

“Weak or Malignant Governance”.

Transl. from Voorhoeve J. “Zwak of Kwaadaardig Bestuur”. *Negen Plagen Tegelijk: Hoe Overleven We de Toekomst?*. Amsterdam: Contact, 2011, 217-256. Print.

10. Weak or Malignant Governance

*... forget not your share in [the future of]this world
and do good, as Allah has been good unto you,
and do not create havoc in the land.
(Quasas 28:77)*

The considerable issues which are globally at stake demand major decisions that involve profound intervention. In order to safeguard their own and others' future, the populace of wealthy nations and the rich and middle classes in poor or developing countries will have to make sacrifices. Yet, such course of action is opposed by misconstrued self-interest and outdated approaches focusing on short-term benefits. In which way could the long-term interests of all be made predominant concerns instead? To that end, I propose four focal points which need to be addressed:

1. amelioration and promotion of the parliamentary democracy;
2. enhanced quality of information, elucidation and education;
3. strengthening and improvement of international governance (please refer to chapter 11);
4. global ethics (as covered in chapter 2).

This chapter will explore the first two points mentioned above in particular.

A safer future begins with better governance. If the status quo is maintained, the world will face serious crises. Melioration of governance calls for reforms at all layers of public administration, especially at national and international levels. This book does not address municipal, federal and regional governance, although the types of improvements needed in national government apply to all other levels of administration.

In today's world, independent states with their own government number at around two hundred. If the criterion for reasonable to sound governance would be

a degree of displayed respect for fundamental human rights, only a small proportion of these state systems would be regarded as such. Moreover, there are about fifty ungoverned territories: remote areas, valleys and islands where the lawful government exercises no power, but which are controlled by local drug barons, armed criminal gangs and war lords.

In ‘constitutional democracies’, human rights are generally more or less upheld, even though administrative action is usually carried out with forthcoming elections in mind rather than future generations. Although constitutional democracies are not ideal systems, in many respects and in the long run they function better than non-democratic governments, since the electorate has an opportunity to correct bad or failing government.

Most countries in the world are no constitutional democracy. Numerous states are headed by an autocratic ruler or an oligarchy. Many of these regimes perceive the state as an organization which enables pillaging of the country and its people as a field of power. I regard this as ‘internal colonialism’.

Looking at history, democracies are a valuable exception, and oppressive systems of power the general rule. During the Nineteen-Nineties, the number of democracies did increase, but the last decade has once again seen a notable proliferation of authoritarian state systems. Strictly reigned ‘false democracies’ are (temporarily?) on the rise. A case in point is Russia, where the governing elite controls the economic sources of power and channels the choices of the population through the media in such a manner that the leaders’ desired objectives are achieved: the continuation and legitimization of the power apparatus. In the same vein, previously communist states like China and Vietnam are evolving towards becoming tightly managed mock-democracies. Furthermore, established democracies can also drift in autocratic direction. A European example which had become a matter of concern was Italy under the rule of Berlusconi.

I suspect that the economic advantage of production that autocratic states such as China currently enjoy will only be short-lived. For, the very source of continuous and durable wealth is the population’s productive ability, which is greatest if individuals have the opportunity to be free and creative. To this end, the most favourable circumstances and opportunities are enjoyed by citizens in a parliamentary democracy. Moreover, the key issue is not only material prosperity, but rather the long term wellbeing of all sections of the populace, especially the poorest among them. The ‘Chinese model’ will be addressed shortly.

Admittedly, categorisation into democratic states, autocratically ruled apparent or false democracies, autocracies, and various other failing state systems

is but a typology. There are various cases in between. India is constitutionally a democratic state with a fair amount of political freedom, but it still fails to provide minimal care for hundreds of millions of people, while nevertheless making great economic progress for the upper and middle classes in the cities.

The suggestion that China's non-democratic rule is more effective than democracy because it can quickly take major decisions and has realized expeditious economic growth, does not convince me of the in Asia widely supported idea that a centrally managed regime with market freedom is preferable to a Western-style democracy. The swift and abundant economic growth of China is compensatory growth of a formerly extremely poor country. India, which is a democracy, has also been growing at a high pace. A serious objection to the Chinese model is that the political leadership by the Central Committee of the Communist Party is not accountable to the population and is not assembled through free and fair elections. Partly for this reason, there is little respect for and endorsement of human rights. Penurious Chinese can be pushed aside unceremoniously if their homes and land are needed for projects. To witness the strongest growth and prosperity of the Chinese, one should not look at communist China, but at Hong Kong, Taiwan and Singapore. The persistent, bitter poverty of the Chinese farming community, the extremely low wages of factory workers, the administrative corruption and China's serious environmental pollution should also be borne in mind when weighing which is the most beneficial political model. It is rather questionable whether the effects of China's current 8-10 per cent annual economic growth will in the long run result in a better society, one which enables a greater wellbeing for its citizens.

Russia seems to be a prosperous, autocratic mock-democracy which fails in part, considering the abject poverty of a large part of the population. There is but little investment in the development of the infrastructure and the population. The most stringently regulated state is the 'Democratic People's Republic' of North Korea, a national prison that in every way utterly fails in the observance of basic human rights and which is only vigorous in armament. Congo is an example of an extremely weak state, rich in natural resources, but which completely falls short in guaranteeing a minimum of facilities and security for its population.

Chapter 6, on conflicts, has extensively considered 'fragile', criminal and failing states and the dreadful problems they cause their peoples and other countries. Let us now contemplate the possibilities to tackle such challenges. This chapter briefly explores, (1) what the core of democracy is and which countries can be considered democratic, (2) how democracy could be extended, (3) how one could reinforce a democracy like the Dutch model, and (4) which

opportunities electronic information could offer for the proper functioning of a democracy whose citizens are informed, but also, which hazards it may harbour.

WHAT IS DEMOCRACY?

Firstly, a constitutional democracy is a state in which the public and administrators alike are subject to laws that have been democratically adopted¹. Only with a fully developed rule of law can a state be a democracy, since only a fully functioning rule of law warrants the human rights of all its citizens. For the sake of convenience, I will henceforth employ the shorter term ‘democracy’.

When can a country be called a ‘democracy’? To begin with, there is a need for fair, free elections. The organization Freedom House measures to which degree a country is an ‘electoral’ democracy. The annual comparison of political rights and civil liberties in 194 countries and 14 related and contested areas according to Freedom House (2012) offers a fascinating [world overview](#)².

In order to qualify as an electoral democracy, a state must comply with the following:

- A competitive political system with a variety of political parties;
- General suffrage for all adult residents;
- Regular election campaigns with ballot confidentiality, reasonable voting safety and the absence of significant electoral fraud;
- Sufficient public access of significant political parties to the electorate by means of media and [open electoral campaigning](#)³.

A country is not an electoral democracy if one party or movement exerts overwhelming influence for an extended period of several national elections. Neither is a country an electoral democracy if important national decisions are invariably made by an unelected authority, an exclusive ruling monarch, foreign authorities or a religious Council of Guardians, as e.g. in Iran.

Freedom House classifies countries in three broad categories: ‘free’, ‘partly free’, and ‘unfree’.

- ‘Free’ countries, where there are many possibilities of public political competition and a climate of respect for societal liberties, adequate

¹ Further reading for a full description of the rule of law: Voorhoeve, J. *From War to the Rule of Law*. Amsterdam: Amsterdam UP, 2007, p.91. Print.

² Freedom House. *Freedom in the World 2012*. <http://www.freedomhouse.org/report-types/freedom-world>. Web.

³ Freedom House. *Freedom in the World 2011: The Authoritarian Challenge to Democracy*.

<http://www.freedomhouse.org/article/freedom-world-2011-authoritarian-challenge-democracy>. Web.

independent social life and independent media. Examples are the Scandinavian countries, the Netherlands, Germany and Canada.

- In ‘Partly Free’ states, there is some respect for political rights and societal liberties, but also an atmosphere of corruption, a poor *rule of law*, ethnic and religious conflict, and frequently, despite a façade of limited pluralism, one single political party dominates the political arena. This type of state is often found in Asia, Africa and Latin America.
- ‘Unfree’ countries lack basic liberties, and social rights (such as healthcare) are seriously infringed upon. A number of such countries are counted among the world’s most oppressive state systems, such as Burma, Zimbabwe, Somalia and Iran⁴.

From 1989 onwards, due to the democratic revolution in Eastern Europe, the number of free nations has strongly increased. Since 2005 however, the number of electoral democracies around the world has gone down from 123 to 115 today. The limited liberty in certain countries in Africa, South America and the Russian Federation has deteriorated⁵.

Democracy is a system of governance which is globally held in esteem. Nearly every country describes itself as a democracy. The governments of countries like Russia, China, Iran, Burma and North Korea seek to thwart the accretion of democracy in their country. Yet, these states have not been able to cultivate a superior political system which has proven to achieve more for their citizens than a democracy with its corresponding liberties. Many of these governments claim that they are democratic because they hold elections, but in effect, they are hostile to political freedom, and committed to marginalize or suppress opponents.

The least democratic of states, the “worst of the worst” according to Freedom House, are nine countries in the most deplorable state out of 47 which received the label ‘Unfree’: Burma, Libya, North Korea, Turkmenistan, Uzbekistan, Equatorial Guinea, Somalia, Sudan and Eritrea⁶.

An additional democracy index is made on a regular basis by The Economist Intelligence Unit. This index shows the same findings as Freedom House’s, i.e. after the worldwide growth of democracy since the Nineteen Seventies, its expansion in the 21st century has come to a standstill. Moreover, in recent years the number of democratic states has been [in decline](#)⁷.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Economist Intelligence Unit Ltd. *Democracy Index 2010: Democracy in Retreat*.
http://graphics.eiu.com/PDF/Democracy_Index_2010_web.pdf.Web.

According to *The Economist*, the decline in democratization was inevitable after the progress made by the fall of the Berlin Wall, whereby Central and Eastern European countries had a chance to realize their bid for freedom. A variety of autocracies such as China and in those in the Middle East will not democratize without effort. China and Vietnam have dominating communist parties which only allow economic freedom but also a great deal of internal abuse of power. Islamic autocrats typically rule over states rich in fossil fuels, their mainstay being the high oil prices. As of January 2011, it has become apparent that the schooled and skilled younger generations, who use electronic means of communication, no longer accept the unemployment, corruption and lack of freedom under these repressive systems. To the revolution in Tunisia, Egypt followed suit. In Libya, Yemen, Qatar, Syria and Saudi Arabia uprisings broke out. The call for reform is strong. The wish for democracy puts a considerable strain on undemocratic governments and shows an encouraging development.

Nonetheless, the road to full democracy is a long one, and it is oftentimes only travelled partly. In his book *Freedom for Sale*, John Kampfner describes how countries like Italy, China and Singapore (he also describes the UK, USA and Russia) choose for a successful blend of democracy and autocracy⁸. Philosopher Slavoj Žižek argues that if people *feel* that they are free – when they can buy the clothes they want, prepare the food they like and give in to various pleasures – that they come to see politics more and more like a circus, and tolerate the democratic process as long as they believe it does not hamper them. Without critical citizens who are democratically active and seek to improve governance, the political liberty of the population could be reduced by a democratic order – particularly the rights of minorities, freedom of the media and the independence of judicial systems may be undermined.

Fortunately, democracy continues to maintain its universal appeal. Trends such as globalization, increasing chances of education, the internet and the growth of the middle class stimulate democratization. This does not imply that democracy automatically makes progress. Also in a very democratic system, democracy can take retrograde steps. Its maintenance requires a democratically active public, i.e., a critical sense of citizenship and active civic participation.

Democracy is a set of customs and principles which ensures liberty. The minimum requirements are public authorities with a government which strives to uphold the interests and values of society according to the opinion of the citizens' majority. This majority is reflected in free and fair elections, along with the

⁸ Kampfner, J. *Freedom for Sale*. London, NY: Simon & Schuster, 2009. Print.

protection of minorities and a respect for basic human rights. Democracy requires equality before the law, due process and political pluralism.

Political scientist Robert Dahl proposes a *polyarchy* which has eight components: all adult citizens have the right to vote in elections, most adult citizens may run for elective office (passive suffrage), political leaders have the right to recruit votes, elections are free and fair, citizens have the right to form independent associations and organizations including political parties and interest-groups, they are at liberty to express themselves (freedom of speech), there are several sources of information on politics, and the public is entitled to this information. Government policy depends upon voting and other expressions of preference, and rulers are chosen⁹.

The most advanced democratic system can be found in Norway, which has the highest score in The Economist's democracy index. The other Scandinavian countries rank highly as well. The United States and the United Kingdom are among the lowest scoring countries in The Economist's category 'full democracy', mainly due to respectively curtailment of civil rights in the battle against terrorism and low political involvement by citizens. In 2010, the Netherlands dropped from fourth to tenth position, partly because of increasing social tensions between population groups, which undermines a stable, well-[functioning democracy](#)¹⁰.

In a fully functioning democracy, the state and the population's religion(s) are disconnected. There is a separation of church and state. Why then, must the state be secular? In order to limit and prevent religious violence and repression because of religious and other convictions by various groups within a state or its official bodies. Therefore, the state can best declare neutrality and grant all denizens the right to their own beliefs and freedom of expression, as long as one remains within the law and causes others neither material nor immaterial damage.

Originally, the secular state is not an anti-religious invention, but a practical solution to maintain liberty and peace. That is why a prohibition on inciting hatred and discrimination is so essential for a free democratic society. There are numerous people, in the Netherlands as well, who perceive themselves to be entirely democratic and liberal, but who have not (yet) realized that inciting hatred, discrimination, or imposing religious ideas upon others contravenes democracy. Figure 10.1 provides an overview of the degree of [political freedom around the world in 2010-2011](#)¹¹.

⁹ Dahl, Robert A. *Democracy and Its Crisis*. New Haven, London: Yale UP, 1989. Print.

¹⁰ Economist Intelligence Unit Ltd. *Democracy Index 2010: Democracy in Retreat*. http://graphics.eiu.com/pdf/Democracy_Index_2010. Web.

¹¹ Freedom House. *Map of Freedom 2011*. http://old.freedomhouse.org/images/File/fiw/FIW_2011_MOF_Final.pdf. Web. For the [interactive Map of 2012](#), see <http://www.freedomhouse.org/report-types/freedom-world>.

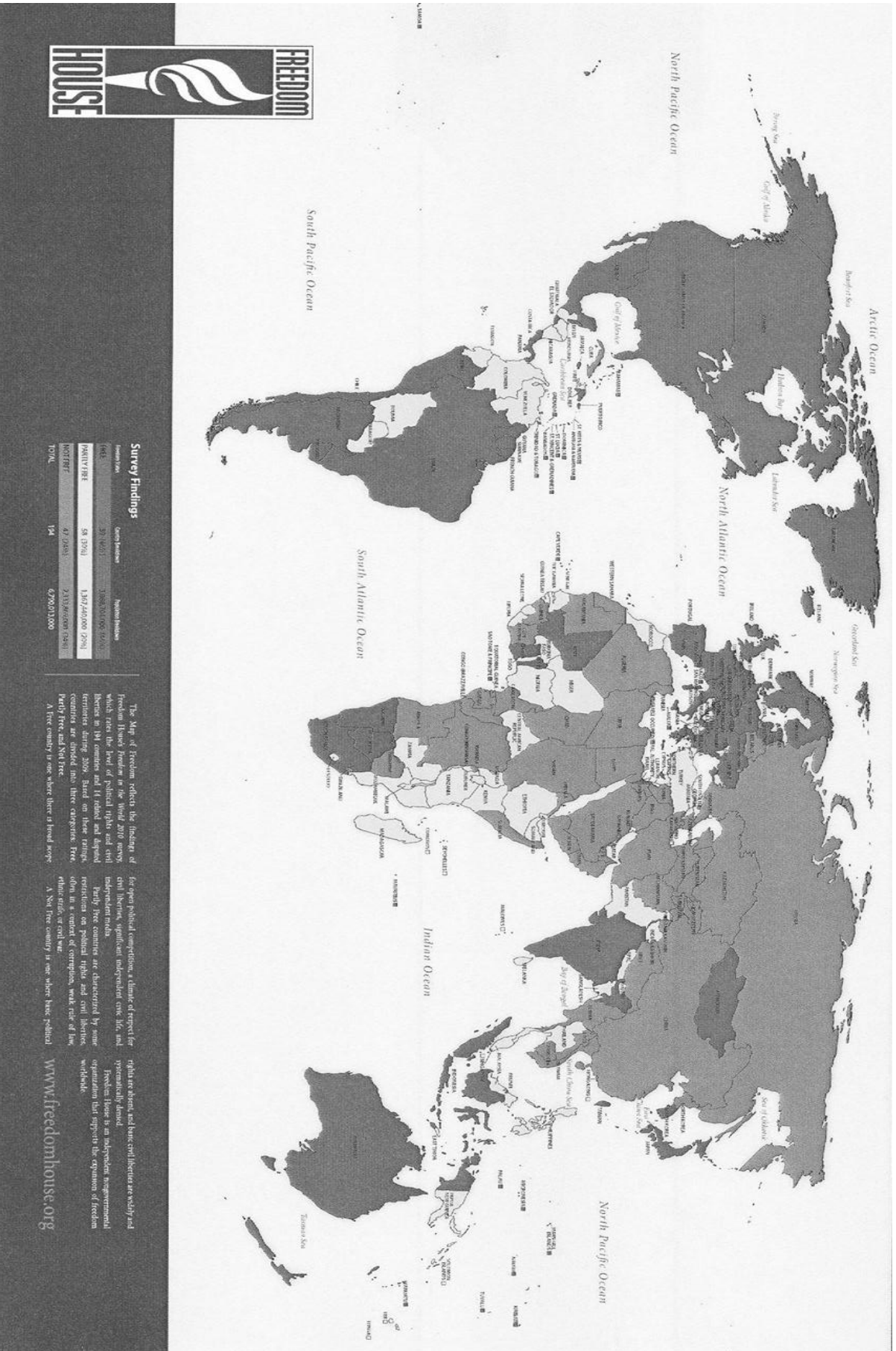
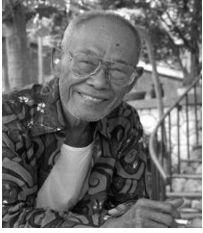


Figure 10.1 Map of Freedom 2011
(Source: Freedom House)



WRITING FOR FREEDOM (INDONESIA)

On April 30, 2006, Pramoedya Ananta Toer died. He had devoted his whole life to advocating democracy. For years he had to do so from gaols, imprisoned by Indonesia's leaders.

Pramoedya, born in 1925 as the son of a rice farmer, became a writer. During his lifetime he published dozens of books by means of which he undertook the struggle for freedom against undemocratic governments.

In 1947, when participating in the resistance movement against the Dutch colonial administration, he is incarcerated for the first time. He is released two years later, when the Netherlands officially recognize the independence of Indonesia. During the ensuing ten years of freedom he writes a large amount of political essays – to the annoyance of Sukarno, Indonesia's first president, who imprisons Pramoedya for one year as a repercussion to a treatise in which he denounces the discrimination of the Chinese population in Indonesia. After the rise of President Suharto in 1965, he is put under lock and key yet again, this time for a period of fourteen years. Suharto does not approve of the “propagandist and inflammatory” nature of Pramoedya's writings. From prison on the Moluccan island of Buru, [he continues his battle for freedom](#)¹². It is there that he produces his most famous works: *This Earth of Mankind*, *Child of All Nations*, *Footsteps* and *House of Glass*. They form a quadtych in which the protagonist, a Javanese boy, develops into an anti-colonial fighter. He writes the book on small pieces of paper which are smuggled out of gaol.

Because the main subject in his oeuvre was the struggle against oppression, the four books did not pass the censorship of Suharto. The president banned the work, despite consensual acclaim, which included the rulers themselves, for Pramoedya's brilliant manner of writing. Upon his release in 1979, he was sentenced to another twenty years of house arrest.

After the collapse of Suharto's regime in 1998, he persevered in his fight for a people's democracy. Until the end of his days, he tirelessly criticised the various Indonesian regimes. His most severe criticism was aimed at Suharto, whom he deemed responsible for the murder and detention of millions of Indonesians¹³.

¹² Knapen, B. “Verteller van de Indonesische vrijheidsstrijd”. *NRC Handelsblad*, 1 May 2006. http://vorige.nrc.nl/kunst/article1678851.ece/Verteller_van_de_Indonesische_vrijheidsstrijd. Web.

¹³ “Javaanse schrijver Pramoedya overleden”. *NRC Handelsblad*, 1 May 2006. Print.

THE EXPANSION OF DEMOCRACY AND THE RULE OF LAW

Why is democracy the least unsatisfactory of political systems? If citizens are free to articulate their views and the media are empowered to explore issues and express critical comment, leaders are compelled to act for the benefit of the population and justify and account for their choices. Conversely, in closed societies, ‘the authorities’ are liable to suppress the population and their opinions, and rulers might unrestrainedly abuse their power and only advance their own concepts and the interests of the upper class.

Expansion of democracy generally leads to improved governance. ‘Generally’, because also in a democracy failing policies can be pursued, although it is plausible that these will be revised after some time due to mounting criticism on bad results. Politicians can deceive their electorate for a while, but not indefinitely. Voters can make mistakes and elect others the next time. Unsatisfactory administrators will be forced to resign.

There is a correlation between social development, security (conflict prevention), and democracy. The main objective of development is to reduce poverty and obtain social justice. The population’s security calls for peaceful resolution of conflicts and therefore for a functioning *rule of law*. Democracy implies that the government is held accountable to its citizens. All these goals interact towards improving human living conditions.

Until recently, democratization was deemed possible only after economic development. However, researchers have increasingly shown that arguably, the causal relationship works in a reverse manner: it is democracy which spurs [augmentation of income for large sections of the population](#)¹⁴. A non-democratic government has no vested interest in the development of its citizens’ autonomy. Rather, it intends to keep them powerless and uninformed in order to exploit the workforce and the country’s natural resources. Autocratic regimes are able to facilitate income growth, but this is primarily aimed at the earnings of those in power and the middle classes, tribe or group that have a share in the benefits. Sound policies are a prerequisite for *wider* social development, and democracy is a prerequisite for good policies. Accordingly, people throughout the world, including the very poor, demand free and fair elections. They desire democratic systems of *governance*, despite major disappointment in current democratic institutions such as the available political parties or a malfunctioning parliament.

¹⁴ Rigobon, Roberto and Dani Rodrik. “Rule of Law, Democracy, Openness and Income: Estimating the Interrelationships”. *Economics of Transition*, 2005, 13:3, 533-564. DOI: 10.1111/j.1468-0351.2005.00226.x. Web. Acemoglu, Daron et al. “Income and Democracy”. NBER Working Paper # 11205, 2005. <http://www.nber.org/papers/w11205> . Web.

INFORMATION, ELUCIDATION AND EDUCATION

Administrators (politicians, senior officials) and experts (scientists, experts by experience) should not be the only ones in charge. They should be obliged to frequently give full and fair account to the public through the media and directly, where possible. Accountability implies rendering in-depth response to questions and taking responsibility for policies and their results. After all, all relevant questions to the government typically arise from the populace. It is of great importance that leaders and media provide clear information to the public, alert citizens to what could go awry, and also that their expertise is beneficial for education. They should enter into debate with their critics – who by no means always need to be right.

As to the educational system, far more attention could be allotted to civic education and good citizenship, including political organisation. It is too easily assumed that youngsters should discover such matters on their own accord. Nonetheless, for a democratic society, these school subjects are key. In many countries, immigrants must take a course in citizenship of one sort or another. The basic knowledge, standards and values covered in such courses, ought to be incorporated in the standard education of native citizens as well.

If the axiom that democracy is the least bad form of government is valid, it is propitious to thoroughly, and where possible, assist non-democratic countries in their path to democratization. In addition to promoting free and fair elections and the development of rule of law, it is of great importance to emphasise and strengthen the position of citizens and non-governmental organizations (NGOs) as part of the *civil society* (civic societal organizations).

THE REINFORCEMENT OF CIVIC INITIATIVE

Civic societal organizations are a driving force behind human rights. They are especially committed to healthcare, culture, democracy and equitable economic conditions.

It is important to expand the role which citizens and NGOs could play in the political arena. Only a tiny percentage of international development assistance is allocated to the ‘civil society’ for the reinforcement of civic societal organizations. The civil society covers a large proportion of society which the state or the marketplace does not provide for. It is a voluntary and varied group of institutions which serve public interests.

Trade unions in particular are vital for civil society. Democracy requires informed citizens. Access to a comprehensive supply of information enables them to actively take part in public affairs, which directly or indirectly affects

regulations on and priorities for public spending. Especially important is to strengthen the negotiating position of labourers in order to restrict exploitation, to reduce abuse of power and to increase the incomes of the very poor. Unions and workers' co-operatives can help to reverse the gross underpayment of work and produce, to moderate health hazards and reduce overexploitation. If unions in extremely low-wage countries succeed in improving local incomes, they also contribute to the fairness of international competition - which is in the interest of workers in rich countries as well.

How can one assist people in poor and badly governed countries to develop their own civil society¹⁵? Firstly, by advancing freedom of information. That way, wrongs and irregularities may be exposed, which is of political, but also economic importance: the market cannot function properly without free information on prices, quality, supply and demand. Secondly, through promotion of the rule of law. If police and the judiciary are corrupt and oppressive and infringe on liberties instead of maintaining them, then violence, abuse and crime will not be brought to a halt – a matter which will receive further attention later on in this chapter. Thirdly, by disseminating democratic values and propagating them oneself, in word, action and writing. (Which is why it is so detrimental that a major democracy as the United States in recent years has violated international human rights, e.g. as in the practice of torture during interrogations in Iraq). Fourth, by supporting democratization: rendering advice on constitutional reforms, legislation for the electoral system, legislation for political parties, the establishment of human right committees, training of lawyers, and the reform of judiciary systems in order to adapt them to international treaties on human rights. In addition to contributing to the civil society this also advances the economy, democracy, and people's security.

In non-democratic countries, NGOs can enhance the internal support for democratization from the outside by spreading democratic thought and principles. In exceedingly authoritarian regimes this must oftentimes be done cautiously and indirectly. Otherwise, governments may stifle the novice civilian movements. In case of a political crisis, well prepared small grassroots movements have an opportunity to suddenly spread their wings – at the risk of being curtailed at a [later time](#)¹⁶. If a window of opportunity appears, aid organizations must be

¹⁵ CIVICUS: World Alliance for Citizen Participation, has delineated the Civil Society Index (CSI). De CSI 'measures' social engagement, the degree of organization, the perception of values, the observed effects and the environment of civil society within states. The evaluation is used to set an agenda for strengthening the civil society in the future.

¹⁶ Hansen, G. *Constituencies for Reform: Strategic Approaches for Donor-Supported Civic Advocacy Groups*. USAID Program and Operation Assessment Report N. 12, 1996.
http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnabs534.pdf. Web.
 Raik, Kristi. *Promoting Democracy through Civil Society: How to Step up the EU's Policy towards the Eastern*

thoroughly prepared for swift action to mobilize public support for fundamental reforms. A gateway to democratic reform is often a power crisis resulting in elections. The civil society could assume the task of electoral observer and focus on voter education and registration prior to elections. Relief organizations from other countries may oftentimes provide technical support. Before and after elections, it is important to reinforce the independence of the media and the universities, the rule of law, give an impetus to the judiciary, and establish town councils. Aid organizations can help facilitate a partnership between the civil society and the state, and in this way be involved in the political dialogue concerning the most [suitable policies](#)¹⁷.

Democracy is self-determination, so it cannot be enforced, save in exceptional cases. Examples of such exceptions were Germany in 1945, after Nazism was defeated, and Japan, following the defeat of its military expansion policy. Also Italy was democratically reformed in 1944-1945, in the wake of its military defeat. In countries where the prerequisites for a democracy are absent, they usually cannot be created by external military intervention. A military intervention *can* remove a substantial barrier to democracy, e.g. an oppressive ruler. However, whether that country will be able to be democratic thereafter, depends upon the societal institutions and the population: will they seize the opportunity for democratic development, or is security hijacked by a powerful group in order to destroy another autocracy?

The shaping of democracy will have to vary from one country to another in order to reflect culture, language and demography. There is no uniform model for democracy; key to the system are Dahl's aforementioned eight elements. A major question is, whether dominant religions or ideologies allow a polyarchic political system. The communist model of the Soviet Union and Maoist China did not. Many Muslim countries are not polyarchic because in some states Islam is imposed not only as a religion but also as the dominant system of discourse, thought and life style. Still, it is possible to combine Islam with democracy, as illustrated in Indonesia:

Indonesia is the largest Islamic state in the world. Since its independence in 1949, for decades it was subject to poverty and an instable, autocratic government. After a coup d'état in 1965, General Suharto led the country in an authoritarian and corrupt manner. Partly due to his policies, the country's economy shrank to such an extent that

European neighbourhood. CEPS Working Document N. 237, Feb. 2006. <http://www.ceps.eu/ceps/download/1142>. Web.

¹⁷ Ibid.

he was forced to resign in 1998. In 2004, the first direct presidential election was held, which, according to international observers, was conducted fairly. Susilo Bambang Yodhoyono came to power and initiated a turn towards transparency, rule of law and democracy. As of 2005, also local leaders are elected in a free, relatively honest and peaceful manner. The country shows promising development. A large proportion of corruption is punished and the population is gaining liberties. This trend proves the erroneousness of the proposition that a large, poor state dominated by the Muslim faith cannot democratize. It provides hope for similar developments in other countries, although [the democratization of Indonesia is still young and fragile](#)¹⁸.

Democracies have, by right of the freedom of their citizens, a wide range of social organizations and free companies, large and small, which operate in many fields. The economic liberty to earn a living as employer or employee, or to operate a small or large business, is essential. If the state regulates the economy in a dominant fashion, it deprives its citizens of their freedom of action. Ideally, the state is a fair but cautious market supervisor that determines the rules and regulations of the free economy democratically, and carefully maintains them in accordance with the rule of law.

Free social organizations carry out care responsibilities for the population, education, trade unions, religious life, culture, sports and so forth. A strong civil society provides the state and economic power of industry with a considerable countervailing power, reduces the risk of the abuse of power, deals with a portion of the community tasks and also supplies experienced administrators and representatives for politics and governance. On these grounds too, the strengthening of civil society in non-democratic countries is essential for eventual democratization.

SUPPORT FOR REFORM OF POLICE AND JUDICIAL AUTHORITIES

As to fighting poverty and hunger, it is important to assist countries improve their rule of law, for the benefit of human security, liberty and economic development. Accordingly, the Netherlands would do well to provide more help for training, advising, monitoring and supervising the judiciary and police in other countries¹⁹.

¹⁸ Freedom House. Freedom in the World 2009, Country Report Indonesia. <http://www.freedomhouse.org/report/freedom-world/2009/indonesia>. Web. See also "Indonesian Presidential Election 2004". Wikipedia.

http://en.wikipedia.org/wiki/Indonesian_presidential_election,_2004. Web. And "Indonesia". Wikipedia. <http://en.wikipedia.org/wiki/Indonesia>. Web.

¹⁹ Voorhoeve, J. *Rechtsstaat in Ontwikkelingslanden?* The Hague: Teldersstichting, 2008. Print.

The majority of poor states have an unprofessional police force which does not shun brutal action, is susceptible to bribery, oftentimes allows itself to be used as an instrument of corrupt, or ethnic, or religious leaders, and therefore does not hold the public's trust. Since people mostly encounter their government by way of contact with those who should maintain local law and order, a deficient police force leads to lack of confidence and little loyalty towards one's own state. International training of police officers, as well as monitoring and reporting thereon, shall reveal wrongdoings and misconduct, and force a government to gradually treat its citizens more decently. This applies equally to the penitentiary system, which in many developing countries is characterized by gross physical and mental abuse, which increases criminality rather than reduce it.

Because of shallow or oversimplified political thought, it is sometimes assumed that if a country holds democratic elections, the various reforms which allow the country to develop into a state under the rule of law will follow. This is not the case. Rule of law is not the same as elections. In a number of very weak developing countries attempts have been made to rapidly create democracies through the election of leaders and assemblies²⁰. Time and again it has become apparent that elections are not the beginning, but rather need to be the culmination of a process towards democracy, and that they are by no means the only precondition.

First, a secure public order must be established to ensure that citizens are not at risk to become victims of large-scale political and criminal violence which even after 'free' elections may continue to superabound. Prior to elections, the population's physical security and spiritual freedom should be safeguarded. To begin with, this requires a crystallization of the attribution of powers, which frequently retains oppressive features. Only afterwards the gradual establishment of a rule of law is possible, which initially may be referred to more as *rule by law* rather than *rule of law*. If the authorities subject themselves to the law, actual legal order will follow accordingly. If all political rights of man are recorded in a constitution, the development towards rule of law as in a democratic constitutional state can be completed.

REINFORCING DEMOCRACY

Democratic systems are never finished. The relationship between citizens and government is subject to change because both evolve and continually face new challenges.

²⁰ As in Haiti, Angola and Iraq.

The occurrences within our own country are also observed in other democracies: representatives of the people have little authority, there is a strong commercialization of political media coverage, a surge of electronic media, but the decline of newspapers and political magazines, a weakening of traditional parties, the emergence of, at times short-lived, new movements which do not acquire experience and commit comparable errors, and an idealization of national identity as opposed to globalization.

The Netherlands is an established, comparatively very democratic state where human rights are generally well protected by a stable and sophisticated legal system. It is part of the European legal system under the jurisdiction of the courts of Strasbourg and Luxembourg.

However, a part of the electorate is showing a notable loss of appreciation for this highly developed and historically unique system. As appears from public opinion polls, administrators and politicians have lost a considerable amount of authority. Confidence in the satisfactory functioning of the Dutch democracy does not seem high. Attempts to regain credence by constitutional and political reforms have hardly been successful – or worse, even aggravated the problems. Lowering the minimum age for voting rights to 18, popularization of political leaders' actions to reduce the distance to electorate, rejuvenation of parliament, lowering the electoral threshold clause to add further weight to preferential votes, enlivenment of question time in parliament, the huge expansion in information on all issues of public concern and the establishment of new political parties (as the Elderly Party, Liveable Netherlands and Proud of the Netherlands): it has all been to little or no avail and has not helped resolve the fundamental issues at hand. Whether the Party for Freedom, which at the time of writing is a one-man foundation with a large following without a democratic organizational structure, will improve this situation, is extremely doubtful.

Democracies depend on commercial mass communication and are therefore susceptible to populism: the acquisition of electoral power by responding to voters' short-term interests and negative emotions, to their dislike of certain groups of the population and their aversion to taxes and governments.

This book does not pretend to be an analysis of democratic forms of government. Nonetheless, the issues which arise in democratic governance cannot be left unmentioned; they are of consequence when tackling the central international issues at hand.

The functioning of democracies could perhaps be improved by 1) strengthening the purely parliamentary nature thereof, 2) improving the quality of administration, 3) rendering the state's structure more transparent, and 4) a more important role for academic advisory boards.

It has oftentimes been asserted that referenda, as a type of ‘direct democracy’, can improve the operation of democracy, a statement I seriously question. On the contrary, it could be contended that they can interfere with and undermine appropriate parliamentary process. For, a referendum submits only one single or a few policy issues to the electorate’s consideration, who must decide ‘yes’, ‘no’, or ‘no opinion’. The questions in a referendum are usually detached from other closely related questions of policy which at that point are not required to be answered by the voters. Referenda offer much leeway for populism. They have been used in various countries by autocratic leaders at moments of great popularity in order to consolidate power.

The best possible model of democracy is probably a purely parliamentary system in which the government is firmly monitored by effective elected representatives. A powerful parliament is composed of members of parliament who have expert staff at their disposal and who are answerable to their constituents on a regular basis. These members of parliament should not be their party leaders’ electoral cattle; instead, they will determine independently which positions to take.

The role and the authority of parliaments are under great pressure. The media have become increasingly influential. Ministers frequently provide their policies in the first instance to journalists, and only at a later time to parliament. This shows whom they deem more important: not the elected representatives, but non-elected reporters and opinion-makers. Parliaments are not infrequently at the mercy of the media. In part, this is a result of the superficiality of inexperienced members of parliament, and eagerness to make the headlines. In a too rapid rejuvenation of parliament, far more than desirable in-depth constitutional and political insight and levels of knowledge have been lost. Parties’ leadership might remedy such problems by better selection, training, supervision and assessment of their candidate-representatives. A core factor in democracy is the quality and capability of its popular representation.

BETTER GOVERNANCE

How to attain improved governance? *Autocracy* focuses only on the interests and views of its leaders. *Plebiscitary* democracies seek majorities before elections, but show very little attention to the public afterwards, until the following elections. A plebiscitary democracy means that one elects an individual who subsequently does what he or she deems fit until forthcoming elections, unhampered by a representative body by and to which he or she is held

accountable. There is little intermediate debate between voter and representative²¹.

Populism is more short term-oriented: from week to week, the public's highly fluctuating favour and the media's attention are sought, which are won over with oftentimes shallow, if not deceptive reasoning and arguments. Both populism and plebiscitary democracies aim at nationalism, perceived own national identity, consumerism and religious and cultural xenophobia.

Technocracy is no solution either: governance by an expert elite, which has little to no regard for the sentiments and opinions of the population. If the underrated or neglected emotions of a portion of the electorate erupt, technocrats can expect substantial losses in elections.

A democratic system that is dominated by commercial mass media is prone to populism because power is based on representatives who compete for today's media attention and through them for the electorate's temporary favour. Unpopular but necessary measures which require sacrifices are increasingly mitigated and deferred. Urgent measures requesting forbearance are replaced with apparent steps which demand less of the electorate and for a while give the false impression that the government is acting correctly, until it is exposed by poor results. An example thereof has been addressed in chapter 9: Carbon emissions trading suggests it is tackling climate change, and it takes many years until it becomes clear that it is not working accordingly. By then, much harm has already been done and lost time is hard to make up for.

A democratic majority does not necessarily guarantee good policy. A democratically elected and monitored government can be utterly wrong if decisions are guided by the attitudes and emotions of the present day, by commercial motives, by misapprehensions or ideological or religious misconceptions.

If a group of people is in threatened by serious danger, professional leadership is required to avert the hazards. The passengers of an aircraft shall, if there is bad weather or a storm overhead, prefer to entrust their fate to well-trained and experienced pilots, rather than when amid lightning bolts conduct a survey among themselves on how to securely reach the ground. The administration should therefore provide the best guidance, which is frequently not the most popular. Parliament and constitutional law should provide the most

²¹ Tromp, B. "De Vertegenwoordigende Democratie Ondermijnd". *NRC Handelsblad*, 6 Jan. 2003, & , *Socialisme en Democratie*. Amsterdam: Wiardi Beckman Stichting – De Arbeiderspers, 2003. 12. Print. See also <http://www.denhaag.pvda.nl/oud/tromp/2004/mijn.htm>. Web.

---. "Het Virus van de Plebiscitaire Democratie". *Socialisme en Democratie*. Amsterdam: Wiardi Beckman Stichting – De Arbeiderspers, 2003. 12. http://www.wbs.nl/system/files/tromp_bart_het_virus_van_de_plebiscitaire_democratie_sd2002-12.pdf. Web.

capable leadership through a selection process, which the head of state and parliament jointly adhere to, in order to acquire the most suitable prime minister and a capable government.

Furthermore, the democratic system can be enhanced by, in addition to a strong parliament which ratifies legislation and monitors the government, by creating a good system of politically independent councils of expertise. These will advise government and parliament, as well as the media and the public, on long term matters. Their recommendations should not pay heed to party politics, popularity and other opportunist policies. The counselling will focus independently on what is necessary and serve the interests of society and the international relations and organisations in which the country is involved.

The manner in which parliaments ought to be constituted is widely known. The most preferable model is one with regular elections by proportional representation, as seen in many smaller, mature democracies (Scandinavia, the Netherlands, New Zealand) and modern Germany. In the British district system, minorities are insufficiently attended to and artificial majorities can emerge. Nor is the American model ideal, because to become a member of Senate requires millions of dollars. A senator must therefore be either very wealthy or align his stance with his donors'.

It is desirable that reports drawn up by non-party, expert advisory bodies are granted a more prominent role. They must explore alternative policies and long-term issues independently, not by political expediency. Therefore, these councils require appropriate composition.

There is encroachment of impure elements upon the composition of advisory committees, such as the reflection of different groups and faiths. However, such considerations have little to do with the expertise needed. For representative reflection there are the politicians and parties in parliament. Dual political representation in both parliament and advisory councils is in effect inappropriate.

Universities appoint professors through nominations committees which draft a profile of the persons required and scrutinise the best possible candidates in order to arrive at a proposal. This results in detachment. It is not a guarantee that the best will be appointed every time, but it does reduce the percentage of erroneous assignment of incompetent or biased individuals.

In order to protect the intellectual independence of consultants from the temptation to give, in considering prospective reappointment, recommendations which appeal to the authorities, the reassignment in advisory boards should be bound by stipulated regulations so that the highest substantive quality is always attained. Another temptation, to 'score' with the media and the public, should be

tackled through the critical attitude of counterparts in an advisory body, who after all themselves will suffer the consequences of an advice that only in the short run makes a good impression but which will undermine their reputation as good analysts at a later time.

In this manner, a combined system of *purely parliamentary democracy and professional, independent councils of expertise*, each with their own tasks, complement each other's policies (short- and long-term, democracy and intellectual professionalism), and that can also correct one another, is created.

This dual system does not guarantee optimum governance and policy. Yet, it is less likely to go off-track for a long time and fail to bear in mind necessary long-term policies – major pitfalls in the commercial, mass media plebiscitary democracy, or the streamlined autocratic democracy that prevails in many countries today.

The dual two-pillar model also offers opportunities for countries that have not yet fully democratised, and for autocratic states who want to democratize gradually. If the central leadership is concerned that the introduction of mass democracy may cause the structure of state to collapse, which in many autocratic third world countries is the case, a dual system can make the transition towards full political freedom more gradual. The collapse of states entails a high risk of violence and has often resulted in civil war. In countries that already enjoy full democracy and where the unity of the state, peace and legal order are taken for granted, this hazard for autocratic nations is often underestimated. With a dual system, the threat of civil war in badly assembled, weak or oppressive states during democratization cannot be ruled out completely, but it can be reduced by way of *gradual* democratisation.

In a number of established democracies, the authority of the political-administrative system is decreasing. Notwithstanding the wealth and the high average level of care in rich nations, opposition movements which vehemently criticize established political parties, are growing. A part of the electorate is adrift and rapidly changes preferences. In various countries, the stability of old democracies seems to be in decline. This has many causes; a major one being critique on the influx of immigrants. But that is not the only cause.

Insofar as a high influx of immigrants causes dissatisfaction among some of the electorate, a part of the problem could be solved by better regulation of the intake of refugees, strengthening of integration programs, language and civic integration courses, measures for promotion of safety in the living environment, improvement of education, and stimulating employment in urban neighbourhoods particularly confronted with these issues. A major motive force for integration is

employment for less highly educated individuals. To the extent that high unemployment among the lower educated is aggravated by high gross wages in wealthy countries, a reduction of taxes and contributions at the lower level of the wage structure can advance employment and integration.

Lower educated natives fear losing their jobs to low-cost foreign workers. Highly qualified migrants may wish to contribute much more to the community than is facilitated; their foreign diplomas are not always recognized. Unfortunately, migrants from a number of specific countries are increasingly represented in crime statistics, especially in the large cities. A portion of the public feels that 'the politicians' take insufficient action against such social phenomena. This is associated with a mounting political cynicism: more and more people do not believe that politicians keep their (electoral) promises and thereby lose their confidence in the established political parties and politicians. Democracy in general, however, is appreciated by a large majority. Since the absorption of migrants and refugees in the richest countries is a major problem meriting a separate discussion which is beyond the scope of this book, this subject will not be touched upon further at this point.

Entirely different causes of politicians' and administrators' loss of authority are the lack of transparency of the political process and the trend in daily political news coverage to focus on superficial, ephemeral and fluctuating events. *Infotainment*, the blending of political information with entertainment, is commercially more profitable than providing informational services. This makes citizens regard politics as a contest between individuals with oftentimes undifferentiated opinions. The substitution of informative news by talk shows and of professional journalists by opinion makers is by no means progress.

In many countries, exclusive high quality media offering the public political information, financed by subscriptions, government grants and public broadcasting funds, can be promoted. Informative media will be able to provide the intellectually independent news service that is vital for a democratic framework. After all, not everything needs to be left to the commercial media. To perform their regulating role within the democratic system properly, it is pivotal for citizens to have reliable communication about the state, democracy, governance issues and the functioning of representatives and administrators.

On that account, a separation of media and parliament would be beneficial. In the current situation, members of parliament often need to respond hastily to questions from the press without having had the time to read and reflect on relevant documents beforehand. The precedence departments give to media representatives is actually in conflict with pure parliamentary democracy. Media themselves do not always have effective quality control and corrective

mechanisms at their disposal. Collectively, the media are an information and entertainment industry dominated by commercial enterprises. There is very little independent, professional information available to the public. 'Infotainment' is most lucrative, and competitiveness increases speed and decreases content. Because of the internet and the steady decline of newspaper editions, thorough background journalism is becoming increasingly scarce. It is rather difficult for every reader and viewer to assess the reliability of news reports and opinions. The characteristics of good journalism are the principle that both sides should be heard, and thorough research. A 'Kema test' (KEMA: a leading authority in energy consulting and testing & certification) performed by private institutions for quality media might be of help, without affecting the freedom of the press.

The amount of administrative pressure as well as the high number of politicians and administrators can be reduced, and government procedures may be shortened. Some historically developed institutions do not have a clear function anymore and might be either eliminated or combined. Simplification allows for greater transparency towards citizens and for more decisive governance. The quantity of institutions is at times unnecessarily large. Many of their tasks could conveniently be combined.

Political-administrative pressure may also be reduced by reinforcing the position of representatives, by improving their quality and by decreasing their numbers. A look at the Dutch situation could serve as an example. At present, there are 225 elected representatives at national level, and a large number in the provinces, municipalities and water boards. The average elector is only familiar with some of them, but must basically put his trust in a much greater number of representatives than he can keep track of and express his preference by voting for a few. Curtailment to a smaller but better selected quantity of representatives would bring more clarity.

To enable a thorough and independent judgment regarding all major questions on policy control and legislation, each member of parliament should have an expert staff. This could greatly enhance essential parliamentary capacity. As a result, the evaluation of elected officials could be based to a greater extent on their *own* judgment and actions. In addition, party members will not automatically and permanently vote in line with their chairman or party specialist anymore. Representatives would gain political weight, authority, responsibilities and visibility.

Likeminded representatives may continue to engage in voting-groups or factions when joining forces on issues they consider important. Factions and

parties are indispensable as political alliances that help create clear choices for the electorate and which select and train suitable candidates²².

Representatives and governments inherently occupy themselves mainly with current and near-future issues, conduct which has its own logic: they focus on forthcoming elections. Frequently however, there is a lack of long-term perspective; the benefits and responsibilities of citizens relation to the government must be gradually distributed in a different manner, because times change, in particular on account of technology, an aging population, international competition, environmental pollution, climate crisis and cultural modification.

Long-term policies require a great deal of professional consultancy. Therefore, in addition to strengthening a smaller but stronger parliament, the system for advisory councils could be reinforced. To these councils, independent high level experts should be appointed. They should provide solicited as well as unsolicited advice, upon the request of either the government, or the parliament.

Advisory boards could be improved: currently, ministries sometimes ask the councils' recommendation to keep them occupied, to defer decisions, or to keep attention away from urgent, sensitive issues. Therefore, it would be desirable to make more room for unsolicited advice deemed by necessary the experts themselves. The habit to achieve "balanced" representation of political groups in advisory councils should be abandoned rapidly, because it blends parliamentary duties with requirements of expertise.

Hence, the here argued for *dual or two-pillar model* aims for a better cohesion between a more effective parliament for democratic scrutiny of government and all of its policy choices, legislation and legitimacy on the one hand, along with a purely expertise network of advisory councils on the other, so those who bear political responsibility may have better insight into the long-term consequences of their choices.

²² In order to strengthen the role of parliamentarians it is necessary, among others, to annul the lowering of the preference threshold clause in elections and make it equivalent to the electoral quota. The electoral threshold clause is the minimum number of votes (expressed as a percentage of the minimum number of votes) a party must obtain to gain a seat in parliament. In the Netherlands, this is 0.67% because the House of Representatives (*Tweede Kamer*) has 150 members. The electoral quota is calculated by dividing all valid votes cast in the entire electoral area (country, province or municipality) by the total number of seats to be allocated. At the 2006 parliamentary elections, the quota was 65,591. The preference threshold clause for election to the House of Representatives, the provincial and municipal councils is only 25% of the quota. The objective of this reduction was to make it easier for voters to delegate a representative of their preference. For municipalities with less than nineteen council members the preference threshold clause is 50%. Also for the Senate (*Eerste Kamer*), the preference threshold clause was set at 50% of the electoral quota. As from the Provincial Council elections and the composition of the Senate in 2011, this was increased to 100%. At the 2006 parliamentary elections, the preference threshold clause was 16,397. This was a low threshold which weakened rather than strengthened parliament and the authority of the persons concerned. For, due to this low threshold, a specifically voted for individual with more than 16,000 supporters could oust others, who needed more than 65,000 votes for the same place.

ELECTRONIC MEDIA

Democracy will in the long run benefit from the power of electronic media, which proffers citizens much more information than in the past. The media increase access to information for citizens, which is necessary to properly audit administrators and politicians and hold them to account. Open information is a tool in the fight [against abuse of power and corruption](#)²³. Clear information is imperative for people in order to participate as voters or elected representatives in administration. Laws on the provision of open information render transparency to policies on health, education, housing and infrastructure, and make it easier to [stand up for marginalized groups](#)²⁴. However, there is a downside: disinformation, information overload and confusion.

The emergence of information and communication technology (ICT) puts pressure on authoritarian leaders. For residents of unfree countries it becomes increasingly possible to learn over the internet how things work in other, free countries. They are inspired to pursue democratic change in their own country too. Through the internet, people are able to take in outside information and perspectives, and they can send information from their own country to the rest of the world. There is a strong correlation between freedom of expression [and social development](#)²⁵. Freedom of media aids people in developing countries to bring about progress by [claiming their rights](#)²⁶.

Authoritarian states restrict freedom of expression by only allowing state media and persecute [those who are critical](#)²⁷. To continue the elite in power and its privileges, docility is enforced by way of manipulation and intimidation.

The relevance of freedom of expression on the internet for the process of democratization was already evident in Iran's 2009 "Twitter Revolution". In response to the manipulated elections which had delivered a victory for President Ahmadinejad, there were fierce demonstrations of Iranians who did not consider the elections to have been conducted in a free and fair manner. Foreign journalists could not report it because they were banned from the country, and news websites

²³<http://www.transparency.org>.

²⁴ Neuman, Laura (ed.). "Access to information: A Key to Democracy". The Carter Center, 2002. <http://www.cartercenter.org/documents/1272.pdf>. Web. 11 Aug. 2012.

²⁵ Guseva, Marina, et al. *Liberté de la presse et développement: une analyse des corrélations entre la liberté de la presse et les différentes dimensions du développement, de la pauvreté, de la gouvernance et de la paix*. Paris: UNESCO, 2007. <http://unesdoc.unesco.org/images/0016/001618/161825f.pdf>. Web. 21 Aug. 2012.

²⁶ Sen, Amartya K. *Development as Freedom*. New York: Anchor Books, 1999. Print; Berger, Guy. *Media Legislation in Africa: A Comparative Legal Survey*. Paris: UNESCO, 2007. <http://unesdoc.unesco.org/images/0015/001570/157072e.pdf>. Web. 21 Aug. 2012

²⁷ According to the Universal Declaration of Human Rights (1949), "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers" (article 19).

were blocked by the Iranian government. Protestors were, however, able to call each other via Twitter to remonstrate and keep each other informed; by doing so, they reported live to the world²⁸. In addition, Iranians used YouTube to place footage of how the regime violently suppressed the insurrection. This led to international reactions condemning the unlawful elections and brutal government action. At crucial moments, the government of Iran did not succeed in suppressing free speech on the internet. They did nevertheless manage to shut down the mobile network after a while, and to gradually block links to photos and videos on the internet. Twitter.com has also been blocked in Iran, but remains accessible via proxy servers²⁹.

Research has shown that authoritarian states, as well as democracies, are increasingly inclined to monitor, filter, block, censor and [control the internet in myriad ways](#)³⁰. In early 2010, the Internet traffic of half a billion people was filtered by more than forty governments, to varying degrees. China, Iran and Tunisia most violate [freedom on the internet](#)³¹.

HAZARDS OF ELECTRONIC MEDIA

An incredible amount of internet data is kept on record by governments and corporations, much more than is necessary for law enforcement. This raises questions about privacy and abuse. There is increasing legal, regulatory and legislative execution to limit freedom of expression on the internet, which is necessary to reduce cybercrime, but in practice it goes well beyond that goal.

In 2009, for the first time more arrests were made globally for statements posted on the internet than for offline expressions³². Therefore, a new policy to protect internet freedom is in order. This will become increasingly important. The [Council of Europe has made recommendations](#) regarding this issue³³.

²⁸ On Twitter.com, people share what they are currently doing, planning, or what concerns them by means of short messages with up to 140 characters sent via computer or cell phone.

²⁹ When someone surfs through a proxy, he does not use his own IP address, but that of another computer, for example, from abroad. This allows the bypassing of website-blockades. Every day, thousands of new proxies created and distributed, while governments try to block them as soon as possible.

³⁰ Deibert, Ronald. et al. (eds.). *Access Denied: The Practice and Policy of Global Internet Filtering*. Cambridge, MA: MIT Press, 2008. Print;

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Wagner, Ben. *Deep Packet Inspection and Internet Censorship*. <http://advocacy.globalvoicesonline.org/wp-content/uploads/2009/06/deeppacketinspectionandinternet-censorship2.pdf> . Web. 21 Aug. 2012.

³¹ Open Net Initiative. www.opennet.net.

³² La Rue, Frank W., UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Statement to the dynamic coalition on freedom of expression at the internet governance forum 2009. *United Nations Internet Governance Forum*, Sharm El-Sheikh, Egypt, 2009.

³³ Council of Europe. *Recommendation CM/Rec(2007)16 of the Committee of Ministers to member states on measures to promote the public service value of the Internet*. Web.

Democratic states must set a good example. Filtering, censoring and monitoring for reasons other than crime prevention and without democratically drawn up statutory powers may result in the use of this technology by repressive regimes as well, which are less persuasively taken to task for their actions.

Electronic media may be a positive development, but they are also sensitive to danger (e.g. hackers and *cyber war*), and may cause new problems, such as manipulation, disinformation and overload of citizens.

The use of the internet continues to expand across the world: more and [more people have internet access](#)³⁴. Also in their everyday lives, individuals are increasingly dependent on systems and internet networks. However, increasing intricacy also entails more network vulnerability. As more and more people are using the internet, there are more and more potential hackers. The danger of *cyber-attacks* and cyber war is growing, [as is vulnerability](#)³⁵.

Recently, news channels and papers have started to devote ample attention to possible cyber-attacks and cyber war, perhaps an even greater risk than currently recognized. Cyber Attacks are often not disclosed: states and organizations will attempt to conceal the fact that their network could not resist an attack, because proven vulnerability could elicit further attacks.

Net wars involve an online battle between different states, cultures or opinions. The cyber-attacks in net wars are performed to keep certain messages away from the media, whereas others are aimed to be broadcasted. Cyber war is designed to seriously disrupt or destroy a state's communication and information systems³⁶.

Hackers mount external attacks through other computers; internal attacks take place by way of corrupt hardware inside the system, pre-installed by the hacker³⁷. In case of external attacks, it is difficult to find the perpetrator. The hack is performed remotely and its location of origin is difficult to trace. Attackers may operate under false colours.

Cyber Attacks can affect anything in cyberspace: computer systems and networks alike. Computers can make mistakes, especially given the risk of human error and the inability of the computer to always respond appropriately. The more complex a system becomes, the more prone it is to have flaws. Those who are most dependent on computers and the internet, are also [most vulnerable](#)³⁸. Vital

³⁴ Cisco and the Monitor Group's Global Business Network. *The Evolving Internet: A Look Ahead to 2025*. http://newsroom.cisco.com/dlls/2010/prod_082510b.html. Web.

³⁵ Mc Afee. *Virtual Criminology Report 2009, Virtually Here: The Age of Cyber Warfare*. <http://www.mcafee.com/us/resources/reports/rp-virtual-criminology-report-2009.pdf>. Web.

³⁶ Arquilla John, and David Ronfeldt. "Cyberwar is Coming!". *Comparative Strategy*, 12:2, 1993, 141-165.

³⁷ Libicki, Martin C. *Cyberdeterrence and Cyberwar*. Santa Monica, Arlington, Pittsburgh: RAND Corp., 2009.

³⁸ Homan, Kees. "Cyberwarfare, de vijfde dimensie in oorlogvoering". *Armex*, Oct. 2009, p.4. <http://www.clingendael.nl/cscp/media/?id=7198>. Web.

facilities in society, like energy, water, and payments are highly computerized. A major system failure has a paralyzing effect.

Hostile states, groups and criminals can launch their attacks in cyberspace³⁹. How could a society guard networks against cyber-attacks? This calls for technological measures, which will also have vulnerabilities that cyber attackers can exploit. Therefore, a strategy of deterrence is highly sought after. But who is the attacker? Against whom are sanctions to be imposed? This is difficult to determine because of the anonymity the internet provides. Whether a cyber-counterattack really will have a deterrent effect, [is disputed](#)⁴⁰.

Cyberwar is still a relatively unknown phenomenon. No one dares to predict what the consequences of cyber war and cyber-attacks would precisely entail. It is clear that, unlike in conventional wars, it is impossible to completely disarm an opponent. The weapon, the computer, is too cheap and widespread to keep out of opponents' reach. [Cyber-attacks are carried out on a regular basis](#)⁴¹. The consequences of an all-out cyberwar are unknown because we have thus far not experienced overt electronic warfare.

Cyber Attacks are [weapons of mass disruption](#)⁴² rather than weapons of mass destruction. This disruption or disturbance causes systems to no longer work properly or crash completely, which could have major economic consequences and even claim victims, if for example energy supply breaks down during winter. Likewise, nuclear weapons and missile systems are often operated via a network. In theoretical terms, a hacker can penetrate these systems to take control over said weaponry. Clearly, cyber wars could have serious implications for the international community and global peace and security.

In September 2010, the *Stuxnet* virus attacked more than 600,000 computers in Iran. The attack was most likely aimed at Iran's nuclear program. A large group of experts would have designed this technically very sophisticated virus at the request of a government. The United States and Israel were mentioned as suspects. The malware penetrated in the industrial controls modules and manipulated the RPM of uranium centrifuges, thereby thwarting the Iranian nuclear program. Shortly thereafter, on November 29, 2010, Majid Shahriari, one of the leading Iranian nuclear scientists working on the neutralization of Stuxnet,

³⁹ Libicki, Martin C. *Cyberdeterrence and Cyberwar*. Santa Monica, Arlington, Pittsburgh: RAND Corp., 2009.

⁴⁰ Sanger, David E., J. Markoff and T. Shanker. "In Digital Combat, U.S. Finds No Easy Deterrent". *The New York Times*, 25 Jan. 2012.

⁴¹ An example is the Russian attack on Estonia and Georgia: "Russia Accused of Unleashing Cyber War to Disable Estonia". *The Guardian*, 17 May 2007; "Before the Gunfire, Cyber Attacks". *The New York Times*, 12 Aug. 2008. In response to the attacks on Estonia, NATO has opened a special cyberwarfare centre on location.

⁴² Sanger, David E. and John Markoff. "Obama Outlines Coordinated Cyber Security Plan". *New York Times*, 29 May 2009.

was murdered by a plastic explosive on his car. The above facts could serve as an example of modern warfare.

It is complicated to build up an adequate defence. As with terrorism, internet and network security is almost always overtaken by events. Hackers (and terrorists) keep finding new ways to attack, and only after it has become apparent what the attack implies, a better defence against the previous attack can be developed. But the next incursion will be different again.

In addition, the internet revolution poses other hazards. The amount of information is growing so fast that people can become overwhelmed. Authenticated and professionally edited information is overrun by poor quality information, collected in an amateurish way, and which oftentimes cannot be verified. Individuals and institutions who want to distract and warp the forming of public opinion or steer it in the wrong direction, add much disinformation to the existing information-avalanche. Among the beacons of freedom of information there is here and there a will o' the wisp that could cause serious damage. An example is the barrage of unprofessional medical information on the web, which can considerably mislead patients and stimulate them to buy unreliable pharmaceuticals or refuse essential vaccinations.

Professional journalism is endangered by the large cutbacks media enterprises make on quality reporters. Circulations and proceeds drop because of 'free' media, financed by advertising revenues. In addition, these free media also make use of independent professional and research journalists' professionally acquired news. The number of professionals is dwindling in the media, and their share in the total news supply is shrinking and ousted by the whirlwind of infotainment and irrelevant, unverified news items.

As argued before, there is a need for quality certifications on the very information so essential for citizens in order to keep their government and politicians democratic. Quality certificates have become customary for various products such as machinery, electrical equipment and ecological products. Why not for certain types of vital information as well? A democratic system is only stable if verified information is available to its citizens in a clear, relevant way. To this end, politically independent, private quality labels on electronic information should be established in each larger linguistic area.

CONCLUSION

Democratic governance can be strengthened and extended. Although mock-democracies are on the rise, the desire for self-determination and freedom from fear, freedom from hunger and freedom of conviction will in the long run be decisive factors. Established democracies in wealthy countries could be improved

by freedom of electronic information, notwithstanding the risks of misinformation.

The quality of long-term policies can be raised by independent expert committees. Freedom of speech and truth-seeking science are powerful weapons against the threats discussed in previous chapters.

Another interesting question is whether democracies of different continents, rich and poor, should join forces in order to make a concerted effort and advance human rights. Less prosperous countries like India and Indonesia are entering the democratic arena. These issues will be explored in the next chapter.