

Democracy and Public Policy

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Abstract

Democracy and public policy are intertwined because the organization of authority in a nation affects the design and implementation of government activity. Fundamental to democracy is the notion that citizens possess the ability and means to shape decisions made by public officials. How this theoretical idea became the guiding principle of a distinctive form of government is discussed first by a review of direct and representational democracy. Next, the institutional features associated with democratic governments are described. Different nations have evolved different institutional models of democracy. Parliamentary, presidential, and semipresidential forms are described, and these three models demonstrate how the idea of rule by the people can be the foundation for government in nations with different cultures and levels of development. Governments are created to pursue a variety of purposes, some of which are common to all governments. The primary purpose of democratic government, by definition, is to insure popular sovereignty, which in turn depends on the protection of individual civil and political rights. Democracy's desirability derives from its institutional design which allows the majority of citizens to influence public policy in ways relevant to their interests and needs. Recent societal changes, it is argued, have resulted in a "postdemocratic era" in which the viability of traditional representational democracy has been questioned. Calls for enhanced participatory forms and the use of digital technologies to foster popular sovereignty pose challenges to the continuing relevance of democracy in the twenty-first century.

INTRODUCTION

Any discussion of the definition, the attributes, or the purposes of democracy invariably entails a consideration of public policy. The two terms, although distinct and different, are closely intertwined. Democracy is a form of government and, as such, refers to a system of authority and power. Discussions of democratic theory revolve around the organization and use of political power within a society—who should govern, how they should govern, and for what ends or purposes they should govern. By contrast, public policy refers to a purposive course of action established by public officials that is binding on the residents of a community or nation. Simply put, public policy is what governments choose to do or choose not to do.^[1] Who exercises power or has authority to take actions binding on a community or a society will obviously affect what actions are selected or not selected. Likewise, the organization of authority will also shape its use as manifested in policy choice. Because of this link between form of government and performance of government, the theory of democracy, in Henry Mayo's^[2] words, "... is one answer to the question of how the political policy decisions are made and should be made."

DEFINITIONS OF DEMOCRACY

Since its emergence in Greek political thought, the literal definition of democracy, "rule of the people," has remained

more or less constant. But how this simple two-element formula of *demos* (people) and *kratos* (power) is interpreted and translated into actual practice has been a major industry in political theory from Socrates and Solon to Rousseau and Mills to the multitude of today's theorists. Books addressing questions such as "Who are the people?," "Which people should exercise power?," and "How many people are required to make a decision binding on the community?" fill whole sections of libraries around the world. "Today the term *democracy* [italics in original]," Dahl observes,^[3] "is like an ancient kitchen midden packed with assorted leftovers from twenty-five hundred years of nearly continuous usage." Yet, these definitional debates can be distilled down to the basic issue of identifying "... the best constitutional means of approaching the ideal, it already agreed that this ideal includes or involves a large participation of the common people in the forming of public policy" (as quoted by Mayo^[2] from Robinson, Richard: *Definition*. Oxford, 1949, 166).

Much of the theorizing about democracy falls into one of two perspectives. For much of its history, democracy was conceived as a form of government applicable only to communities of relatively modest populations such as the Greek city-states or the Italian and Swiss cities of the Renaissance period. Within small-scale societies, the people, usually defined as the (male) citizens, formed the government, typically an assembly of the whole, and decisions of the assembly were binding on citizens as well as all other residents of the community. This theoretical position is often labeled as *direct democracy* and "... is principally concerned with

ensuring democratic rights for the *community* as a whole” [italics in original].^[4]

Critical to direct democracy is the notion that citizens possess the capacity and the volition to govern themselves. Rule of the people requires “rule by the people,” or self-government. Direct democracy rests on two core principles: 1) citizens are “sovereign”; i.e., citizens make public policy; and 2) each citizen is legally and politically equal to every other citizen. Also necessary to direct democracy are two important rules: 1) when unanimity does not exist among citizens, the preference of the largest number of citizens becomes public policy; and 2) freedom to express one’s opinion about public policy is protected, and the majority may not “silence” the minority (though the minority must obey policy decisions until the decision is changed). Because policy decisions reflect the choice of the community, policy must be obeyed by all citizens, officials as well as nonofficials. Furthermore, the processes of deciding and then administering public policies are legitimate only if the established procedures have been followed. That is to say, political power is limited by a set of rules as to how it will be exercised. Instead of government by privilege or by force, government acts through popular consent.^[5] Direct democracy, it should be noted, is not immune to the problems commonly associated with the exercise of power such as the difficulties of 1) arriving at a community-wide consensus; 2) controlling conflict among citizens with different preferences; and 3) ensuring compliance with the collective decision.

As modern nation-states developed between the 1600s and the 1800s, rapid population growth and urbanization posed a significant challenge to democratic theorists. The sense that direct, communal democracy in a large-scale city or country was untenable became increasingly widespread. If it was impossible for each person to participate in the deliberation and choice of public policy in a large city or country, then democracy had to be redefined. It was crucial to find ways for citizens to control the government as well as to be protected from actions by the government that would lessen or eliminate “popular sovereignty.” Liberal ideas of representation were proposed as a solution, and rule by the people was redefined as the choice of one’s rulers.

The ideas motivating the revolutionary break from the medieval order strongly influenced the second perspective to democracy. Instead of democracy embodied in a community-wide consensus, “general will,” or “public interest,” democracy became associated with the revolutionary ideal that each person, to quote Thomas Jefferson, has “certain unalienable Rights.” If the people were to rule, then each person had to be guaranteed the exercise of certain rights such as belief, speech, assembly, and representation. Likewise, certain limits had to be established beyond which the community could not impose its will on the individual (NB: limits also had to be imposed on individual behavior). If every person was inherently equal, then a mechanism that

allowed each person to express a preference for who would rule had to be developed. Furthermore, because most persons could not devote all of their energy and time to the occupation of ruler, then those few persons who would rule had to be held accountable to the ruled.

Elections became the set of procedures held to be most important to the operation and maintenance of a democracy. If the question is when do people exercise popular sovereignty, the answer, according to Sartori,^[6] “is easy—during elections.” Citizens would select rulers from candidates who sought votes by offering different visions of public policy, and the candidate that attracted the most support (votes) became the ruler, typically in the form of a representative to an assembly of elected officials who had the authority to make public policy.

Once elections became the mechanism through which the people ruled, then the procedural rules for the conduct of elections became a matter of high interest for citizens, candidates, and officials. Important procedural questions included the following: who may vote, who may be a candidate, how are votes counted, may candidates form groups of like-minded candidates (i.e., political parties), how many representatives will serve in the legislative assembly, how will representatives be selected by voters (e.g., by geographic territory or by occupation), how long a term will each representative serve, and may a representative become a candidate in the next election? Because many different answers to these questions can be devised, different nations have developed different electoral procedures. Consequently, indirect or representative democracy is characterized by a variety of electoral procedures.

These two distinct perspectives on the definition of a democracy—communal vs. individual—bear directly on how one arrives at a policy decision as well as what constitutes legitimate public policy. Direct democracy holds that public policy emanates from decisions made by the whole community, or, to paraphrase Rousseau, sovereignty cannot be represented. Thus, only a collective body composed of all or as many members of the community as practical can truly determine the “... common identity, its life and its will.”^[7] The test of public policy in a direct democracy is whether it “embodies a moral imperative for people to promote common interests.”^[7] Indirect democracy, by contrast, holds that the realities of daily life make it impossible to involve all or most citizens in the continual process of policy making. Put another way, if every adult citizen devoted significant amounts of time to making public policy, there would be no one left to perform all the other tasks necessary to a functioning society. Therefore, some citizens must be selected to form a government and make public policy. Policy decisions are legitimate if they are made by the elected representatives of the people. The key to indirect democracy is the creation of one or more mechanisms by which the people exercise control over the representatives and the policy choices they make. Because each representative is presumed to express the views of the individuals who

elected the representative, it is also presumed that a wide range of opinions will exist among the representatives. Consequently, policy will not reflect the “common will” or the “public interest”; instead, public policy will be, as Madison argued, the product of bargaining and negotiation among the individual representatives.

ATTRIBUTES OF DEMOCRACY

Democracy has always been a contested concept, not just in terms of what democracy means in the abstract, but also what constitutes an actual, functioning democracy. What are the identifiable attributes or features that make possible (or better, probable) “rule by the people?” On what bases or criteria can we decide that one nation (or community) is democratic, while another is not? Democracy as an ideal ultimately has to be translated and transformed into governing institutions that resolve societal problems and produce policy decisions that reflect the consent of the governed.

Citizen influence over policy makers and policy decisions occurs in both democratic and nondemocratic regimes. Benevolent dictators populate the pages of history, and even tyrants understand that it is often too costly to ignore popular opinion in every policy decision. If not popular influence, then what? The most typical single answer given by scholars is popular control of policy makers and policy decisions. But even this change of one word (control for influence) does not clearly distinguish democratic government from nondemocratic ones. Obviously then, multiple mechanisms are necessary to ensure “rule by the people,” and so scholars of democracy have sought to construct lists of attributes by which they identify a government as democratic.

Although several scholars have offered particular lists, the most widely known and cited list of political institutions that characterize modern democratic government is the one proposed by Robert Dahl. Since his early masterpiece *A Preface to Democratic Theory* in 1956, Dahl has sought to identify the distinguishing marks of democratic government.^[8] His authoritative version^[9] includes: 1) elected officials; 2) free, fair, and frequent elections; 3) freedom of expression; 4) access to alternative sources of information; 5) associational autonomy; and 6) inclusive citizenship.

Of the six that Dahl identifies, other scholars typically concur with his first four or five features of democratic government: elected representatives, noncoercive elections, basic political freedoms, associational autonomy, and access to independent information. In a very real sense, the marks of a modern democracy were first specified in the U.S. Constitution’s initial 10 amendments, the “Bill of Rights.”

It should be noted that political equality is not specifically included in Dahl’s list; rather, equality is implicit in the notion that (practically) all citizens have rights to vote, to run for public office, and to exercise a broad range of political freedoms. Also missing from Dahl’s list is the

requirement for majority rule. It is omitted because majority rule is simply one of several possible decision rules by which an assembly of citizens or representatives may arrive at a decision. Representative bodies in democratic nations function with different decision rules, including plurality, simple majority, and various forms of extraordinary majorities (more than 50% + 1).

Dahl’s list of fundamental requirements must be present in any political system that is to be considered democratic, but they may be manifested in very different political institutions and policy processes. Comparative studies of democratic politics, to simplify a large body of research, recognize at least three distinct models of democratic political institutions, each of which exhibits a different style of policy making. Variations of each of the three models exist, but the basic institutional differences among the three models are critical to the particular styles of policy making and the way in which popular sovereignty is exercised.

Parliamentary institutions combined with a majoritarian political party system constitute the first model, sometimes referred to as the “Westminster” model, after the Palace of Westminster where the British Parliament meets. The key features (although not all) of Westminster majoritarian democracy are 1) fusion of executive and legislative power; 2) executive power concentrated in a ministerial cabinet; 3) asymmetric bicameralism; 4) exclusively representative government; 5) unitary, centralized government; and 6) two-party system. Majoritarian, parliamentary institutions provide for “rule by the people” through an emphasis on a responsible, strong political party model in that two parties contend for popular support by offering competing policy visions. The winning party gains essentially exclusive control over the instruments of government action and is expected to enact its policy platform. The leader of the majority party in the parliament is also the prime minister who selects the cabinet; thus there is unified control across legislative and executive institutions. Only a vote of no confidence or a loss at the next scheduled election can seriously undermine the party in power’s control over public policy. The United Kingdom is the preeminent example of this model, and many of its former colonies exhibit this form of democratic government.^[10]

Presidential government is a second model of indirect democratic government, and is characterized by a formal separation of powers between executive and legislative institutions. Instead of the fusion of legislative and executive powers that typify parliamentary government, the executive “head of state” in presidentialist governments is selected independently from the legislative branch and cannot be removed by the legislature, except for very serious reasons and through complex procedures. Presidents may propose new policy directions but cannot enact them into law because the legislature is independent of the executive. Instead, the president must build a coalition of legislators (of the president’s party or other parties) that is willing to support the executive’s policy preferences. Presidential

systems may be unitary or federal, may have two or more political parties, and may have a bicameral legislature, especially if the country is large in territory. Presidential governments provide for popular sovereignty through the following three key features: 1) the independent election of the executive from the legislative members of the government, thus reducing the concentration of power in the hands of one office or institution; 2) policy making requires bargaining within and between each legislative chamber as well as between the legislature and the executive, thus ensuring that a multiplicity of views are represented; and 3) because the executive is typically the only public official elected by the whole electorate, the president's policy positions are considered to be those of the electorate (or at least of those who voted for the incumbent).^[11] The United States of America is the preeminent example of presidential government, and it can also be found in several Latin American nations.

A third model of representative democratic government combines the parliamentary form with the presidential to create what is labeled as a "dual power," or "semipresidential" government. The key institutional features include the following: 1) an independently elected head of state [the president]; 2) a legislatively selected head of government [the prime minister]; 3) an executive cabinet presided over by the prime minister; and 4) a legislature elected independently from the head of state. These nations usually have unitary government, multiple political parties, and may have a unicameral or a bicameral legislature. The reputed benefits for popular sovereignty of a dual-power government: 1) the stability associated with an independent president; 2) the flexibility of a parliamentary majority; and 3) the ability to avoid potential stalemates between the president and the legislature. France is the preeminent example of a "dual-power" democracy, and other examples can be found in Portugal, Finland, the Czech Republic, Poland, Estonia, Lithuania, and Slovenia.^[11]

Each of these three models of democratic government vary by institutional features, style of leadership, nature of policy bargaining, and constitutional rules. The organization of these different types of democratic government affects differentially the ability of citizens to influence policy making. For example, in parliamentary governments, much of the bargaining and debate over policy choices occurs as part of the electoral competition, and once a party wins a parliamentary majority, it can enact its policy platform without any serious obstacles. By contrast, in presidential models, bargaining and debate over policy continue past the election of the president and the legislature, and as a consequence, it is often the case that each policy initiative requires an extensive effort to build a bipartisan majority to support the proposal. The point here is simply that the ideal of "rule by the people" must be transformed from ideas to functioning institutions and rules by which governing institutions produce policy results that are acceptable and legitimate.

PURPOSES OF DEMOCRACY

Governments of whatever form exhibit some common purposes, among which are social order, dispute resolution, coordination of collective action, and protection from external attack. But many different forms of government have been established with the intent of achieving certain objectives. For example, a Communist government seeks to ensure a dictatorship of the proletariat and to alter the means of production to create a socialist utopia.^[12] Fascism sought to develop and maintain "the glory of the State" so that all other activity in society was subordinate to the State.^[12] But what objectives are to be achieved by establishing a democratic government? Although there is no agreement as to what purposes democracy is designed to attain, there are at least five distinct answers to the question, and each of these answers contains an expectation about the goals of public policy in a democracy.^[2]

The first answer about the purposes of a democratic government is implicit in the core notion of rule of the people. To ensure popular sovereignty, democratic government is designed to constrain the emergence of an elite or a permanent ruling class and to encourage widespread civic participation. The rules of the democratic political game, as expressed in law, create opportunities and resources so that citizens may participate in policy decisions. To put this another way, democratic government is rule by a continually changing cast of amateurs. Furthermore, there are no preordained goals for public action; instead, public policy will be the product of the continually shifting diversity of interests within the community. "All policies will be compromises, and it is unlikely that we shall find any democracy committed to one all-consuming purpose."^[2]

Second and probably the most widely accepted purpose of democracy is the protection of individual rights. Liberal democrats, in their revolutionary attacks on the absolutist State, defined freedom as independence from government control. Jefferson's (and Thomas Paine's) dictum that "the best government is the one that governs least" concisely captures this attitude, but it is important to understand that the context was one where the State controlled most spheres of human activity—commerce and trade, religion and culture, property and status. Locke, who was Jefferson's inspiration, argued that every power government exercised came at the expense of individual liberty and, therefore, the less public policy the better. Rousseau, on the other hand, argued that individual rights could be increased by government action, e.g., where public policy restricts the rights of employers in order to eliminate unacceptable practices such as gender and racial biases in hiring or child labor.^[13] This debate over negative vs. positive conceptions of freedom does not detract from the basic point that an important purpose of democratic governments is to constrain government as well as individual action to ensure rule by free consent of the governed.

The struggles that produced modern democratic nations were motivated not only by efforts to freely exercise religion and to freely choose one's rulers, but also to protect one's property from confiscation by the State. Much of the justification for limited government rests on the protection of personal property rights, and, by extension, it is often held that an important objective of democratic government is the maintenance of a free or market economy. The fact that one can find market economies in nondemocratic nations undermines part of this idea that only under democracy can capitalism flourish. However, because all democracies support capitalist markets, there is obviously a connection between these two distinct societal institutions.^[3,14,15] The link is through public policy, which creates and enforces the rules required to sustain these two institutions. Both democracy and capitalism depend on the freedom of individual choice. Just as democracy depends on a set of procedural rules that provide for competition among candidates, so also does a liberal market depend on rules that provide for competition among producers. Critical to the functioning of market economies is an extensive set of laws and regulations ensuring free choice for producers and consumers, employers and workers. The contemporary efforts to foster economic development in the nations of the former Soviet Union illustrate the necessity of an extensive body of public policy that establishes and maintains the institutions of a modern capitalist economy (e.g., property ownership, enforceable contracts).

A fourth purpose, it is argued, that democracy serves is the development of the individual. The pursuit of equality has been part of the pursuit of liberty because freedom for only some individuals leaves others unfree and unequal. The Christian ideal of the inherent equality and worth of all individuals predates the development of modern democracy, but this idea strongly shaped the earliest arguments for democracy.^[5] Without equality for all persons, the notion of government by consent of the governed is hollow, and so the campaigns to end government by hereditary rulers promised equality as well as liberty. Equality first meant equal franchise—the right to vote—but usually only for males with certain attributes—education, property, and/or race. It is only within recent history that universal suffrage has become widely accepted.^[16]

Closely associated with equal franchise is the importance of the vote as a means for citizens to communicate their policy preferences to candidates and elected officials. If a whole class of persons is denied the right to vote (e.g., women), then matters of concern to this class of persons is likely to be ignored by public officials. Similarly, if one's vote counts less than someone else's vote (the problem of malapportionment), then one's policy interests will be disadvantaged. Furthermore, if one is not provided with the means to participate in the electoral process (e.g., education, information, finances), then one's ability to participate is diminished. Over time, many democratic governments have enacted policies to foster equal participation and one can see the results

in the increased diversity of today's elected (and administrative) officials, compared to previous eras.

More recent views on equality have focused on equality of opportunity—the provision of sufficient resources to individuals to permit them to pursue and “fulfill” their dreams. “The notion of democracy has always contained the notion of equality. Not arithmetical equality of income or wealth, but equality of opportunity to realize one's human capacities.”^[15] Predemocratic societies where most persons were serfs or slaves used force or tradition to prevent individuals from realizing their potential. Democratic governments were the first to proclaim the establishment of justice and the promotion of general welfare as their principal purposes. This has led over time to a policy cornucopia of goods and services that today is labeled as the modern welfare state. From education to employment, from health to social security, the bulk of public policy in a modern democratic state aims to ensure a minimal quality of life for all and to facilitate, in the words of modern psychology, each person's “self-actualization.”^[17]

Perhaps the most unique purpose allegedly served by democracy is that it makes possible a new type of human character. “Democracy, then, both presupposes and tends to promote a particular type of character or personality; or alternatively we may say—since character is a slippery concept—that the system relies on certain attitudes or dispositions or behavior patterns and these it tends to foster because they contribute to the working of the system.”^[2] This argument goes back at least as far the writings of J. S. Mills and de Tocqueville, and has been revisited by writers such as James Bryce and Harold Lasswell. But how is it that a form of government can shape character or personality? An important answer is found in the recent writings that advocate “participatory democracy” as a remedy to the ills of liberal representative democracy. Critics of representative democracy such as Benjamin Barber see the reliance on elections, interest groups, and political parties as producing a “thin democracy” in which “citizenship is only legal matter; people are bound together by self-interested contracts; and they are politically passive” (as quoted in Cunningham^[7]). Departure from “possessive individualist ways of thought and action” (Macpherson's phrase to describe consumerism and self-centeredness), Carole Pateman claims, “is facilitated by a change in people's values that results from political participation itself” (as quoted in Cunningham^[7]). Democratic citizens are, in a sense, forced to be free; i.e., in order to solve problems in the community they must act together collectively—there is no ruler ordering them to act. In a society where all are free to hold and express different views, a democrat not only must tolerate these differences of opinion, but also must strive to find compromises to which a majority can consent. Such complex attitudes and behaviors, it is argued, depend on the development of a public-regarding spirit, and nothing does more to foster this new character than participation in public affairs; i.e., action can alter attitudes.

That there are multiple purposes associated with the advocacy of democracy comes as no surprise. Democracy became the wave of the future in the 1600s because the purposes it alleged to serve “fit the minds of men,” in Burke’s phrase. Freedom and liberty, equality and individuality, were exciting ideas that pointed away from tradition and toward a new society. Democracy’s purposes, open and indeterminate, do not constitute the stuff of a dogmatic ideology,^[2] but instead offer a design within which individuals can shape public policy to fit the general interest of their community. Sen^[16] tells us that “a country does not have to be deemed fit *for* democracy; rather it has to become fit *through* democracy” [italics in original]. Democracy, as rule of the people, allows the people to enact public policies designed to pursue purposes that are beneficial to the community. This is what makes democracy, according to Sen,^[16] “a universally relevant system.”

Increasing numbers of highly educated citizens, substantial expansions of civil and political rights, and rapidly evolving information and communication technologies pose new challenges to the ability of traditional democratic institutions to establish public programs “relevant” to lives of twenty-first-century citizens. Contemporary scholars ask how will the democratic forms of government that emerged in the eighteenth and nineteenth centuries function effectively in what is a “postdemocratic” era. Postdemocracy refers to important shifts in the role of administrative institutions, and a perceived increase in the political distance between citizens and their elected representatives.^[18,19] For example, digital technologies facilitate e-government whereby public activities from obtaining licenses to paying taxes can be performed in one’s home or from one’s mobile phone. Internet-interactive media also make possible an array of social platforms which permit citizens in different locations to more readily communicate with public officials, organize interest groups, and mobilize civic action. Whether such e-democracy tools enhance the dialogue between citizens and officials, whether elected officials pay attention to voices expressed digitally, and whether public administrators involve citizens in the implementation of public services are critical issues that will shape public policy in the postdemocratic era.^[20]

CONCLUSION

The establishment of a democratic form of government is a fundamental public policy decision and makes popular sovereignty the primary principle of the policy-making process. Democracy depends on a set of necessary attributes, but how these critical features are built into governing institutions may vary from place to place. Parliaments and presidents are merely instruments through which popular sovereignty may be achieved; what is critical to democracy is a sufficient level of citizen participation so that the policies selected reflect the diverse preferences

and values within a community or country. Abraham Lincoln proclaimed the core ideas of democracy in his famous aphorism, “government of the people, by the people, and for the people.” The continuing challenge to theorists of democracy as well as to citizens and public officials is the adaptation of the institutional features of government to changing societal conditions without sacrificing the core ideas of popular sovereignty. Just as direct democracy was modified to accommodate population growth, so too must representative democracy be modified to ensure popular sovereignty in a world characterized by deep economic and social inequalities. Although universal suffrage is now widely accepted in most parts of the globe, public policy to provide a minimal quality of life to all citizens has not been attained. Long ago, Jefferson pointed out that certain public policies such as universal education were necessary to a functioning democratic government. The continued impoverishment of a majority of the world’s population stands as a major obstacle to the spread of democracy. But the continued existence of nondemocratic forms of government in too many places also blocks action to reduce severe economic and social inequalities. Sen^[16] explains the pragmatic connection between the democratic procedures of government and the substance of public policy:

Political and civil rights give people the opportunity to draw attention forcefully to general needs and to demand appropriate public action. The response of a government to the acute suffering of its people often depends on the pressure that is put on it. The exercise of political rights (such as voting, criticizing, protesting, and the like) can make a real difference to the political incentives that operate on a government.

—Sen (p. 7)

Democracy offers citizens a set of instrumental procedures and rules that allow citizens to shape public policy so that “rule of, by, and for the people” is possible. Other forms of government are neither premised on this goal nor are designed to foster it.

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