratic rebels, separatists unwilling to seek compromise, disloyal soldiers and unfavourable socio-economic conditions may constitute problems of democratic governance which foster defects of democracy but can hardly be traced back solely to the power-seeking strategies of elected officials.³⁴

These opposing views essentially reflect the theoretical debate in social sciences on the respective importance of structure and political action in

affecting political development. They function as an initial indication of the difficulties in identifying the primary causes of defective democracy. Given the single diversity of the defects of democracy, there is probably no one primary cause that leads to illiberal, enclave or delegative democracies, but rather a whole set of causes instead. Setting aside the influence of international factors as an explanatory variable, the analysis here focuses on four categories of potential causes accounting for defects of democracy: social and economic determinants; cultural and historical variables; stateness and nation-building; and political institutions.³⁵

Social and Economic Determinants

The influence of a country's level of socio-economic modernization on the democratic quality of its political institutions is one of the most widely discussed issues in social sciences. Quantitative research has confirmed that a comparatively high level of socio-economic modernization, the broad dispersion of 'power resources' and a low ethnic, linguistic or religious fragmentation positively correlate with the effectiveness of political rights and civil liberties.³⁶ Comparing political and civil liberty ratings in Asia, thus provides an opportunity to investigate whether defects of democracy are linked to key socio-economic conditions.

Table 4 clearly suggests a strong positive relationship between political and civil rights and different levels of economic prosperity, the distribution of economic or social power resources and economic inequality. The Pearson's correlation coefficient r for gross domestic product (GDP) per capita and political rights is -0.55 , respectively -0.637 for civil liberties. For political rights and Index of Power Resources (IPR) it is -0.564 (civil rights -0.542) and for GINI coefficient it is between -0.584 (political rights) and -0.435 (civil liberties).³⁷ While the correlation of political and civil freedom with economic development is far from perfect, as some outliers from the regional trend suggest (most notably Singapore and Brunei), the analysis suggests that these variables partially account for different degrees of political and civil rights in Asia. In intra-regional comparison, the status of political and civil rights is better the higher the GDP per capita, and the more equally power resources are dispersed and income is distributed in society.

Generally, one may conclude that the probability of greater political and civil freedom in Asia is strongly affected by the characteristics of economic wealth, income inequality and distribution of power resources exhibited by a given country. If the Freedom House ratings are used as indicators of democratic quality, the prospects for democracy are the better the higher the level of economic development, the broader the dispersion of economic and cultural power resources, and the more equal the income distribution in society.

TABLE 4
SOCIAL AND ECONOMIC DETERMINANTS OF DEMOCRATIC
DEVELOPMENT IN ASIA

	Political rights ^a	Civil rights ^a	GDP ^b	IPR ^c	GINI coefficient ^d	Ethnic fractionalization ^e
Bangladesh	3	4	1,602	2.5	0.33	n.a.
Bhutan	7	6	1,412	0.6	n.a.	n.a.
Brunei	7	5	16,779	3.9	n.a.	n.a.
Cambodia	6	5	1,446	0.4	0.40	0.30
India	2	3	2,358	5.4	0.38	0.89
Indonesia	3	4	3,043	10.1	0.31	0.74
Japan	1	2	27,755	37.4	0.25	0.01
Laos	7	6	1,575	2.6	0.30	0.60
Malaysia	5	5	9,068	10.4	0.49	0.72
Maldives	6	5	4,485	9.7	n.a.	n.a.
Myanmar	7	7	1,027	7.7	n.a.	0.47
Nepal	3	4	1,327	0.9	0.36	0.70
North Korea	7	7	n.a.	1.1	n.a.	0.00
Pakistan	6	5	1,928	3.5	0.31	0.64
Philippines	2	3	3,917	15.1	0.46	0.74
PR China	7	6	3,976	3.5	0.40	0.13
Singapore	5	5	23,356	21.6	0.39	0.42
South Korea	2	2	17,380	38.8	0.31	0.00
Sri Lanka	3	4	3,530	10.5	0.48	0.47
Taiwan	1	2	17,200	31.1	0.32	n.a.
Thailand	2	3	6,402	12.9	0.41	0.66
Vietnam	7	6	1,996	2.7	0.35	0.26

Notes:

^aRanking of political rights and civil liberties by Freedom House (2001/02).

^bGDP per capita PPP US\$, 2000, some figures est.

^cIndex of Power Resources, 1993.

^d1990–2000, various years.

^eIndex of ethnic-linguistic fractionalization developed by C. Taylor and M. Hudson, based on data from *Atlas Narodov Mira*. The higher the numbers are, the greater the social diversity.

Sources: Freedom House, *Freedom in the World 2001–2002*, 'Table of Independent Countries' (<http://www.freedomhouse.org/research/freeworld/2002/tableindcountries.pdf>, accessed 16 October 2002); UNDP, *Human Development Report 2002* (New York and Oxford: Oxford University Press, 2002), pp.149–52; Directorate-General of Budget, Accounting and Statistics (<http://www.dgbas.gov.tw/dgbas03/bs2/91chy/table/A201.xls>, accessed 10 December 2002); ESCAP, *Economic and Social Survey of Asia and the Pacific 2002* (New York: United Nations, 2002); *Report on the Survey of Family Income and Expenditure in Taiwan Area, Republic of China Year 2001* (<http://www.129.tpg.gov.tw/mbas/eng/esfie.htm>, accessed 10 Dec. 2002); Tatu Vanhanen, *Prospects of Democracy. A Study of 172 Countries* (London and New York: Routledge, 1997), pp.88–9; Charles Lewis Taylor and Michael C. Hudson, *World Handbook of Political and Social Indicators* (New Haven, CT and London: Yale University Press, 1975), pp.271–4.

Where cultural resources and economic wealth are dispersed so broadly that no single group within a society can suppress other groups economically by monopolizing cognitive resources or by centralizing economic power in their own hands, then we are more likely to see a cardinal consensus on democracy. In this situation the prospects for the effective use of political and civil rights granted by the constitution will be good. Thus, socio-economic obstacles seem to be an important cause for defects regarding the rule of law and 'low intensity citizenship' in south and south-east Asian societies. Semi-modern development paths and cumulative inequalities of status, income, property and cognitive power resources make the emergence of a pluralistic society difficult. This does not mean that a high GDP per capita necessarily leads to liberal democracy; equally, societies with low socio-economic modernization are not doomed to autocratic rule or democratic instability. Among the recently democratized countries in Asia, there were more low or middle-income economies than upper-middle or high-income economies. But countries where democracy survived against all odds (Bangladesh) or those in which democracy did not emerge despite high socio-economic modernization (Singapore) are exceptional cases. As a rule, expectations of sustainable institutions of liberal democracy in Asia are much higher in more developed societies with a moderate to low degree of socio-economic inequality than in less developed, more unequal ones.³⁸

Political Culture and Colonial History

The capacity of civil societies and political parties to force autocratic regimes towards democratization or to pressure a democratically elected government to adhere to the principles of democracy and the rule of law depends significantly on the society's political culture and its legacies of political history. Colonial history, for example, has been claimed 'to be a significant determinant of democracy in the Third World'.³⁹ Colonialism may affect a country's prospects for democracy and democratic consolidation in different ways. Given the introduction of a modern and comprehensive educational system, colonial rule may alter the evolution of a country's political culture and civil society; it may accelerate the diffusion of political ideologies and new religious beliefs; former colonial powers often provide an institutional blueprint for post-colonial polities. Most notably, British colonialism has been claimed to be conducive to democratic stability due to its legacy of military professionalism, a well-trained civil service, an independent judiciary and the pro-democratic disposition of the new countries' leadership in former colonies. This is potentially of importance for Asia, particularly since its traditional political culture and social values are said to be relatively incompatible with democracy.⁴⁰

As Table 5 illustrates, the accepted opinion on 'Asian culture' or colonial experience makes only a weak case for democracy in Asia. Two points are most important: First, there is no positive correlation between British colonialism and (liberal) democracy. Only three of ten former British colonies have established democracy. There is no significant democratic achievement in former British colonies, either in political rights nor in civil liberties, when compared to the rest of Asia. On the contrary: while the average political rights and civil rights ratings for all British colonies lie between 5.1 and 4.9, they lie between 4.0 and 4.1 in the rest of Asia. When we compare democratic regimes only, former British colonies rank at the bottom of democratic achievements: the average ratings being 2.6 (political rights) and 3.6 (civil rights) for British colonies, 1.8 and 2.6 for all other democracies.

Second, contrary to the 'Asian values' thesis, countries with a strong Confucian heritage do quite well in terms of liberal democracy. Three out of six 'Confucian countries' (including Japan) have established democracy. Their average scores in political rights and civil liberties are 3.0 and 3.1

TABLE 5
CULTURAL BACKGROUND, COLONIAL EXPERIENCE AND
DEMOCRACY IN ASIA

	Political regime	Cultural background	Colonial experience
Bangladesh	Democracy	Islam	Britain
Bhutan	Autocratic	Buddhism	Britain
Brunei	Autocratic	Islam	Britain
Cambodia	Autocratic	Buddhism	France
India	Democracy	Hinduism	Britain
Indonesia	Democracy	Islam	Netherlands
Japan	Democracy	Shintoism/Confucianism	—
Laos	Autocratic	Buddhism	France
Malaysia	Autocratic	Islam	Britain
Maldives	Autocratic	Islam	Britain
Myanmar	Autocratic	Buddhism	Britain
Nepal	Autocratic	Hinduism	—
North Korea	Autocratic	Confucianism	Japan
Pakistan	Autocratic	Islam	Britain
Philippines	Democracy	Catholic	USA
PR China	Autocratic	Confucianism	—
Singapore	Autocratic	Confucianism	Britain
South Korea	Democracy	Confucianism	Japan
Sri Lanka	Democracy	Buddhism	Britain
Taiwan	Democracy	Confucianism	Japan
Thailand	Democracy	Buddhism	—
Vietnam	Autocratic	Buddhism	France

Sources: Table 1 and Guy Wint (ed.), *Asia: A Handbook* (London: Anthony Blond, 1965).

respectively, the average for democracies on the whole being 1.3 (political rights) and 2.0 (civil liberties). Thus, they do far better in terms of freedom than the rest of Asia, whose average score is 4.5 for both political rights and civil liberties; they also fare better, on average, than Asia's democracies. There is a strong correlation between Islam and a lack of democracy and freedom. Only two out of six (predominantly) Muslim societies are under democratic rule. The average score of political rights (5.0) and civil liberties (4.6) in Islamic countries is lower than the regional average. This applies even more so to societies with a strong Buddhist culture. Only two of the seven Buddhist countries have established democracy; the average scores of political rights (5.5) and civil liberties (5.2) for Buddhist countries lie far below the regional average.

Apparently, neither cultural background nor colonial experience accounts for democratization and defective democracy in Asia, contrary to the usual expectations. There seems to be a negative relationship between British colonialism, Islam, Buddhism and democracy on the one hand and a positive relationship between Confucianism and liberal democracy on the other hand. Yet, the samples are weak in number. Additionally, profound cultural differences exist within each country. There are large Christian communities in Korea and Vietnam; Japanese culture is a mixture of Confucianism, Buddhism and Shintoism; there are Muslim minorities in Thailand, the Philippines, Myanmar and India; and Chinese ('Confucian') communities exist in Malaysia, Indonesia and the Philippines. Apparently, cultural and colonial background offers, as an explanatory variable, a rather limited account for democratic development in Asia.

Stateness and Nation-Building

Liberal democracy is a form of governance for modern states. Thus, the more weakly 'stateness' is established and the lesser the integrity of a state's territory, people and power, the more endangered are democracies and the less likely it is that liberal democracies will develop and consolidate themselves. Strong 'stateness' requires that the state's authority *de facto* covers the entire territory, that a sufficient bureaucratic capacity exists to implement regulations, and that a fundamental agreement is reached that the people under its rule are citizens of the state.⁴¹ The last requirement has also been labelled as that of 'national unity', which implies 'that the vast majority of citizens in a democracy-to-be must have no doubt or mental reservations as to which political community they belong to'.⁴²

Problems of stateness and nation-building may be fundamental causes for the emergence of defective democracy. Both concepts are multifarious and difficult to operationalize. Kaufman, Kraay and Zoido-Lobatoⁿ have recently constructed six aggregate governance indicators, two of which may be used to

compare at least some facets of the stateness problem.⁴³ The first indicator is 'political stability'. It combines several indicators, all of which measure perceptions concerning the likelihood that the government in power will be destabilized or overthrown by possibly unconstitutional or violent means. The second indicator, that of 'government effectiveness', combines, among other things, assessments of the quality of public service provisions, the quality of the bureaucracy and the competence of civil servants.⁴⁴ Their combined results suggest a relationship between the level of political stability, government effectiveness and democracy. By and large, the scores of autocracies are worse than those of 'electoral democracies'. There are some exceptions, such as Singapore and Malaysia, both of which rate highly on the two indicators. But it may nonetheless be concluded that the more impaired the political stability, the effectiveness of government, and thus the stateness as a whole of a particular country are, then the greater the damage will be to political rights and civil freedoms and, therefore, the more defective is the democracy.

On the other hand, states with a liberal democratic political regime as in Taiwan and Japan receive better scores than defective democracies. North-east Asia's democracies have a better record than democracies in south and south-east Asia. The ratings of Bangladesh, Sri Lanka and Indonesia are particularly bad, as are those of the failed democracies in Pakistan, Cambodia and Nepal; scores for the Philippines also suggest serious stateness problems. In these countries, the disruption of the state's monopoly of legitimate use of violence in parts of the country prevents public authorities, and courts in particular, from protecting the rights of its citizens. Violations of the rule of law and human rights caused either by terrorism on behalf of political extremists or by the state's military and police forces form a daily part of political life.⁴⁵ Widespread development problems, corruption and patronage render the state in South Asia and in some parts of south-east Asia (the so-called 'brown areas' in the Philippines and Indonesia) ineffective. For large portions of the population, constitutional rights such as human rights and the rule of law exist only on paper and the absence of a reasonably effective administration and police force make them unenforceable. The proliferation of small firearms, for example in Pakistan and the Philippines, and to a lesser degree also in Thailand's north-eastern and southern region, has reached alarming proportions and jeopardizes the state's monopoly on the use of force. In Indonesia, bloody conflicts between the central power and ethnic minorities are clear signs of a failure of nation-building, which puts Indonesia's weak state to a severe test. In Pakistan too the process of nation-building must be regarded as incomplete. Extremist Islamist groups have also made advances in recent years, posing a serious challenge to the national government's monopoly on the use of force.

A glance at the degree of ethnic and linguistic fractionalization (see Table 4) gives some indication of the relative challenges faced by nation-building. As Table 4 illustrates, Asia is remarkably diverse in terms of ethno-linguistic fractionalization; there are societies virtually without any minorities (North and South Korea) and also strongly fractionalized societies like India, Indonesia and the Philippines. A correlation analysis suggests, however, that the probability of improved political and civil rights is not affected by ethnic diversity; that is, that there is no positive relationship between ethnic diversity and the Freedom House ratings. Pearson's correlation coefficient r for ethnic diversity and political rights is -0.240 , respectively -0.134 for civil liberties, which is statistically insignificant.

Thus, different degrees of ethno-linguistic heterogeneity in Asia cannot explain regional differences in the status of political and civil rights, even though differences in ethnicity and religion are a major cause of political conflict and human rights violations in some individual countries such as the Philippines, Sri Lanka and Indonesia. This suggests that although ethnic diversity may have a negative effect on democracy, its overall impact on Asia is weak. Moreover, there are clear examples of ethnically diverse countries in the region that enjoy persistent and higher-than-average ratings political and civil freedoms (India, Thailand). Rather, contemporary inter-ethnic violence is generated by ethnic nationalists, who either reject citizen status in their home countries and demand statehood for themselves or are reluctant to accept the universal right of citizenship for minority groups distinct from themselves.⁴⁶ Thus, ethnic nationalism and communal violence are, to some extent, the outcome of both the political strategies of a country's elite and their constitutional engineering rather than a direct result of ethnic diversity itself.

Political Institutions

Numerous publications on democratic consolidation suggest that the survival and consolidation of liberal democracy depend not only on economic and social conditions, but also on the design of political institutions.⁴⁷ The relevance of political institutions to the evolution of defective democracies varies with the type of defective democracy. This seems to be particularly so with regard to the sub-types of delegative democracy and illiberal democracy.

Presidentialism has been claimed to be detrimental for the consolidation of liberal democratic constitutionalism, conducive rather to political instability and delegative democracy. In particular, Juan Linz argues that presidential governments in young democracies tend to provoke conflicts between parliament and the (presidential) executive, constitutional breakdown and a vicious circle of crisis in governability.⁴⁸ This is especially so when the constitution

gives the head of state considerable legislative powers the president can use, in times of an economic or political crisis, against the spirit of the constitution. Presidents are given the opportunity, at least in some instances, to circumvent challenges to and the control of powers by way of decree. In these ill-defined 'emergency cases' the executive, by way of its own decisions, bestows on itself important legislative authority. Executive usurpation of legislation increasingly debases the parliament 'to a forum of demagogic posturing, while the president makes the tough decisions unilateral without the political parties in congress'.⁴⁹

It is not easy to determine which system is more conducive to liberal democracy. The only delegative democracy in Asia, South Korea, has a presidential government and the two liberal democracies in the region have either a cabinet system (Japan) or a semi-presidential government (Taiwan) (Table 6). On the one hand, this seems to support the negative opinion about presidentialism as an 'obstacle' to the development of liberal democratic constitutionalism. On the other hand, the three failed democracies are all parliamentary systems. Contrary to the 'Linzean nightmare' of constitutional breakdown, presidentialism in both the Philippines and Indonesia is

TABLE 6
TYPES OF GOVERNMENT AND DEMOCRACY IN ASIA

	Type of government	Type of democracy
<i>Failed democracies</i>		
Cambodia	Parliamentary	n.a.
Nepal	Parliamentary	Majoritarian
Pakistan	Parliamentary	n.a.
<i>Electoral democracies</i>		
Bangladesh	Parliamentary	Majoritarian
India	Parliamentary	Consensual
Indonesia	Presidential	n.a.
Japan	Parliamentary	Majoritarian-federal
Philippines	Presidential	Consensual
South Korea	Presidential	Majoritarian
Sri Lanka	Semi-presidential	n.a.
Taiwan	Semi-presidential	Consensual-unitary
Thailand	Parliamentary	Consensual

Sources: Aurel Croissant, 'Electoral Politics in South-east and East Asia: A Comparative Perspective', in Aurel Croissant, Gabi Bruns and Marei John (eds), *Electoral Politics in South-east and East Asia* (Singapore: FES, 2002), p.358; Aurel Croissant, 'Electoral Systems in Asia as Elements of Consensus and Majoritarian Democracy: Comparing Seven Cases', in Young Rae Kim, Hochul Lee, and In-Sub Mah (eds.), *Redefining Korean Politics. Lost Paradigm and New Vision* (Seoul: Korean Political Science Association), p.341; Arend Lijphart, *Patterns of Democracy. Government Forms and Performance in Thirty-Six Countries* (New Haven and London: Yale University Press, 1999).

characterized by a weak, sometimes even paralyzed presidency and by a very strong parliamentary control of executive power.

The threat of illiberal or delegative democracy is neither limited nor inherent to presidentialism. Far from it: in parliamentary systems, especially in Westminster-type systems, the distribution of power between the different branches may be unbalanced.

One of the main risks of Westminster-type systems is that the cabinet makes parliament the source of its own unrestricted and hidden legislative power, in violation of checks and balances. Here general authorization laws play the role of the rotten fig leaf, hence the importance of parliament's real power to determine substantively the legislative processes.⁵⁰

Westminster-style parliamentarianism or 'majoritarian democracy' is particularly vulnerable to the 'constitutional tyranny'⁵¹ of the political majority and to democratic illiberalism. Due to majoritarian democracy's inherent tendency to the political exclusion of minorities, its institutional structures tend to become a serious threat to democracy, particularly in plural societies, whereas consensual democratic institutions potentially offer a necessary precondition for democratic consolidation.⁵²

As this writer has argued elsewhere, it is not inherently presidentialism but a broad institutional framework – the strength and types of the president's legislative powers and the configuration of institutional and partisan 'veto players'⁵³ – that favours the evolution of delegative democracy in South Korea. Strong, proactive legislative powers of the president and weak veto players permitted presidents to establish a delegative democracy in South Korea, whereas presidents' weak, reactive legislative powers and strong veto players hampered executive usurpation in the Philippines, Taiwan, Thailand and Indonesia.⁵⁴

Prospects

With regard to the long-term prospects for the stability of democracies in Asia, there seem to be grounds for optimism. With the global demise of communism and socialist revolutions, a lethal threat to democracy in south-east and east Asia since the 1950s has vanished. In the 1970s and 1980s, political and military elites that favoured an authoritarian regime could rely on support from either the West or the East, as long as they were willing to serve as bulwark either against communism or imperialism. Today, however, authoritarian elites in most developing countries cannot hope to be supported in this way. In view of the experiences with the economic and political failure

of their past authoritarian regimes, citizens in most countries will be reluctant to see a return to authoritarian rule.

And in some young democracies, at least, there is a rather broad acceptance of (defective) democracy, as can be seen in the results of recent public opinion surveys such as the New Korea Barometer, the East Asia Barometer, and the World Values Survey. They suggest for the Philippines, Taiwan, Thailand, Bangladesh and South Korea that support for democracy-in-principle is generally higher than in other regions such as the post-communist countries.⁵⁵ This is another blow to the 'Asian values' thesis. While the extent to which citizens of new Asian democracies support the actual performance of the democratic regime, their confidence in democratic institutions, and their trust in political parties is quite low, it is still higher in Asia than in post-communist Europe (and in Latin America).⁵⁶

Concerning the prospects for democratic persistence, these findings might be given an optimistic interpretation, since it is a trivial but crucial precondition for the overthrow of democracy that its enemies find significant social support for the autocratic regime they want to create.⁵⁷ The available survey data for Asia does not suggest that more or less pervasive dissatisfaction with the workings of present democratic institutions will lead to strong support for an undemocratic regime.

What are the prospects for the development of liberal democracy? The optimistic assessment of the prospects for the stability of the status quo does not justify the conclusion that existing defective democracies will turn more or less automatically into liberal democracies. If the claims that economic prosperity, distribution of wealth and social power resources, and stateness problems affect the prospects for liberal democratic development are valid, then it will be much more difficult to develop a 'working' liberal democracy in south and south-east Asia than in wealthy and developed countries like Taiwan and South Korea. Most of Asia's democracies appear to have a long way to go before they will develop into a consolidated, liberal democracy. It is rather unlikely that the young democracies of the Philippines, Indonesia and Bangladesh will be able to improve the socio-economic and stateness conditions of democratic rule in the near future. Thus, for most Asian democracies, the realistic scenario for the future of defective democracy is 'stagnation'.

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