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Hans-Joachim Lauth

The Matrix of Democracy

A Three-Dimensional Approach to
Measuring the Quality of Democracy and
Regime Transformations

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Würzburger Arbeitspapiere zur Politikwissenschaft und Sozialforschung

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Institut für Politikwissenschaft und Soziologie
Wittelsbacherplatz 1
97074 Würzburg
Tel.: +49 (0) 931 - 31-84863
Fax: +49 (0) 931 - 31-84890
<http://www.politikwissenschaft.uni-wuerzburg.de>
Kontakt: andreas.goebel@uni-wuerzburg.de
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The Matrix of Democracy

A Three-Dimensional Approach to Measuring the Quality of Democracy and Regime Transformations

Hans-Joachim Lauth

Abstract

The article presents a proposal for the assessment of the quality of democracy. After elaborating on the methodological strategy, a definition of democracy is proposed, which entails the construction of the matrix of democracy based on three dimensions (political freedom, political equality, and political and judicial control) and five institutions. The methodological application of this measuring tool is then explained. This conception guarantees an appropriate measurement in different cultural contexts, enables the characterization of democratic profiles, and allows for the identification of deficiencies in democracies. Before the conclusion, three examples of the measurement (USA, Russia, and Italy) illustrate how the matrix works.

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Autorennotiz

Prof. Dr. Hans-Joachim Lauth ist Professor für Vergleichende Politikwissenschaft und Systemlehre am IPS der Universität Würzburg und Mitherausgeber der Zeitschrift für Vergleichende Politikwissenschaft (ZfVP); Hans-Joachim.Lauth@uni-wuerzburg.de

Die Demokratiematrix.

Ein dreidimensionaler Ansatz zur Messung der Qualität der Demokratie und von Regimetransformationen

Abstract

Der Beitrag präsentiert einen Vorschlag zur Demokratiemessung. Auf der Grundlage einer vorgestellten methodologischen Strategie wird eine Demokratiedefinition vorgeschlagen. Diese ermöglicht die Konstruktion einer Demokratiematrix, die auf drei Dimensionen (politische Freiheit, politische Gleichheit sowie rechtliche und politischer Kontrolle) und fünf Institutionen beruht. Die methodische Anwendung der Demokratiematrix wird erläutert. Diese Messanlage ermöglicht eine kontextangemessene Messung in verschiedenen kulturellen Umwelten. Weiterhin erlaubt sie die Charakterisierung von demokratischen Profilen und die Identifizierung von demokratischen Defiziten. Neben dem Konzept und seiner methodischen Erläuterung werden drei Fallbeispiele (USA, Russland und Italien) vorgestellt, um die Arbeitsweise der Demokratiematrix zu illustrieren.

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1 Introduction¹

Despite respectable efforts to measure democracy in the last decades, a considerable amount of work remains to be done. Various new proposals have added to the debate in recent years (Alvarez/Cheibub/Limongi and Przeworski 1996; Altman/Pérez-Liñán 2002; Bühlmann/Merkel/Müller/Wessels 2008; Munck 2009; Coppedge/Gerring et al. 2011; Stoiber 2011; Campbell/Carayannis 2013). However, there is a continuing discussion of three major aspects. The first concerns the conception of democracy itself; the second, the methods of measurement; the third, the empirical research and which data should be used. A valid measurement cannot rely simply on pre-existing data; instead, it has to collect its own data in the study as well. The following approach makes reference to all of these points. A functional definition of democracy is proposed, which allows for an appropriate measurement in the given context. Furthermore, the measurement enables the characterization of democratic profiles and the identification of deficiencies in democracies.

By doing that, it is also possible to reconstruct interrelationships: the behavior and the impact of individual and collective actors. Such a method already describes the first step in the analysis of causes. Measuring democracy is no end in itself – we also want to gain a better understanding of the dynamics of democracy: Why is the quality of democracy improving or declining?

Needless to say, it is difficult to find a definition of democracy which is acceptable to everyone. Within the various discussions of democratic theory, a confusing variety of proposals exist. It is possible, however, to order the ideas along a fundamental divide, which is marked by a material versus a procedural approach to democracy. While the output of a political system is decisive in the material substantive version, in the procedural version, only procedures matter (elections or participation in the political process). After the breakdown of the communist regimes, the process of the worldwide wave of democratization is understood mainly in procedural terms. Institutions which guarantee the democratic process – especially elections – are considered to be the nucleus of democracy. This way of thinking corresponds to the arguments and traditions of liberal democracy, from which various forms of democracy originate.

Concerning the topic, two volumes of selected works are especially worth mentioning, namely *The Quality of Democracy* (2004), edited by Guillermo O'Donnell, Jorge Vargas Cullell and Osvaldo M. Iazzetta, and *Assessing the Quality of Democracy* (2005), edited by Larry Diamond and Leonardo Morlino. This latter work takes up the discussion of the former. In the introduction, Diamond and Morlino attempt to compile a synthesis of different views on democracy. They identify eight dimensions, namely *rule of law, vertical and horizontal ac-*

¹ Actualized version of the Paper which was presented at the IPSA-Workshop: “Measuring Democracy”, University of Frankfurt/ Main, September 29 – October 1, 2013

countability, participation, competition, responsiveness, freedom, and equality. This clearly goes further than Robert Dahl's pioneering suggestion (Polyarchy 1971), which, with competition and participation, brought two dimensions into the debate. Nevertheless, the proposal of Diamond and Morlino seems limited, when suggestions concerning social democracy are taken into account. If we investigate Diamond and Morlino's suggestion more closely, it quickly becomes evident that the term 'dimension' itself remains unclear. Thus, the individual dimensions vary in terms of their degree of abstraction (and with it, their range). For example, 'freedom' could also be understood as a heading for 'competition' and 'vertical accountability'. At the same time, not all dimensions are conceived separately from each other, which means, they overlap. Finally, they are either substantiated to varying degrees or remain vague. Although this proposal enriches the discussion, clarification of especially of the dimensions is needed. This task is necessary not only to measure the current quality of democracy, but also to identify possible declines or improvements in its quality.

2 The Quality of Democracy – Methodical Strategy

In accurately defining democracy, one should appropriately analyze the debate on democracy. To fulfil this task, it is essential to systematically reconstruct the term "democracy" according to clear rules (cf. Lauth 2004: 24-28). In doing so, the following basic assumption is made: democracy is a societal construct. Central ideas are introduced and aggregated by public debate and defined more accurately in academic debate. For its part, the latter is oriented towards historical traditions in reference to political philosophy on the one hand and historical trends (social movements) on the other. Despite large differences in their concrete design, a normative core underlies all these considerations; this core refers to the idea of the sovereignty of the people. The more precise the ideas on democracy become, the more strongly the normative core is interpreted and supplemented. For this reason, suggestions vary accordingly.

For a systematic view of the discussion surrounding democracy theory, the following pragmatic rules of analysis are suggested to determine the quality of democracy:

- (1) Abstraction. Here, the normative foundation is reconstructed as far as possible in its basic abstract forms (dimensions) from current assumptions about democracy.
- (2) Modularization. At this second level, central components or modules of democracy are identified at a lower level of abstraction, a level which is situated on institutional design. In this way, institutions relevant to democracy are cited.
- (3) Construction. Abstraction and modularization are combined. In so doing, the following rules should be observed:
 - a) Coherence (or validity of content). The institutional components must correspond to the normative bases of the abstract level.

- b) Parsimony. In order to limit the variance at the construction level and to enable the linking of as many variants of democracy as possible, only necessary components must be considered.
 - c) Functional equivalents should be identified and integrated within a single component. Put in simple terms, we must clarify which institutional forms are relevant in realizing the normative bases by avoiding an institutional bias.
- (4) We must further differentiate between elements inherent to democracy and those, which constitute necessary and promotional factors.
- a) Necessary factors (Brennan 2003) are factors which, without being a democratic characteristic specifically, represent a necessary condition for democratic quality (e.g., the state). Here, in principle, the strict causal link is relevant – if the necessary condition is lacking, the quality of democracy cannot exist. When we are confronted with findings in empirical social sciences, which are gradual expressions of ideal types, an analogous causal relationship should be understood in the following way: the weaker the necessary condition, the lower the democratic quality. Keeping this relationship in mind does not mean that the reverse interrelation must exist. The existence of a necessary factor (such as state) does not imply that a democracy is also present.
 - b) Promotional and obstructive factors. Here, it is hypothetically assumed that the existence of promotional or obstructive factors (for example, the degree of socio-economic development) improves or worsens democratic quality. No compellingly logical correlation exists: democratic quality can only be partially determined by the extent of promotional factors. Thus, a high quality democracy is possible even with a medium degree of socio-economic development (Costa Rica and Uruguay being examples), even though this is the exception. The opposite is also true: at a high level of socio-economic development, the quality of democracy can be low (cf. the Weimar Republic). For this reason, the investigation of promotional and obstructive factors tends to prove hypotheses concerning the stability and dynamics of the quality of democracy.
 - c) Sufficiently obstructive factors. Here, it is hypothetically assumed that the existence of obstructive factors worsens democratic quality. Initially, the relationships are similar to those in 4b. However, in the case of a strong presence of obstructive factors (for example when corruption becomes an informal institution), these can constitute a sufficient precondition for a decrease in the quality of democracy (and in this sense a negative version of 4a). At this point, we should reiterate the socio-economic preconditions necessary for democracy, which have been subject to extensive debate since Lipset's time (1959). Even surely, when it is exaggerated to set a comprehensive welfare state as a prerequisite for high democratic quality, without doubts the lack of minimum social standards (education, income, em-

ployment) means limitations on participation in the political process.² In this sense, low levels of social development must constitute sufficiently obstructive factors. In other words, minimum social standards are necessary conditions to reach satisfying degrees of democratic quality.

The clear analytical divisions should not belie the fact that the empirical relationships are more complex at times. Thus, a high degree of socio-economic development initially constitutes a promotional factor. However, from a certain low level of development, this can also be interpreted as an obstructive factor. Finally, it can even be perceived as a necessary condition, if at a very low level of development, basic survival is not guaranteed. This variable ‘the degree of socio-economic development’ transforms itself depending on the degree to which it is realized, into a necessary, an obstructive, or a promotional condition.

- (5) Avoidance of *conceptual stretching* (Sartori 1970). Up to now, our considerations as presented here show that to determine democratic quality, not only must the democracy definition be included (as in 1-3 above), but also all factors that affect the working of democracy (as in 4a and 4c) have to be taken into account. In this way, both necessary and sufficient factors have to be included in the analysis. Due to the increase in complexity that this implies, it is important to reflect thoroughly upon all of these relationships, so as to avoid a conceptual stretching, in which conditioning factors also become included within the democracy concept.

As far as determining democratic quality is concerned, at what results do we arrive when we critically evaluate current empirical democracy research (cf. O’Donnell/Vargas/Iazzetta 2004, Diamond/Morlino 2005, Merkel et al. 2003, Lauth 2004, Schmidt 2006, Shapiro 2005; Bühlmann et al. 2006; Munck 2009, Coppedge/Gerring et al. 2011) by means of the rules as discussed above?³

The terms “freedom” and “equality” (to be more precise, individual political freedom and individual political equality) have very abstract dimensions. No relevant conception of democracy is sufficient without reference to both of these dimensions. When both of these basic principles are taken seriously, it is logical to consider the idea of political and legal control. Consequently, the notion of democracy is understood as a limited form of rule. Indeed, the struggle for democracy was intimately linked with the fight against absolute, unlimited power. Democracy finds its limits in the guarantees of individual freedom and equality. The majority is not allowed to infringe on the basic rights of the minority. The understanding of freedom halts the freedom of the individual at its limits, that is to say, as soon as it violates the freedom of others.

² No general norms can be ascribed to minimum social standards, as these can vary context-specifically and in terms of their composition. However, the extent of general education does provide a useful approximation.

³ This cannot be attempted fully within the framework of this essay. For a more comprehensive discussion, cf. Lauth, 2004, Ch.1.

Defining the dimension of control at this level is essential, as, in turn, it determines basic institutional principles. Here, control operates at a political and at a legal level. At the legal level, the basic principles of the rule of law are already established at this level of abstraction; they are subsequently defined fully at an institutional level. In order to adequately exercise legal control, mechanism of political control should be in place; some authors even view these as having priority (Schmitter 2005). We should bear in mind, however, that political control finds not only its limits, but also its most potent weapon, within the framework of the rule of law. This short reflection underlines three dimensions of democracy: political liberty, political equality, and political and judicial control. Other proposed dimensions (such as participation and competition) find less acceptance in the scientific debate or should be interpreted on other analytical level, which is less abstract.

Near this abstract level of these three dimensions, two further basic principles can be discerned: (1) If democracy is based upon the sovereignty of the people, in the sense of a collective form of individual self-government, then government action intrinsically bears reference to the preferences of the participants; this reference finds its expression in the notion of *responsiveness*. According to this, democratic decisions should fully take the preferences of all citizens into account. (2) If democracy is a limited form of rule, which finds its justification in upholding its own basic principles and central characteristics, then governing is aligned towards the principle of *responsibility*. For this reason, democratic decisions must reflect long-term perspectives and protect their own basic principle (that of civil rights and freedoms). Responsiveness and responsibility are two basic principles which should be guaranteed through the institutional character of democracy. Through institutions, the concept of democracy becomes concrete.

3 The Concept of Democracy

To explain the conception of democracy more profoundly, the definition of democracy will be presented first. After that, three dimensions and five institutions, which are inherent to the concept of democracy, will be introduced.⁴

Definition of democracy

In the tradition of procedural democracy, democracy is defined in the following way: Democracy is a constitutional kind of rule, which allows the self-determination of all citizens (in the sense of the sovereignty of the people) by guaranteeing their decisive participation in free and fair elections (of the main political representatives) and/or in political decisions (referendum). The concept includes the possibility of a continuing influence on the political process and the control of power. Democratic participation in the political process finds its expression in the dimensions of freedom, political equality, and political and judicial control.

⁴ A more detailed version is presented in Lauth 2004.

Explanation of the three dimensions

Preliminary *Equality*: The dimension of equality expresses political equality, which includes, on the one hand, formal, fair treatment of all citizens by the state (legal equality). On the other hand, it enables all citizens to participate in a fair and effective way in all formal institutions needed for the democratic process (input-egalitarianism). While the dimension of liberty includes the possibility of free participation in the democratic process in an active sense, the dimension of equality underscores the importance of having an equal chance to access these rights. Do all citizens have the same opportunity to use their rights? Thus, the perspective changes from the active side to a more passive side (of treatment and enabling structures). This concept of political equality does not strive for the same results of political participation – not even for the equal chance of competence beyond effective legal equality. Fairness means the equal and effective use of the civil and political rights regardless social status, gender, or ethnicity.

These annotations demonstrate that we do not speak of equality only in a formal sense. We have to respect the significance of norms that can be realized. This implies certain social standards. Equality is also rooted in the acceptance of others as equals on the basis of the concept of individual autonomy. Therefore, the existence of liberty rights is a necessary, but not a sufficient condition for equality.

Preliminary *freedom*: The dimension of freedom is rooted in the citizens' free self-determination in a political community. This self-determination includes the transfer of individual preferences through the election of political representatives in free and fair elections, and, additionally, the opportunity of continuing political participation, which is embedded in a public structure of competitive organizations. The citizens' political participation is guaranteed by the existence of civil and political rights. Furthermore, sovereignty of the people implies that the elected representatives own the political power and use it, but respect individual rights at the same time (effective power to govern). To participate freely means that all rights have to be codified, that the factual possibility to exercise the rights exists (which demands a certain degree of institutional and administrative capacity) and that the use of the rights is not thwarted by formal or informal acts.

Preliminary *control*: The main idea consists of the control of political power (government and parliament) through means of political and judicial control. The dimension of control integrates both vertical and horizontal accountability. Besides the peculiarities of political control in the political process (through civil society), the main actors of control are the formal organizations of the state. Democratic control is necessarily based on the opportunity of citizens, civil society, and parliament to participate in controlling procedures to ensure their capacity to defend their rights and to support the (sometimes limited) initiative rights of the justice system. The only standard of the judicial control is established by the constitutional behavior of the respective office holders. The transparency of the political process is an important condition for both kinds of control that are exercised permanently. Control is only effective if it aims at forcing the office holders to take responsibility for their actions in order to create the possibility of punishment. This requires the functioning of an independent justice system, which is in turn supported by other authorities and by initiatives of civil society.

With regard to the general understanding of democracy, it still remains to be clarified where exactly participation is to be situated. Other types of political regimes also have forms of participation. Thus, on its own, participation in general is not a characteristic of democracy, but rather the specific modus of democratic participation (Diamond and Morlino 2005; Munck 2009). This is shown in the realization of the dimensions and principles through the specific set of democratic institutions which, for their part, are all directed at participation. For this reason, participation can be understood as the essential form that makes democratic characteristics possible by integrating all of these.

To list all relevant characteristics of a democracy does not mean that the highest level of democratic quality is achieved when all are comprehensively developed. Rather, possible *trade-offs* must be considered at all levels (dimensions, principles, and institutions). These are motivated significantly through the tense relationship between dimensions situated at the highest level of abstraction. Such considerations on the potential for tension between the three dimensions can be summarized as follows: in principle, an ‘optimal’ or ‘perfect’ democracy cannot be based upon the comprehensive realization of all three dimensions; rather, it is expressed by an appropriate, gradual implementation, maintaining a balance between them. Falling short of their limits, as well as exceeding them, is problematic.

Defining the appropriate balance between all three dimensions relies on the continuing debate within society and must correspond to historical and social situations. In its quest for the balance between the three dimensions, democracy, or rather its citizens (seen as players), fall into the paradoxical situation of having to continually agree upon the rules of the game without abandoning the game in the process. The only way out of this situation is that the proposed basic rules of the game are not open to debate. All three dimensions constitute a categorical orientation, which could no longer be challenged as a whole. The balance among the dimensions, however, could continually shift. The openness sought through this approach does not mark a weakness in democracy, but rather outlines its inherent potential for development and problem solving and portrays the character of democracy as a *boundary* concept. Within it, the limits of the three dimensions (and the extent of those norms which are given up and those which are upheld) could be continually redefined without losing their identity.

A possible optimization of the relationship among the three dimensions of democracy points to the extension and further development of the deliberative character of democratic procedures. These represent the sole possibility of an appropriate and comprehensive mediation among these competing, and simultaneously complementary, dimensions. Although it is not possible to expand upon this discussion here, it should be noted that the upper domain of the profile of the three dimensions cannot be interpreted linearly according to the motto ‘the more, the more democratic’. At the same time, this profile should not fall below a lower threshold. *Vis-à-vis* their classification within a functioning democracy, it is unimportant to what extent the individual dimensions are developed, as long as all three dimensions display their respective core characteristics at a satisfactory level. If the single dimensions are not present to a satisfactory, but to sufficient degree, the political system in question is considered to be a deficient democracy. If the characteristics of the single democratic components are below this threshold, no democracy exists.

The character of the three dimensions in the upper spectrum, however, serves to establish profiles of empirical findings within the domain of working democracy, whereby the targeted indicators in the upper ‘threshold range’ should show be sensitive to the potential conflicts in goals respectively trade offs (cf. Lauth 2004, chapt. 3.3.2). In order to make the basic determination of a whether or not a working democracy exists, this idea should find a consensus, as opposed to competing proposals which favor specific weightings of the dimensions (be these towards liberal, social, or jurisdictional democracy). At the same time, these observations give an indication as to the scope for interpreting the basic dimensions. Although linked with differing profiles, they have a basic consensus.

The conflict in the relationship among the three dimensions – as well as its resolution – corresponds with that between responsiveness and responsibility. The responsiveness of a government is suitable only in a limited way as an expression of democratic quality. To define democracy solely through responsiveness is as much a dead end as it would be to ignore it. Complete responsiveness can neither be guaranteed, nor would it always be useful from a democracy theory perspective. The acceptance of voter preferences without critical evaluation of them cannot be the decisive criterion for defining democracy. Responsiveness refers to two of democracy’s core components, the *input* and *output*; both must be included in defining democracy (Scharpf 1970). The latter of these, however, can only be considered in its negative expression. The qualification of policy results is based upon the democratic quality of the decision-making process, upon the ‘normative compatibility’ of the decision, as well as upon the ability to implement that decision administratively. Democracy per se does not yet guarantee development which is socially just, economically prosperous, as well as ecologically sound.⁵ However, by means of its procedures, it does offer better possibilities than authoritarian regimes of making the preferences of the citizen the basis of policy. Whether social justice becomes reality cannot be expression of democratic quality if this issue is not based upon the expressed preferences of the electorate and upon the transformation of these preferences into binding political decisions.

Regarding these considerations at the end of our reflections on democracy, it is appropriate to examine the divide between a material and a procedural understanding of democracy. As we have seen, this distinction can and has to be bridged in a limited way. It is not convincing to rely only on a procedural thinking of democracy without reference to the output. Certain categories of output which undermine democracy have to be regarded. This affects basic individuals rights (not only democratic ones), as well as certain social standards which enable all citizens to participate in the political process.

⁵ During fundamental system transformation processes, when the wishes of the population are founded upon these *issues*, disappointment is guaranteed. To reduce such disappointment, democracies must demonstrate that they are capable of at least striving for these goals, even if they cannot achieve them immediately. Otherwise, shifts in preferences could take root among the population at the political level, to the point where and even authoritarian developments could be welcomed, should citizens perceive these as being more effective in achieving their objectives.

Five central institutions of democracy

At this stage it is helpful to gain a more precise understanding of individual institutions, in which discrepancies between various approaches would certainly become more evident. However, the rules as discussed above should at least lead to a narrowing down of the spectrum of possible results. In the discussion of necessary institutions, reference to functional equivalents could serve as a guide. The central question is which institutions can make the realization of central dimensions and principles possible. These remain constant, while the character of the institutions indeed vary, and can also include informal institutions.

There are different ways to identify the central democratic institutions (Dahl 1971, 1989). I will introduce five institutions based on their special functions. This is not a mere functional approach, because all functions have to be realized in an institutional form. In institutional forms, the dimensions and principles of democracy find their full expression. Here, the institutional minimum orientates itself towards the institutional guarantees (See Dahl 1971), which include electoral law as well as freedom of organization and of communication. This list is not complete, however, it have to be extended through the characteristic of ‘an effective government’. For the democratic process does not arrive at its completion with the formulation of decisions, but rather with their implementation.

Ad 1: Procedures of Decision

In democracies, the participation of citizens in binding decisions is mainly done through elections. Through voting, citizens select their representatives in government and parliament. This institution is characterized by the standards of free and fair elections. While political scientists agree on the validity of this criterion, they still discuss the equality and fairness of different kinds of election systems (Lijphart 1984 and 1999; Nohlen 2000). This debate also raises the question whether extremist parties should be allowed or prohibited.⁶ Besides the possibility to select representation, the institution ”procedures of decision” offers the possibility to participate directly in decisions, which are realized through referenda (or plebiscites).

Ad 2: Intermediate Mediation/Regulation of the Intermediate Sphere

Institutions in the intermediate sphere structure the organization of interests in a way that they are capable to articulate, select, and aggregate interests with regard to the democratic process. The institution is democratic if all preferences of the citizens have a fair chance to be organized and, translated into political decisions (Merkel 1998). To base the policy-decisions only on elections is not sufficient. If the political situations change, there must be a chance to continue to influence the decision-making process. At the same time, selection and aggregation of

⁶ There are good reasons to forbid their participation in elections, for instance, if these parties do not only intend to abolish human rights but to flagrantly violate them. In this sense, restrictions on eligibility are not necessarily to be understood as limitations of liberty – like Gastil (1991: 34) and Dworkin (1998: 306) suggest. This does not mean the possibility of exclusion should be interpreted in a extensive manner, that justifies the exclusion of each anti-system party (For that concept, see Sartori 1976: 132). If such parties respect the democratic rules in point of fact, there is no reason to restrict them in elections.

interests mean interpretation of individual preference. It is also necessary to accept basic norms, which are essential to a free and fair regulation of conflict. Political parties and organizations of civil society are the main types of intermediate mediation, as both types of representation formulate different goals (office holding vs. decision influence; Schmidt 1995: 696, 986). The institutional disposition is documented in the law of party rights on the one hand, and in the law of organization rights on the other (organizational freedoms).

Ad 3: Public Communication

The institution of public communication regulates the possibilities of communication, which are necessary for other democratic institutions. Their specific democratic form consists of a set of liberty rights that concern communication (like freedom of speech, of expression, of information, of press).⁷ Even if they are individual rights, they can only be expressed in the public sphere. Democratic communication structures are characterized by transparency and openness, which does not mean that all interests have the same impact, but that they have a real chance to be articulated.⁸ One condition is the pluralistic structure of the mass media, which allows the expression of competing interests. Avoiding any state ownership (or influence) of media is not a necessary condition for a pluralistic structure. Sometimes, the state needs to intervene in order to avoid private monopolies. Following Habermas (1994: 624ff.), the general public creates the central institutional place that enables the mediation of rational argumentation based on the principle of people sovereignty (See the concept of deliberative democracy).

Ad 4: Guarantee of Rights

The institution of guarantee of rights is a specific form of political participation, which allows all citizens to directly protect their rights (which are inherent to the other democratic institutions). Via legal proceedings, individual citizens or organizations of citizens can defend their rights or influence the political process and policy outputs. Similar to procedures of decision, this institution is qualified by its binding character with one important difference. While voting expresses a citizen's decision, the judicial decision (judgment) is made by a judge (the court). In the latter, citizens can call for a decision about a special issue, but they cannot make the final decision. The institution is used to correct former political decisions or to influence them in the future. To express its democratic nature, this institution covers all judicial procedures, which are relevant for the forming of polity, politics, and policies. The central or basic function, however, is to guarantee civil and political rights through the acceptance of all principles of the rule of law. This includes mainly the principles of equality, fairness, and effec-

⁷ "Politische Kommunikation ist in der Demokratie mit der Idee der Freiheit verknüpft. Freie Meinungs- und Willensbildung als individuelles Grundrecht und als institutionelle Garantie für ein unabhängiges Mediensystem gehört denn auch zum Kernbestand der Demokratie, ist für demokratische Ordnungen «schlechthin konstitutiv»" (Sarcinelli 1995: 241).

⁸ Vis-a-vis the consequences of missing transparency regarding the capacity of control J. Dunn (1999: 339) indicates: "State discretion is a clear inroad into democratic accountability, and state furtiveness is a frontal assault upon it. The demand for privacy in ruling is an attack on the core charter of a democratic state."

tiveness. Specific authorities (like commissions on human rights or ombudsman) can supplement the activities of the courts. However, these authorities cannot make binding judgments.

Ad 5: Rule Settlement and Implementation

The central character of this institution is linked with the idea of an effective government that implements the decisions of the democratic majority. This implies the control of the exclusive authority of the state in the whole country and excludes the existence of non-constitutional veto powers (or official veto powers, which use their formal resources in an unconstitutional way) or ‘brown areas’ (O’Donnell 1996). Effective power to govern also demands a rational and effective bureaucracy (Max Weber) and should have the possibility to obtain all the information about citizens that is necessary to fulfill its obligations, but do not infringe on individual rights.

An impartial and unbiased treatment of the citizens by government, parliament, and bureaucracy highlights the democratic character of an effective government. This characteristic indicates that the rule is not abused by a privileged elite, that no preferences (or minorities) are excluded by these institutions, and that all citizens have access to these institutions and authorities regardless of their social standing (i.e., no privileged access for certain groups).⁹ Finally, the democratic quality of an effective government needs to be controlled by state agencies and parliament (for example, audit division).

4 The Methodology of the Matrix of Democracy

The three dimensions of democracy and five central democratic institutions have been briefly presented. If we combine these two categories, we obtain a concept of democracy built on a matrix of fifteen fields, which allows us to perform a separate analysis on the different aspects of democracy (See Tab. 1). Each matrix field describes a specific characteristic of democracy, which can be seen in the title of each box. In the following section, we discuss the methodology of the matrix more in detail.

The study of rights and rules is conducted on four basic levels: (1) the existence of rights (codification), (2) the possibility to exercise rights enabled by the administration (necessary conditions), and (3) the denial of rights through formal or informal encroachments (extent of the infringement on rights). The scope of the application of the rights is not verified, as this strategy – exemplified by the voter turnout – poses a number of problems in itself. In general, the same consideration applies to the effectiveness of rules when they have an enabling nature. However, since they are binding, like all the laws of the legislature, the non-observance of the rule has to be taken as an indicator. The measurement of controlling and monitoring rights occurs in a similar way. However, the strategy employed here deviates from the normal

⁹ This also excludes the existence of second-class citizens or a “low intensive citizenship” (Méndez/O’Donnell/Pinheiro 1999).

method of gathering data about the dimensions of freedom and equality. At this point, the question must be asked whether the controlling rights are put into practice. Evidence of a lack of restrictions does not prove the existence of a functioning, active control. For these reasons, a fourth level (4) should be used to examine the extent to which control rights are exercised.

Table 1: Matrix of Democracy

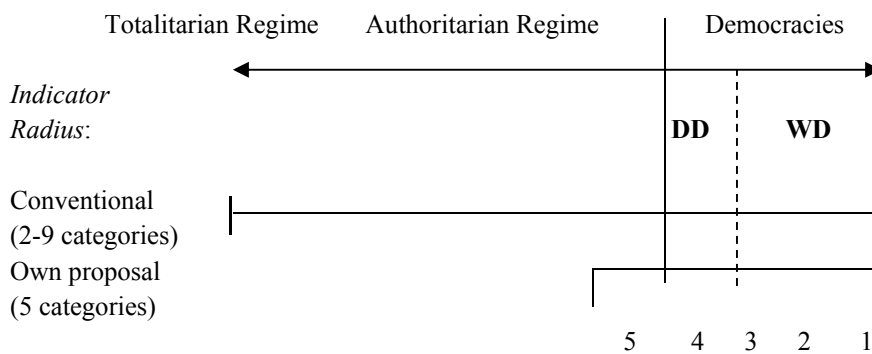
Dimensions Institutions	Liberty	Equality	Control	Insti- dex
Procedures of decision	Free elections and referenda (no restrictions) 01 1/1	Equal chances of participation, Equality of votes 06 1/2	Control exercised by independent election review board 11 1/3	
Regulation of the intermediate sphere	Freedom of organization 02 2/1	Equal rights of organization 07 2/2	Control by parties and civil society 12 2/3	
Public communication	Freedom of communication 03 3/1	Equal chances to participate 08 3/2	Control by Media (independent journalism) 13 3/3	
Guarantee of rights	Free Access to court 04 4/1	Equal rights and equal treatment in court 09 4/2	Effective court order supreme court 14 4/3	
Rules settlement and implementation	<i>Effective government</i> (Parliament, rational administration) 05 5/1	Equal treatment by Parliament and administration 10 5/2	Separation of powers (parliamentarian opposition, second chamber, audit division) 15 5/3	
Dimex				Demex

For the field of institutional supervisory bodies, this means writing regular audit reports that prove that these bodies comply with their respective activities. Is parliament using the various controlling mechanisms and procedures at its disposal? Is investigative journalism occurring? Are the actors in civil society utilizing public criticism and the legal process?

The data has been put into a metrical five-point scale. In the scale, the value of one (1) signifies the full value of a given characteristic; the value of five (5) indicates that the value of the given characteristic is insufficient. Both scales are described in detail. The value of five does not mean that no manifestations of the indicator would be measured; rather, these manifestations simply do not suffice for the indication of a democracy. The insufficient findings can

exist at a limited or basic level, or not exist at all; bear in mind that all dimensions of democracy are partially pronounced in authoritarian regimes. However, these considerations lead to the topic of measuring autocracy, which is not open to debate here. It should only be noted that the scale of democracy would allow this connection to be made. The gaps between one and five (1 – 2 – 3 – 4 – 5) are considered to be the same and are labelled with corresponding marks. The first four categories are all located in the field of the democracy.

Diagram 1: Scale and Radius of Measurement



Key: DD = Deficient Democracy; WD = Working Democracy

By using the measuring system, the metric scale can be explained as follows: firstly, there is a description of the contents that have the full value of a characteristic (Item Category 1). Likewise, there are explanations of the facts that cause the value of a characteristic to no longer be considered sufficient (Item Category 5). The other categories do not require further elaboration. Bear in mind that being assigned to category four (4) is based on the extent to which an institutional manifestation of defects is present, although these defects can be rooted in a formal or an informal level. Assigning other increments of value rests on the judgment of the encoder, which has to be aligned with the same range of the categories. In category two (2), there are minor deviations from the description of category 1. The deviations are significantly larger in the third category (3), but still not institutionally anchored as it is in the fourth category (4). In aforementioned description of the two ends of the scale, there cannot be a complete institutional representation of both categories, because openness in operationalization should be allowed as a matter of principle. Indeed, different institutions fulfill the same tasks in different countries; for this reason, the aspect of functional equivalents has to be taken into consideration.

Different degrees of measurement are possible. The difficulty in using the holistic approach of democracy is that it causes a separate measurement of all cells of the matrix. Different degrees of the values of the indicators have to be expected. This empirical method allows for the case-specific profiling of an 'individual' democracy. To do this, we need fifteen indicators or variables that correspond to our democracy matrix. As a matrix field covers various aspects, the variables are in turn composed of different indicators – either simple or complex – which

can be quantitative or qualitative in nature. A *comprehensive* survey or data collection with several indicators per matrix field can be achieved by using this method.

An alternative to this procedure – the *comprehensive* survey – is selecting only one single significant indicator per matrix field. This route, which reduces the research effort as well as the aggregation problem, is based on a ‘micro-holistic’ assumption, according to which the expression of all aspects within a matrix field is more or less equal. This assumption (the option for a sufficient indicator) is not as far-reaching as the original holism thesis, and, in addition, it cannot be completely theoretically justified. However, it offers a legitimate, pragmatic option for research, because the corresponding loss of information is limited. Bearing this limitation in mind, such a *limited* overall survey can provide an acceptable approach to the comprehensive overall survey findings.

Both, the *comprehensive* and the *limited* overall survey, permit the data to be indexed in different ways (See Fig. 14.). On the one hand, all values per institution can be aggregated, which results in five values (Instidex). On the other hand, the same procedure can be applied to the dimensions. In this case there are three resulting values (Dimex). Finally, all the information can be summarized in the overall index (Demex). What level of aggregation is used depends on the respective research interests. The fifteen values of the matrix fields provide sophisticated and nuanced information. An initial level of aggregation allows the values to be pooled along the dimensions or along the institutions; of which both (Instidex and Dimex) illustrate the profile of democracy. The threshold markings correspond to special rules that exclude opportunities for compensation.

When integrating all results into only one index value (Demex), not only the dimension profile is obviously lost, but the balance of all institutions and their dimensions is maintained. Because all three dimensions and all five institutions are in turn understood to be equal components of democracy, this aggregation is justified.

On that note, one aggregation problem should shortly be discussed, as it has to be addressed vis-à-vis other common measurements, too. It concerns the aggregation at the micro-level (e.g., indicator, matrix cell). At this level, a lot of information and observations already exist; these should be summed up into a single value. But how should these observations be weighted? No approach deals with this decisive question. The only answer could be that all relevant aspects have to be carefully recorded, so as to make it possible to reproduce the results of the study.

Attention should be paid to three *rules for the regime classification*, rules which can be used only if the measured data for all fifteen fields of the matrix are available:

Rule 1: Once one matrix value is deemed ‘insufficient’(5), the overall findings can no longer be categorized into the field of democracies. Inversely, a democracy can exist only if all values are shown to be ‘sufficient’ at the least.

Rule 2: When one matrix value receives a rating of ‘sufficient’ (4), the regime will be labeled as a deficient democracy. However, this implies that no matrix value will be rated as ‘insufficient’.

Rule 3: If no matrix value is considered less than ‘satisfactory’ (3), a functioning or well working democracy is present.

The threshold determination occurs through the classification scale and follows the contextual expression of individual characteristics. The fourth level (‘sufficient’), which is used to label a deficient democracy, is an indicator of flaws in the institutions, which, nevertheless, do not challenge the dominance of formal institutions. If this were the case, they would no longer be ranked in the fourth level. The classification system is oriented towards the three outlined types of regimes – authoritarian regimes, deficient democracies, and functioning democracies – each of which reflect a specific functional logic. In this sense, the threshold is formed by every indicator; the same is true of sub-thresholds. Cutting points that refer to higher aggregate index values cannot be used due to the previously mentioned classification rules. The latter could cause the same index values at the highest level of aggregation (Demex) to be associated with different regime classifications.¹⁰

The total number of points in the measurement is between fifteen (15) and seventy-five (75) and varies according to the number of fields and the levels of the scale. In order for a regime to be considered a functioning democracy, it must have less (or equal) than forty-five points (45). The range of functioning democracies can be differentiated and represented by a margin of thirty points (30). Bear in mind, however, that if only one rating in a field covered by the aforementioned cutting points is missing, the possible typological classification cannot be determined.

¹⁰ The measurement of the degree of democracy and the classification of regimes is carried out according to the same logic. Schedler’s opinion is unconvincing (1996: 169). He claims that measuring democracy and measuring the quality of democracy follow different paths of logic. However, the only meaningful difference between the two is that thresholds must be added to the regime classification. Schedler’s position (analogous to Sartori 1987: 184f) implies that for the quality measurement to be measured, other characteristics are necessary (or can be used) to classify the democracy. However, if this were true, we would be working with two different definitions of democracy, which would not be worthwhile. In addition, there is little evidence to support the idea that a different quantity of indicators makes a difference. The connection between measuring democracy and measuring its quality can be easily demonstrated by citing any number of characteristics. Studies of the measurement and classification of democracy show this fact abundantly.

Table 2: Stages of Differentiation in the Measurement¹¹

Type of Aggregation	Dimensions	Institutions	Indicators
<i>Comprehensive Survey</i>	Freedom Equality Control	All	> 15
<i>Limited Survey</i>	Freedom Equality Control	All	15

Different indicators are cited in the description of the contents of each matrix field, which provide sufficient information to be empirically tested. Nevertheless, there are always more aspects to consider. The relevance of the rule of law for all three dimensions of democracy has been extensively covered in another paper (Lauth 2004). The defining features of the rule of law come up for discussion in other matrix cells, particularly vis-à-vis the institution of 'legal guarantees'. The rule of law is also studied in the other institutional fields. Indeed, the question is whether the specific formal rules of the individual matrix fields are compatible with the principles of the rule of law and whether these formal rules determine behavior.

At this point, the importance and impact of informal institutions – such as clientelism, corruption, and the threat of violence – comes into play, because they can also influence behavior (Lauth 2000). These informal institutions have to be analyzed in each matrix field, even though they are not explicitly mentioned in each description. The importance of competing informal institutions, which undermine democratic rules, should not be underestimated (Helmke/Levitsky 2006; Ledeneva 2006).

Accordingly, the issue of transparency in the investigation of the individual fields of all three dimensions is constantly present. If government actions (on the part of the parliament, the government itself, and/or the administration) are not transparent, rights cannot be exercised appropriately. It should be noted that the transparency necessary for a democracy is a higher than transparency necessary (specifically) for the rule of law. If government actions lack transparency, that does not (automatically) mean that the rule of law is missing. However, nontransparent actions hinder the free formation of (public) opinion and the control of the relevant facts. When we talk about transparency, however, we cannot envision comprehensive and complete transparency as a benchmark, as there is no political system which allows these kinds of circumstances. Indeed, certain affairs of state (such as the protection of fundamental rights or ensuring the governability) can be kept secret for reasons of democratic theory. Transparency is required insofar as the relevant information – the information that is necessary for the democratic process – is readily available. In this case, it is helpful to use the idea of 'international standards' as a guidepost.

¹¹ An even more parsimonious version use only the three dimensions without including the institutions. This approach (The Combined Index of Democracy - CID) enables the use of established data. See more in detail : Lauth/Kauff 2012 and http://www.politikwissenschaft.uni-wuerzburg.de/lehrebereiche/vergleichende/forschung/kombinierter_index_der_demokratie_kid/. Gesehen 02.02.2015.

Table 3: ‘Limited’ Indicators for Measuring Democracy (15-Field Matrix)

Field	Indicators Freedom	Field	Indicators Equality	Field	Indicators Control
1/1	Free National Elections	1/2	Equal Use of the Active and Passive Right to Vote in National Elections	1/3	Independent Committee that scrutinizes the Voting Process during National Elections
2/1	Freedom of Association for Political Parties and Trade Unions	2/2	Fair Party Financing and Consultation Mechanisms	2/3	Political Control through Opposition Parties
3/1	Free Press	3/2	Diverse Media Landscape	3/3	Press that is Critical of the Government
4/1	Independent Judiciary	4/2	Legal Security for Marginal Groups	4/3	Effective Jurisdiction over other Government Institutions
5/1	Rule of Law and the Absence of Tutelary Powers	5/2	Extent of Corruption in the Administration	5/3	Effective Audit Courts and Effective Parliamentary Controlling Rights

5 Examples of Measurement (USA, Russia and Italy)

In this section, we can illustrate how the matrix works. There are three case studies – two in which all of the matrix cells will be used, and one in which only one institution will be considered. The following example is part of joint study together with my colleague Josef Braml, which was finished in early 2011. The whole paper is published under the title: THE UNITED STATES OF AMERICA – A DEFICIENT DEMOCRACY (Braml/Lauth 2011). Analyzed is the American Democracy in the years 2001 – 2008. The following matrix summarizes the findings.

Table 4: The Quality of Democracy in USA (2004-2008)

Dimensions Institutions	Freedom	Equality	Control
Decision-making Processes	Free Elections and Referenda Good	Equal Opportunity to Participate and Parity of Votes Satisfactory	Control by an Election Commission Satisfactory
Institutional Intermediation	Freedom of Association Very good	Equal rights to Organize and Take Political Action Good	Control by means of Associations, Interest Groups, Parties and Civil Society/ Grassroots Organizations Satisfactory
Public Communication/ Public Opinion	Freedom of Speech/ Expression Good	Equal Opportunity to Participate Satisfactory	Control by means of an Independent Media Sufficient
Effective Rule of Law	Open Access to the Legal System Sufficient	Equal Rights and Treatment in the Legal System Sufficient	Effective Administration of Justice and Constitutional Jurisdiction/Litigation Satisfactory
Setting and Implementation of Laws	Effective Government (Parliament, Rational Bureaucracy) Good	Equal Treatment by the Parliament and Administration/ Bureaucracy Satisfactory	Separation of Powers / Checks and Balances (Parliamentary Opposition, a Second Chamber, Auditor/Budget Controls) Sufficient

The following table constructs different sub-indices (Instidex and Dimex) to systematically demonstrate the strengths and weaknesses of American democracy. The weakest performance on an institutional level is shown in the category ‘guarantee of rights’; the best, in the category ‘regulation of the intermediate sphere’. Regarding dimensions, control is the weak spot.

Table 5: Strengths and Deficiencies of the American Democracy, 2004-2008

Dimensions /	Freedom	Equality	Control	Σ	\emptyset
Institutions					
Decision-making Processes	2	3	3	8	2,7
Institutional Intermediation	1	2	3	6	2,0
Public Communication/ Public Opinion	2	3	4	9	3,0
Guarantee of rights	4	4	3	11	3,7
Setting and Implementation of Laws	2	3	4	9	3,0
Σ / \emptyset	11 / 2,2	15 / 3,0	17 / 3,4	43	2,9

Besides its strengths, the frame of reference of the “democracy matrix” also shows the *specific* and probably *temporary* deficits of American democracy, which risked losing its liberal character in the aftermath of the terrorist attacks of 9/11 and in the course of the Global War on Terror. Ironically, the Americans attempts to make the world safe for democracy with military means had unintended consequences for its own democracy – namely domestic insecurity and serious infringement on civil liberties. The analysis of the changed domestic conditions indicated that the United States understood and interpreted domestic and international law in a way that is problematic for the standing and reputation of a presumably “liberal” democracy.

Under the pretext of a national threat, political power, especially that of the President, was significantly expanded. As long as Congress remains on the defensive, the horizontal checks and balances cannot function properly.

The behaviour of the Democratic majority, elected in 2006, has contradicted the assumption that the dominance of the President was due merely to a “culture of submission” among the Republican majority in Congress.¹²

12 Hils/Wilzewski (2006: III) argued “that a separate, extraordinarily strong sub-culture of submission exists among Republicans, which *ceteris paribus* has the effect that a legislative controlled by the Grand Old Party

In contrast, it seems plausible to assume that in times of threats to national security, the general weaknesses of the American political system become apparent, particularly in the form of massive infringements on civil liberties. As long as an imminent danger exists or is perceived, the American people are apparently ready to sacrifice personal freedom (especially that of non-Americans) in exchange for security. The ‘Founding Fathers’ concern about the “tyranny of the majority” is all the more relevant in the current context, because in the modern American media democracy, (See Hils 2004: 13-21.) the opinion of the majority can both be misunderstood and manipulated.

This danger places the actors and institutions that can influence the political and public perception of threats squarely in the middle of the debate (Braml 2003). While public criticism was only rarely prohibited or directly inhibited by the state, the “patriotic” reporting, especially of TV networks, portrayed critical commentators as unpatriotic outcasts. The media outlets that came closest to exercising the control function were the national print media. The critical question is whether public pressure – not least motivated by a somewhat more critical news media (as in the context of the torture allegations and abuse at the military prison at Abu Ghraib), balanced expert analysis, and staying true to principles (not least by the members of Congress) – triggers a counter impulse, which reinstates the balance of power between the political branches and swings the pendulum back in the direction of more civil liberties, as has often occurred in American history.

Throughout American history, there were phases of external threats, which caused the balance of power to shift in favour of the executive branch. In a thorough analysis of this phenomenon in “All the Laws but One: Civil Liberties in Wartime,” William Rehnquist, Chief Justice of the U.S. Supreme Court until his death in early September 2005, warned of the danger that in times of war the Commander-in-Chief is tempted, to expand the interpretations of the Constitution beyond what was intended by the Founding Fathers (Rehnquist 1998: 224). From his historical experience, however, the Chief Justice had little confidence that his colleagues would show the executive branch the limits which had to be maintained: “If the decision is made after the hostilities have ceased, it is more likely to favour civil liberty than if made while hostilities continue”. As long as the Global War on Terror continues, the Roman maxim *inter arma silent leges* will also remain valid in the political system of the United States.¹³ Even if the law has not been completely silent, its expression so far remains weak. The Supreme Court as a (in its own understanding) non-political institution shows restraint in times of crisis and war – it does not want to undermine the Commander-in-Chief.

So far, the Supreme Court has not forcefully interfered with the Commander-in-Chief, but has limited its role to defend its own *raison d’être*, once again in its last ruling of July 2008 (*Boumediene et al v. Bush et al*), with a slim majority of five votes to four. The two judges appointed by President Bush, Samuel A. Alito and Chief Justice John G. Roberts, Jr., have approved the assumption of powers and the President’s strategy in the “Global War on Terror”. Future appointments to the Supreme Court not only have consequences for the composi-

cannot maintain its institutional position in questions of war and peace to the same degree as a Congress dominated by Democrats.”

13 “When the weapons speak, the laws are silent.” Or: “In war, the law is weak”. (Cicero, Speech for Milo).

tion of future majorities, but also for decisions which will affect fundamental rights, which can be decisive for the quality of American democracy.

Summing up, the variation of the quality of democracy is mainly due to the war on terrorism. Only in the matrix field of decision making process (electoral system) we can observe a small improvement which is not connected with the war. Effective rule of law and the control of the executive by the legislative and judiciary powers, however, have deteriorated significantly. Congress' and the Supreme Court's control potentials were diminished by the two institutions' reluctance to exercise their powers. This behavior was, in turn, strongly influenced by public opinion, which was dominated by the presidential public discourse. It is the behavior of the Bush administration, disrespecting the rule of law and aiming to increase presidential powers at the expense of the other branches, which give reasons for both concern and hope. In times of war, the president has an opportunity and an incentive to increase the power of the White House. Yet it is also possible that a president with a different mindset and interpretation of its role can choose differently – especially if the perceived threat to national security abates. History has shown that the pendulum swings back. The current decrease of the quality of the American democracy (at the end of the first decade of the 21st century) may again prove temporary.

Russia is the second example, which should only briefly be outlined (See Österle 2009 and Patze 2011 with a modified methodology).¹⁴ Österle's empirical findings, which are based on the limited version of data collection, are unambiguous. Many areas of politics in Russia between 2000 and 2008 were no longer considered democratic. For this reason, the system as a whole can no longer be classified as democracy. Because some characteristics are still democratic, it should be labeled as a hybrid regime.

The weakest points are the institutions of 'communication and public sphere' and 'guarantee of rights'. Regarding dimensions, the poor performance of control should be underscored. Patze (2011: 311), who accentuated the findings with a marginal change in the method of measurement by using dichotomous indicators, classified Russia as strong authoritarian system.

¹⁴ Österle, Irene, 2009: *Wohin entwickelte sich die Qualität der Demokratie in Russland? – Ein Vergleich der Amtszeiten der Präsidenten Jelzin und Putin*, Magisterarbeit am IPS der Universität Würzburg; Patze, Peter, 2011: *Wie demokratisch ist Russland? Ein tiefenorientierter Ansatz zur Messung demokratischer Standards*, Baden-Baden.

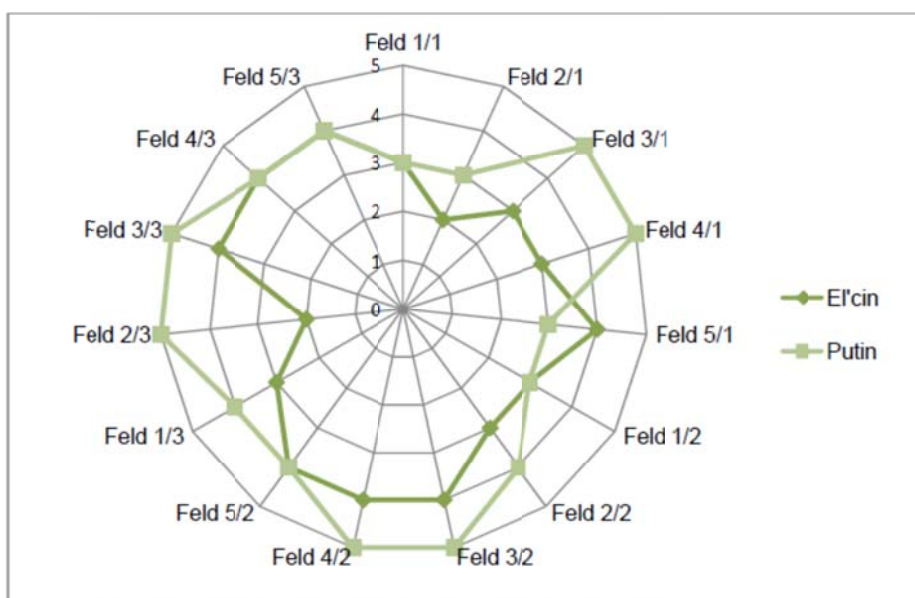
Table 6: The Quality of Democracy in Russia und Putin

Dimensions	Freedom	Equality	Control	Σ / \emptyset
Institutions				
Decision-making Processes	3	3	4	11 / 3,3
Institutional Intermediation	3	4	5	12 / 4,0
Public Communication/ Public Opinion	5	5	5	15 / 5,0
Effective Rule of Law	5	5	4	14 / 4,6
Setting and Implementation of Laws	3	4	4	11 / 3,6
Σ / \emptyset	19 (3,8)	21 (4,2)	22 (4,4)	62 / 4,1

Source: Österle 2009: 94.

Furthermore, a comparison of the two terms of presidents Yelstin and Putin can clearly demonstrate how a deficient democracy can move in the direction of an authoritarian regime. With the exception of one matrix field, the quality of democracy has stagnated or even sharply declined, especially in the dimensions of freedom and control. The only positive development can be found in the field of 'stateness and the absence of *tutelary powers*', which reflects the fact that Putin reclaimed the effective power to govern.

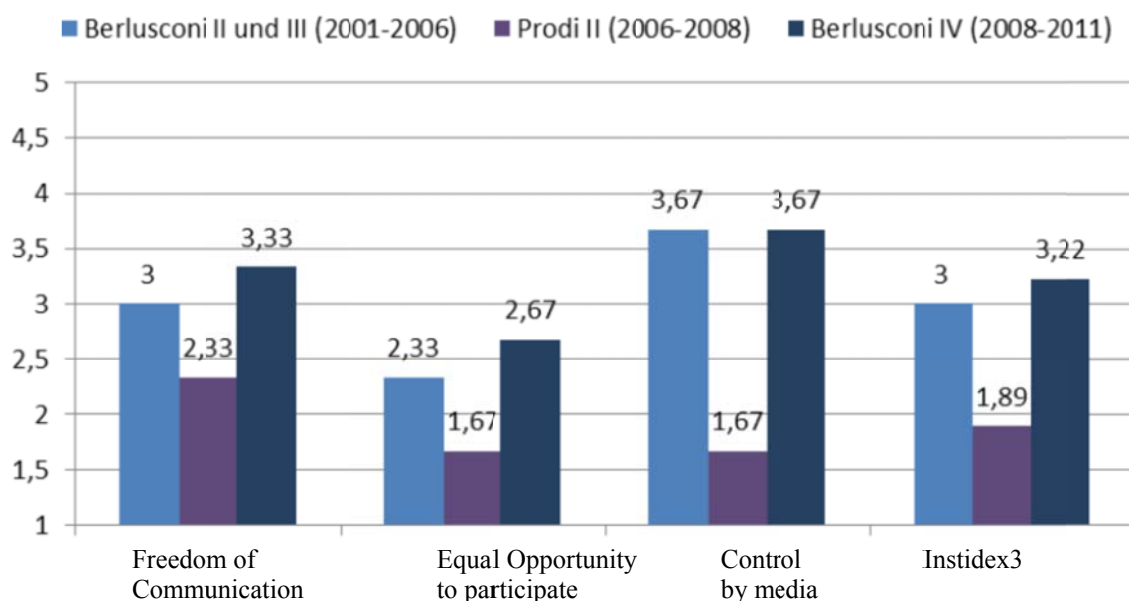
Diagram 2: The Quality of Democracy: Yeltsin compared to Putin



Source: Österle 2009: 97.

The final example deals with *Italy*. In this case study of Nicolas Galbenis (2011), only the institution of public communication was analyzed. The terms of Berlusconi (I, II, III) were compared with the term of Prime Minister Prodi. The findings demonstrate a decline in the values of all the analyzed matrix cells when Berlusconi was in power. This drop is mainly due to the private ownership of mass media (e.g., TV) and political control of state media. Because Berlusconi controlled both of them, the media was not able to appropriately monitor the government or effectively criticize it. This value of ‘sufficient’ (4), which was reached by two sub-indicators of ‘control by media’, is enough to classify Italian democracy as deficient. However, we can also see that only one change in government can affect the classification.

Diagram 3: The Quality of democracy of 'Communication and Public Sphere'. A Comparison between Berlusconi and Prodi



Source: Galbenis 2011: 45.

Another study (Bein 2014) analyzes the regulation of the intermediate sphere in Italy by investigating parties and party systems, as well as unions and civil society, during two periods of time (1979-1992 and 1996-2008). The collapse and reorganization of the the entire party system, which began in 1992, marks the dividing line between the two periods. The results highlight the deficiencies in the intermediation of interests in the First Republic. In particular, the dimension of equality and, to a lesser degree, the dimension of control are damaged. These findings help to explain why this defective democracy failed in the end. The measurement of the intermediation of interests in the Second Republic shows a remarkable improvement. For this reason, Italian democracy is no longer classified as defective. However, if the results from *only* the years of the Berlusconi government are taken into account, the improvement becomes less significant. Indeed, the negative effects of corruption and clientelism remain evident.

Table 7: The Quality of Democracy of "Intermediation of Interests" in Italy during the First and Second Republics

	Period I (1979-1992)	Period II (1996-2008)
Freedom	3	2,3
Equality	4	3
Control	3,7	3
Total	Ø3,6	Ø 2,8

Source: Bein 2014: 66.

6 Critical Remarks and Conclusion

The matrix of democracy provides a nuanced picture of the quality of democracy as it has demonstrated. The profile of a democracy can be outlined along the three dimensions, as well as along the five institutions which specify the democratic process. The indicators in the classification system permit a well-functioning democracy to be distinguished from a deficient one. The principal concept would also allow for the extension of the measurement to the entire regime scale, thereby including authoritarian and totalitarian regimes.

The methodology of the matrix aims to measure the real behavior of all actors, who are integral to the political process. The analysis of institutions is central to this task. A realistic view demands the analysis of formal institutions and informal institutions. Taken together, both determine political behavior to a high degree.

Furthermore, the functional conception of the approach enables a measurement which dovetails with the context. The realization or manifestation of central functions (access to political participation through elections, free and equal access and use of public communication, etc.) can be measured by different ways of operationalization. Different institutions can fulfill the same function in different countries. This procedure allows the identification of functional equivalents.

When working with the matrix, a high degree of transparency is needed. The collection, aggregation, and interpretation of data should thoroughly be documented. Additionally, the improvement of the measurement requires the proof of inter-coder validity, and there should be a sufficient explanation of why thresholds are set where they are. A clear description that references the corresponding definitions is also needed, along with ample references to the rules of aggregation.

The matrix of democracy has a certain view with respect to the importance of policy output and outcome. The openness of the policy output (performance) is justified, because the main benchmark for the quality of democracy is the preferences of the citizens. However, two exceptions have to be underscored. Firstly, the output may not undermine the democratic rights themselves; secondly, the output has to provide the social infrastructure for the citizens, which is necessary for them to exercise their rights. Finally, it should be noted that the matrix is measuring the quality of democracy and not the stability of democracy. These respective concepts should not be confused with each other.

Bibliography

- Altman, Dennis and Anibal Pérez-Liñán. 2002. Assessing the quality of democracy: Freedom, competitiveness and participation in eighteen Latin American countries. In *Democratization* 9 (2), 85–100.
- Alvarez, Mike, José A. Cheibub, Fernando Limongi and Adam Przeworski. 1996. Classifying political regimes. In *Studies on Comparative International Development* 31 (2), 1–37.
- Bein, Simon. 2014. *Interessenvermittlung in Italien: Ein Vergleich der demokratischen Qualität in der 'Ersten' und 'Zweiten' Republik*, BA-Thesis am IPS der Universität Würzburg
- Braml, Josef. 2003. Rule of Law or Dictates by Fear. A German Perspective on American Civil Liberties in the War against Terrorism. In *Fletcher Forum of World Affairs* 2, 115-140.
- Braml, Josef and Hans-Joachim Lauth. 2011. The UNITED STATES OF AMERICA – A Deficient Democracy. In *Regression of Democracy?*, eds. Erdmann, Gero and Marianne Kneuer, 103-132. Wiesbaden: VS Verlag.
- Brennan, Andrew. 2003. *Necessary and Sufficient Conditions*. <http://plato.stanford.edu/entries/necessary-sufficient/>. Gesehen 02.02.2015.
- Bühlmann, Marc, Wolfgang Merkel, Lisa Müller and Bernhard Wessels. 2008. *Quality of Democracy. Democracy Barometer for Established Democracies*. Working Paper No. 10a. National Center for Competence in Research - Democracy, University Zürich and WZB.
- Campbell, David F. J. and Elias G. Carayannis. 2013. Quality of Democracy and Innovation. In *Encyclopedia of Creativity, Invention, Innovation, and Entrepreneurship*, ed. Elias G. Carayannis, 1527-1534 New York: Springer.
- Coppedge, Michael and John Gerring et al. 2011. Conceptualizing and Measuring Democracy: A new Approach. In *Perspectives on Politics* 9 (1): 247-267.
- Dahl, Robert A. 1971. *Polyarchy. Participation and Opposition*. New Haven and London: Yale University Press.
- Dahl, Robert A. 1989. *Democracy and its Critics*. New Haven and London: Yale University Press.
- Diamond, Larry and Leonardo Morlino, eds. 2005. *Assessing the Quality of Democracy*. Baltimore: John Hopkins University Press.

- Dunn, John. 1999. Situating Democratic Political Accountability. In *Democracy, Accountability and Representation*, eds. Adam Przeworski, Susan C. Stokes, Bernard Manin, 329-344. Cambridge University Press.
- Dworkin, Ronald. 1998. Freiheit, Selbstregierung und der Wille des Volkes. Ist Demokratie heute noch möglich? In *Philosophie der Menschenrechte*, eds. Stefan Gosepath and Georg Lohmann, 292-309. Frankfurt/Main: Suhrkamp.
- Galbenis, Nikolas. 2011. *Italien – Eine etablierte Demokratie mit Defiziten? Eine Untersuchung der Institutionen Kommunikation und Öffentlichkeit auf Grundlage der 15-Felder-Matrix der Demokratie*, Bachelor-Thesis im Studienfach Political and Social Studies, Würzburg.
- Gastil, Raymond Duncan. 1991. The Comparative Survey of Freedom: Experiences and Suggestions. In *On Measuring Democracy. Its Consequences and Concomitants*, ed. Alex Inkeles, 21-36. New Brunswick: Transaction Publishers.
- Habermas, Jürgen. 1994. *Faktizität und Geltung*. 4. Aufl. Frankfurt/Main: Suhrkamp.
- Helmke, Gretchen and Steven Levitsky, eds. 2006. *Informal Institutions and Democracy: Lessons from Latin America*. Baltimore: Johns Hopkins University Press.
- Hils, Jochen. 2006. Missionary Foreign Policy? Demokratie und gewaltsamer Demokratieexport der USA aus der Sicht der liberalen Theorie der Internationalen Beziehungen. In *Defekte Demokratie – Crusader State? Die Weltpolitik der USA in der Ära Bush*, eds. Jochen Hils and Jürgen Wilzewski, 21-75. Trier: Wissenschaftlicher Verlag Trier.
- Hils, Jochen und Jürgen Wilzewski, eds. 2006. *Defekte Demokratie – Crusader State? Die Weltpolitik der USA in der Ära Bush*. Trier: Wissenschaftlicher Verlag Trier.
- Lauth, Hans-Joachim . 2000. Informal Institutions and Democracy. In *Democratization Vol.7* No. 4 (winter): 21-50.
- Lauth, Hans-Joachim. 2004. *Demokratie und Demokratiemessung (Democratic Theory and Measuring Democracy)*. Wiesbaden: VS Verlag.
- Lauth, Hans-Joachim. 2010. Möglichkeiten und Grenzen der Demokratiemessung. In *Zeitschrift für Staats- und Europawissenschaften (ZSE)* 4: 498-529.
- Lauth, Hans-Joachim. 2011. Qualitative Ansätze der Demokratiemessung. In *Zeitschrift für Staats- und Europawissenschaften (ZSE)* 1: 49-77.
- Lauth, Hans-Joachim und Oliver Kauff. 2012. *Demokratiemessung: Der KID als aggregiertes Maß für die komparative Forschung. Empirische Befunde der Regimeentwicklung von 1996 bis 2010*. Würzburger Arbeitspapiere zur Politikwissenschaft und Sozialforschung Nr. 2. Würzburg: Universität Würzburg.
- Ledeneva, Alena. 2006. *How Russia really works. The informal Practices that shaped Post-Soviet Politics and Business*. Ithaca and London: Cornell University Press.
- Lijphart, Arend. 1984. *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-one Countries*. New Haven: Yale University Press.
- Lijphart, Arend. 1999. *Patterns of Democracy. Government Forms and Performance in Thirty-Six Countries*. New Haven and London: Yale University Press.
- Lipset, Seymour M. 1959. Some Social Requisites of Democracy: Economic Development and Political Legitimacy In *American Political Science Review* 1: 69-105.
- Méndez, Juan, Guillermo O'Donnell and Paulo Sérgio Pinheiro, eds. 1999. *The Rule of Law and the Underprivileged in Latin America*. University of Notre Dame Press

- Merkel, Wolfgang. 1998. The Consolidation of Post-autocratic Democracies: A Multi-level Model. In *Democratization* Vol.5 (No.3): 33-67.
- Merkel, Wolfgang, Hans-Jürgen Puhle, Aurel Croissant, Claudia Eicher and Peter Thiery. 2003. *Defekte Demokratien*. Vol. 1: Theorie. Opladen: Leske + Budrich Verlag.
- Munck, Gerardo. 2009. *Measuring Democracy: A Bridge Between Scholarship and Politics*. John Hopkins University Press.
- Nohlen, Dieter. 2000. *Wahlrecht und Parteiensystem*. 3., völlig überarbeitete Aufl. Opladen: Budrich.
- O'Donnell, Guillermo. 1996. Illusions about Consolidations. In *Journal of Democracy* (2): 32-51.
- O'Donnell, Guillermo, Cullell Jorge Vargas and Iazzetta Osvaldo M., eds. 2004. *The Quality of Democracy*. University of Notre Dame Press.
- Österle, Irene. 2009. *Wohin entwickelte sich die Qualität der Demokratie in Russland? – Ein Vergleich der Amtszeiten der Präsidenten Jelzin und Putin*, Magisterarbeit am IPS der Universität Würzburg.
- Patze, Peter. 2011. *Wie demokratisch ist Russland? Ein tiefenorientierter Ansatz zur Messung demokratischer Standards*. Baden-Baden: Nomos.
- Rehnquist, William H. 1998. *All the Laws but One: Civil Liberties in Wartime*. New York and Toronto: Alfred A. Knopf.
- Sarcinelli, Ulrich. 1995. Kommunikationstheorien der Politik. In *Lexikon der Politikwissenschaft. Bd.1 Politische Theorien*, eds. Dieter Nohlen und Rainer-Olaf Schultze, 241-248. München: Beck.
- Sartori, Giovanni. 1970. Concept Misformation in Comparative Politics. In *American Political Science Review* 4: 1033-1053.
- Sartori, Giovanni. 1976. *Parties and Party Systems: A Framework for Analysis*. Cambridge and New York: Cambridge University Press.
- Sartori, Giovanni. 1987. *The Theory of Democracy Revisited*. Chatham, New Jersey: Chatham House Publishers.
- Scharpf, Fritz W. 1970. *Demokratiethorie zwischen Utopie und Anpassung*. Konstanz: Cornelsen Verlag.
- Schedler, Andreas. 1996. Dimensionen der Demokratiequalität: Keine abschließenden Bemerkungen. In *Die Qualität der österreichischen Demokratie. Versuche einer Annäherung*, eds. David F.J. Campbell et al., 165-180. Wien: Manz.
- Schmidt, Manfred G. 1995. *Wörterbuch zur Politik*. Stuttgart: Kröner.
- Schmidt, Manfred G. 2006. *Demokratiethorien. Eine Einführung*. Wiesbaden: VS-Verlag.
- Schmitter, Philippe C. 2005. The Ambiguous Virtues of Accountability. In *Assessing the Quality of democracy*, eds. Diamond and Morlino, 18-31. Baltimore: John Hopkins University Press.
- Shapiro, Ian. 2005. *The State of Democratic Theory*. Princeton: Princeton University Press.
- Stoiber, Michael. 2011. *Die Qualität von Demokratien im Vergleich. Zur Bedeutung des Kontextes in der empirisch vergleichenden Demokratiethorie*. Baden-Baden: Nomos.

Teorell, Jan. 2006. Political participation and three theories of democracy: A research inventory and agenda. In *European Journal of Political Research* 45 (5): 787–810.