Norms, Power, and Practice: Critical Enquiries into Democratic Governance in International Discourse

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ARTICLE INFO	ABSTRACT
	This paper critically examines the concept of democratic governance as it has evolved within international discourse, particularly in the fields of international law and political science. It traces the emergence of democratic governance as a norm, entitlement, and, in certain interpretations, a right in the post–Cold War period. The study engages with key scholarly debates on legitimacy, ideology, and functionality, drawing on the works of Thomas Franck, Susan Marks, Fox and Roth, and others. It interrogates the procedural emphasis on electoral democracy and the privileging of liberal democracy as a universal model, highlighting the limitations and contradictions of such approaches. The paper further explores how international institutions, especially the United Nations, have institutionalised democratic governance through development, peacebuilding, and state-building initiatives. By examining alternative democratic experiences and case studies from developing countries, the paper challenges the universalist assumptions of Western liberal democracy and argues for a contextual, functional, and plural understanding of democratic governance shaped by local histories, social structures, and state capacities.

Keywords: Administration, Global Governance, International Practices, Political Science, Democratic Governance, International Law, Development |

Introduction

The paper critically reviews the conceptual framework of the different interpretations, debates and issues within the mega theories of democratic governance. The review paper presents the extensive literature exploring the debates of democratic governance within political science and international law. The paper highlights the debates and interpretations by different scholars around issues of legitimacy, ideology, and functionality under the broad domain of 'democratic governance'. It focuses on the impact of democratic governance in the context of developing countries. It highlights different case studies that deviate from the Western notion of liberal democracy.

Tracing Issues of Legitimacy within the Concept of 'Democratic Governance'

This section presents the arguments of different scholars, which revolves around the debate on the legitimacy of this concept. Thomas Franck(1992) critically analyses different viewpoints, starting from his seminal article which traces the emergence of the right to democratic governance in international law. The legitimacy of democracy comes not only in national arrangements but also in international law. Franck identified four indicators of legitimacy: pedigree, indeterminacy, coherence and adherence.

Presenting these four indicators, he puts forward a hypothesis to measure methods of validating national governance as 'the degree to which a rule, or a rule making process, exhibit these four qualities will determine the degree to which the rule or the process has matured and is perceived to be legitimate' (p.51).

However, in the context of international democratic order, three historical norms of rule-making and executing these rules are essential to trace the emergence of democratic governance. The first generation is the self-determination movement that developed the emergence of democratic norms. The second is the time of the mid-1950s when there was the development of a rise of the human rights regime in the international arena. The third is the system that seeks to establish democracy through monitoring elections. The three subsets have overlapping characteristics, '...three subsets somewhat overlap chronologically and normative. Collectively,

they do not necessarily penetrate every nook and cranny of democratic theory (p.52). It gives importance to the third subset: establishing free and fair elections(p.65).

Fox and Nolte (1995 further argues that the pledge for enshrining procedural democracy in the political regime of states does not correspond to the requirement of democracy to the international system as a whole. However, Weiler (2004) argues that it shows loopholes in its universality due to its inapplicable nature in different contexts in the international system. Aspremont (2011) hails free and fair elections as only a customary obligation to be abided by the states and it has portrayed a restrictive obligation due to its overemphasis on the procedural form of democracy.

The notion of democratic governance in the post-Cold War period not only left its imprint in the realm of international law but also re-ignited debates within political science. March and Olsen (1984) presents that one such theory that had been re-ignited was the 'New Institutionalism', which preceded and set the foundation for the assumptions of democratic governance. March and Olsen (1995) describes that the 'new institutionalism' approach focuses on rediscovering institutional analysis and understanding individual political actors in democratic governance. Democratic governance is an agenda that emphasises individuals and societies building up political institutions to make politics civil, capable, and accountable. The notion of democratic governance in international law joined the bandwagon among many other rhetorical concepts that got popularised in the post-Cold War period. Yet, all the debates surrounding the notion do not have a common consensus about where the idea is heading. It connects to the theoretical and conceptual basis of politics and law. It becomes intrinsic in such disciplines and occupies a fundamental foundation for understanding this notion. A considerable amount of literature focused on the concept of 'democracy' within international law during the 1990s. In international law, democratic governance becomes an entitlement. Thomas Franck(1992) writes, 'Democracy, thus, is on the way to becoming a global entitlement that will increasingly be promoted and protected by collective international processes'(p.46). The context in which democratic governance becomes an entitlement: the August coup in the Soviet Union and the overthrow of Haiti's elected President, Jean Baptiste Aristide, in September 1991(Ibid). In the former case, the credit for the triumph of democracy in the Russian Republic goes to the Soviet leaders and citizens. However, the overthrow happened due to collective reaction against the coup leaders which came from the leaders of democracies worldwide.

In the second case, the reaction of governments came from the Organisation of American States (OAS) and the United Nations General Assembly (UNGA) to overthrow the elected President of Haiti. They recommended cutting down economic, financial, diplomatic and commercial ties until human rights are protected and enforced by the establishment of a constitutional rule. Since the beginning of the twentieth century, there has been a challenge to the 'validation' tendency from the 'dictatorship of the proletariat' to 'modernisation'. People in Socialist Eastern Europe, Africa and Asia demand that they should validate governments with the Western style of democracy, which is reflected in the argument by Thomas Franck(1992). Instead, people almost in every country demand that the Western-style parliamentary, multiparty democratic processes validate government's rule.

Only a few, usually military or theocratic, regimes still resist the trend. Very few argue that parliamentary democracy is a Western illusion and a neo-colonialist trap for unwary Third World peoples. Scholars like Susan Marks(1997) brought up the reductionist approach which critically reviews existing assumptions of democratic governance as an entitlement. The approach evaluates its evolution as a norm and a right. Democratic governance evolves into a norm. Susan Marks(2011) traces the genealogy of the concept by looking at four different accounts in the changing world scenario since its inception. The first view is the legal aspects of democratic governance. The second is the relationship between democracy and peace from a 'security' perspective. Third, it is about the focus on democracy and development. Fourth, the focus is on the contestations surrounding 'ideology'(p.510). The initial central focus on democracy was holding electoral processes, which has evolved into an ideology. Initially Susan Marks(2000; 2001) argued that democracy when translated into ideology creates a deviation in the efforts by democracy to bring and deliver greater emancipation.

Electoral democracy has moved ahead as the game is geared towards development. The promotion of democracy is now focused on 'development'. At its later stage, Susan Marks(2011)argued that democratic governance has become a right which has been made to be accepted, abuses and violations of the right need to be explained rather than documented; otherwise, it can become a 'planned misery'.

The UN (United Nations) plays a lead role in the institutionalisation and legitimation of rebuilding democracy as 'development' through projects of rebuilding societies. Catherine Hecht(2016) highlights qualitative and quantitative evidence from the UNGA debates between 1992 and 2014, presenting fluctuations in the frequency and intent of member countries' preferences for democracy and the use of democratic governance as a 'status' symbol. In the UNGA debates after 1990, there has been a steep rise in showcasing democratic governance as a status symbol because the states are self-identifying themselves as democratization due to their comparatively low appeal compared to non-democratic states. The global scenario during the time was marked by changing policies and strategies in international organisations like the UN. The UN has concentrated its efforts on only deepening democratic values and norms in its policies. It institutionalises and legitimises ideas of development, security and reconstruction in post-conflict societies through peace-keeping missions and peace-building forces.

However, Glen Platmore (2021) argues that the UN is criticised for its role in promoting democratic governance: 'the UN has not yet developed a human right to democracy for the rule of law to protect and that this necessitates reform'(p.1). This trend is especially concerning in the context of China's growing assertiveness and its firm refusal to support liberal democracy or processes of democratisation within the framework of the United Nations.

Fox and Roth(2000) present four broad justifications for democratisation regarding international law. The first deals with international disorganisation in its attempts to institutionalise a democratic environment to secure and protect human rights. Second, democratisation is adopted as a policy by international organisations to prevent civil strife and internal conflicts in individual states. Third, democratisation has been highlighted as the key to bringing peace among states. Lastly, there have been emerging international norms related to democratisation that focus on executing these norms through democratic means. They further point out that 'three examples of this phenomenon can be found in the international efforts to protect the environment, to fight official corruption, and to promote the rights of indigenous peoples'(p.8). The only focus on the procedural notion of democracy is the first step of democracy, which presents the right of political participation in electoral processes, but cannot achieve the ends of democracy. International law, thus, is not yet ready to embrace and move forward towards a substantial notion of democracy.

However, this is in itself an assumption that international law is well attuned to enhance democratic governance as a norm which is enforced. Sean D. Murphy (2000) presents the increasing factors for the recognition of states which promote democracy. The international system tries to recognise states based on their journey towards achieving and deepening democracy. There are other contemporary practices by the international community recognising or de-recognising a state for pursuing values that do not necessarily entail 'democratic means' (such as promoting regional stability and economic development). Fox and Roth (2000) argue that the international community has various diplomatic and economic tools, of which recognition practice is merely an exception(p.154). In the changing global landscape and amid shifts in political regimes, there is a growing tendency for particular actors to dominate decisions regarding the recognition of states or governments. As a result, legitimacy, stability, and development do not always coincide.

Locating Issues of Ideology in 'Democratic Governance'

John M. Owen IV (2000) analyses democratic governance from a liberal ideology perspective.

Liberal ideology holds that individuals everywhere are fundamentally the same and are best off pursuing self-preservation and material well-being. The illiberal states may be dangerous as they seek other ends, such as conquest or plunder. Liberals thus believe that their nation's interest calls for the accommodation of fellow liberal states, but confrontation and sometimes war define illiberal states. Liberal ideology translates this ideology into policy(p.359).

The liberal ideas gave rise to liberal institutions that push efforts to prioritise 'liberal states' towards pursuing liberal peace. 'Liberal states' as a category is prioritised over liberal institutions for two reasons. The first reason is that democracy is an ambiguous term in its evolution due to the rise of multiple variants of democracy in states like Athens, the United States and the Democratic People's Republic of Korea. Second, liberalism efficiently connects the causal relationship between liberal democracy and peace(p.359)

The evolution of democratic governance as a normative concept has gained broad acceptance within national and international systems, with its development significantly influenced by disciplines such as political science and law. In the late twentieth century, liberal democracy was increasingly idealised as the ultimate and unchallenged conception of democracy. As a result, much of the scholarship on democratic governance as a norm, entitlement, and right in international law and political science has transmitted a tailored preference for liberal democracy as the hallmark of democracy—an approach that warrants critical scrutiny.

Therefore, questions arise: What are the alternatives to liberal democracy that scholars and experts undermine and overlook? What are the criticisms against liberal-democratic regimes that can be examined to understand the changing scenario that governs societies in different contexts? The following section attempts to seek answers to these questions by analysing the functional relationship between democracy and good governance. Thus, the broader focus must be on 'democracy' and development; however, issues of legitimacy and ideology cannot be ignored. Susan Marks(2000) rightly points out, 'democracy is an idea of universal pertinence. Its historical roots may be localised. But the worldwide struggles being waged in democracy's name surely leave little room for doubt that democracy has today become globalised(p.35).' International law scholars and political scientists tend to situate democracy only with specific liberal ideas and institutions. Democracy and governance are contested terms and practices which are difficult to theorise and situate, and as rightly argued by Susan Marks that 'observers found normative inferences difficult to draw, for democracy appeared to mean everything, and therefore nothing'(p.532).

Capturing the Complexities in the Functional Aspect of Democracy in Democratic Governance

While definitions and interpretations of democracy have progressively moved beyond a narrow focus on the rule of law, human rights protection, and good governance, the form and character of violent conflicts in the post-1990 era have also undergone significant change. Harris & Reilly (1998) argue that it presents a shift from the traditional notion of conflicts for territorial conquest or ideology to self-determination movements, and the struggle for recognition of cultural rights. Democracy can be understood as a continuous tussle over the

exercise and potential abuse of power in the management and resolution of social and political conflicts. For this, it requires a set of political institutions and processes based on popular sovereignty and a representative system ensuring rights of equality, liberty and justice. There can be no ultimate and ideal type of democracy since every country has its own set of political institutions and practices that are shaped by local history, culture, and social, political, and economic contexts. For instance, there are studies by political practitioners such as Morlino et al. (2011) who have researched the nature and quality of democracy in the context of the Asia-Pacific region. They made assessments to examine the quality of democratic processes, content and impact in eight countries of the Asia-Pacific region. In the findings, the qualitative assessment of participation and competition act as the main causal factors driving democratic quality in the region. Through these case studies, the practitioners highlight and consider the cultural and social factors, like patronage relationships and their impact on local practices, driving power relations in the rule of law. The case studies question and challenge the universalist and a given notion of the related concepts of governance and democracy. Hollifield and Jillson (2000)point out that the transition of countries towards democracy had a profound impact on world politics. According to Hollifield and Jillson (2006), democratic transitions cannot be understood through a uniform model, as the nature of the transition process is deeply context-specific. Different regions of the world, and often individual states within those regions, have followed distinctive pathways to democracy, conditioned by their existing social, political, and economic contexts (p.2). Brendan Howe (2015) further comments on the diverse nature of the pathway,

> ...this work acknowledges that different models of democratic government can and do exist and that Asian perspectives and traditions of governance can vary considerably from those of the West there is sufficient overlap to amount to a consensus on certain obligations owed by the governors to the governed(p.15).

Debates on making democracy work in diverse political and social contexts remain ongoing, underscoring the challenges faced by states undergoing democratisation. These states must adopt democratic governance systems that are capable of sustaining democratic institutions while also enriching democratic participation and legitimacy. In the process of overcoming the challenge to bring democratic governance, Jan Knippers Black(2000) warns that, 'it would be very dangerous, however, to view this trend as unidirectional- 'the end of history' – or as the best we can do toward achieving the popular ideal of democracy'(p.517).The development of democracy is not to be equated with only holding free and fair elections in the national system. Elections are a means, not an end, and means are always subject to subversion or corruption.

Anne Marie Slaughter (2000) extends this idea by arguing that, 'the leading alternative to liberal internationalism is the [new medievalism], 'a back to the future' model of the twenty-first century'(p.199). K. Ohmae(1995) talked about the demise of the nation-state as a system. Initially, Anne Marie Slaughter (2000) highlights about retreating power of the state (new medievalists) and liberal internationalism's lack of visualisation and counting the enmeshed web which led to the emergence of intergovernmentalism in the global order. In the intergovernmental order, the system of consolidating democracy has become robust with increasing problems
shaped by the most interconnected global society and economy.

Influence of Democratic Governance in Developing Countries

Democratic governance is premised on the collaboration of governmental and non-governmental actors to address complex development challenges in a globalised world. While this paper does not question the normative claims of liberal democracy, it recognises development as a desirable pathway towards peace, security, and development. It however, contends that greater emphasis must be placed on prioritising the means of capacity-building through state-building mechanisms that are responsive to the specific social, political, and institutional conditions in which democracy can flourish.

Pippa Norris (2012) brings in the case studies of Somalia, Chad, the Central African Republic and Haiti, which are conflict-prone zones facing humanitarian conflicts and marked by extreme cases of poverty and hunger. Through these examples, Norris makes a case that in conflict-prone zones, the picture seems complicated. The problems are multi-layered as the demand for the transition of autocracy towards democratic institutions and systems like holding free and fair elections are challenges of the state. The state-building process begins with establishing institutions for the protection and promotion of peace. In this school of thought, development is the first step for prioritisation of the state-building process. Therefore, this viewpoint outwardly does not challenge the claims of liberal democracy and its desirability. Pippa Norris (2012) presents another alternative which is based on '...unified perspective emphasising the need for both liberal democracies (strengthening citizens' demands) and bureaucratic governance (expanding the state to respond effectively to social needs)(p.188)'. There has been an increasing growth in the spread of democracy in Latin America, Eastern Europe, some parts of Central Asia, East Asia and Africa in recent decades.

For G. Shabbir Cheema (2005), democracy doubled with good governance is the critical factor that affects development and human security. The examples of the studies done by UNDP (United Nations Development Programme) in Thailand, Bangladesh and Bulgaria showed how local communities and civil society planned development projects mobilised their resources guided by principles of democratic governance. An active role played by civil society and local government structures in the reconstruction of fractured societies contributes

significantly to improving the quality of life of disadvantaged minorities. It is democratic governance that provides the best system for managing and lessening conflicts within and between states (p.16). It provides insights from local struggles and contestations within the society to participatory institutions, thereby enhancing participation. Democracies are well attuned to provide checks and balances to let people criticize public policies through responsive, transparent and accountable institutions. Lastly, democracies can provide platforms that bring better awareness of social development, including health and human security concerns, targeting society's most vulnerable and marginalized sections.

J.S. Migdal and others (1994) have argued that governments in developing countries face the double tasks of promoting economic growth and social modernisation. They argued for a strong state power capable of collaborating with special interest groups to target long-term developmental goals and strategies determined to bring rapid economic growth. They stressed bringing political development in these countries through a robust civil sphere determined to consolidate social power in the state's institutions. J.S. Migdal (1988) has earlier provided the theory of strong societies and weak states in analyzing the state-society capabilities of Third World countries. Through this theory of state-society interaction, he sees society as '...a melange of social organization such as families, clans, clubs and the like. He sees the state as an organization among these associations of communities and is classified according to its capacity to determine social control. According to J.S. Migdal, state capabilities include the capacities to penetrate society, regulate social relationships, extract resources, and appropriate or use resources in determined ways. Strong states are those with high capabilities to complete these tasks, while weak states are on the low end of a spectrum of capabilities(p.28). He points out that the reason for the weakness of the states is that many states in the Third World societies have 'web-like societies' constituted by local organisations with local constituencies which are headed by what he refers to as 'strongmen', which include chiefs, landlords, bosses, wealthy farmers, clan leaders and the like. The strongmen hold the authority of the local social organisations. The diversity in these societies makes the state vulnerable to achieving social control.(p.39) Therefore, many developing countries embraced democratic governance as a positive thing. However, the impact and outcome of democratic governance within and among the States in India vary due to their plural and diverse societies. Local cultures and traditions among states impact how democratic values and systems are built, supported, and deepened.

Conclusion

The review undertaken in this paper demonstrates that democratic governance is neither a settled concept nor a universally applicable institutional model. While the post–Cold War international order has elevated democratic governance to a position of normative significance, debates surrounding its legitimacy, ideological foundations, and functional effectiveness remain unresolved. The procedural focus on elections and the privileging of liberal democracy in international law have contributed to a narrow understanding of democracy that often overlooks social, cultural, and historical contexts, particularly in developing countries.

The paper highlights that democratic governance, when framed primarily as an international entitlement or development strategy, risks becoming detached from its emancipatory promise. Experiences from Asia, Africa, and Latin America show that democracy functions differently across societies and cannot be imposed through uniform institutional templates. Effective democratic governance requires strong state capacity, inclusive participation, accountable institutions, and sensitivity to local power structures and social relations.

In conclusion, democratic governance should be understood as a dynamic and contested process rather than a fixed ideological endpoint. A more pluralistic and context-sensitive approach—one that recognises multiple democratic pathways and balances procedural mechanisms with substantive outcomes—is essential for enhancing legitimacy, stability, and development in an increasingly diverse and multipolar global order

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