

INTERNATIONAL DAY OF DEMOCRACY

15 September 2009

THE TEST OF COURAGE COMES WHEN WE ARE IN THE MINORITY.

THE TEST OF **TOLERANCE** COMES WHEN WE ARE IN THE MAJORITY.



Democracy is dependent on the expression of ideas and a culture of tolerance. Political tolerance implies freedom of expression, open dialogue and a diversity of views. It is the role of democratic institutions, such as parliament, to mediate tensions between diverging opinions and to accommodate the participation of all sectors of society.



INTERNATIONAL DAY OF DEMOCRACY

The word “democracy” comes from two Greek words: *demos*, which means “the people,” and *kratein*, which means “to rule.” This “rule by the people” was first practised in Greece in the sixth century BC and has been evolving as a system of government ever since. Throughout history, democracies have flourished, been threatened or replaced by authoritarian rule only to re-emerge in societies all over the world today.

UNIVERSAL DECLARATION ON DEMOCRACY

DECLARATION ADOPTED BY THE INTER-PARLIAMENTARY COUNCIL
AT ITS 101ST SESSION (CAIRO, 16 SEPTEMBER 1997)

The Inter-Parliamentary Council,

Reaffirming the Inter-Parliamentary Union's commitment to peace and development and convinced that the strengthening of the democratisation process and representative institutions will greatly contribute to attaining this goal,

Reaffirming also the calling and commitment of the Inter-Parliamentary Union to promoting democracy and the establishment of pluralistic systems of representative government in the world, and wishing to strengthen its sustained and multifaceted action in this field,

Recalling that each State has the sovereign right, freely to choose and develop, in accordance with the will of its people, its own political, economic and cultural systems without interference by other States in strict conformity with the United Nations Charter,

Recalling also the Universal Declaration of Human Rights adopted on 10 December 1948, as well as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights adopted on 16 December 1966, the International Convention on the Elimination of All Forms of Racial Discrimination adopted on 21 December 1965 and the Convention on the Elimination of All Forms of Discrimination Against Women adopted on 18 December 1979,

Recalling further the Declaration on Criteria for Free and Fair Elections which it adopted in March 1994 and in which it confirmed that in any State the authority of the government can derive only from the will of the people as expressed in genuine, free and fair elections,

Referring to the Agenda for Democratisation presented on 20 December 1996 by the UN Secretary-General to the 51st session of the United Nations General Assembly,

Adopts the following **Universal Declaration on Democracy** and urges Governments and Parliaments throughout the world to be guided by its content:

FIRST PART THE PRINCIPLES OF DEMOCRACY

1. Democracy is a universally recognised ideal as well as a goal, which is based on common values shared by peoples throughout the world community irrespective of cultural, political, social and economic differences. It is thus a basic right of citizenship to be exercised under conditions of freedom, equality, transparency and responsibility, with due respect for the plurality of views, and in the interest of the polity.

2. Democracy is both an ideal to be pursued and a mode of government to be applied according to modalities which reflect the diversity of experiences and cultural particularities without derogating from internationally recognised principles, norms and standards. It is thus a constantly perfected and always perfectible state or condition whose progress will depend upon a variety of political, social, economic, and cultural factors.

3. As an ideal, democracy aims essentially to preserve and promote the dignity and fundamental rights of the individual, to achieve social justice, foster the economic and social

development of the community, strengthen the cohesion of society and enhance national tranquility, as well as to create a climate that is favourable for international peace. As a form of government, democracy is the best way of achieving these objectives; it is also the only political system that has the capacity for self-correction.

4. The achievement of democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementarity, drawing mutual enrichment from their differences.

5. A state of democracy ensures that the processes by which power is accorded to, wielded and alternates allow for free political competition and are the product of open, free and non-discriminatory participation by the people, exercised in accordance with the rule of law, in both letter and spirit.

6. Democracy is inseparable from the rights set forth in the international instruments recalled in the preamble. These rights must therefore be applied effectively and their proper exercise must be matched with individual and collective responsibilities.

7. Democracy is founded on the primacy of the law and the exercise of human rights. In a democratic State, no one is above the law and all are equal before the law.

8. Peace and economic, social and cultural development are both conditions for and fruits of democracy. There is thus interdependence between peace, development, respect for and observance of the rule of law and human rights.

INTER-PARLIAMENTARY UNION

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Celebrating Democracy

A decade later, in November 2007, the United Nations acknowledged the resilience and universality of the principles of democracy by proclaiming 15 September as the International Day of Democracy. This Day is meant both to celebrate democracy and to serve as a reminder that the need to promote and protect democracy is as urgent now as ever. On the first International Day of Democracy on 15 September 2008, about 50 parliaments organized special events, reaffirming parliament as the central institution of democracy.

2009 THEME DEMOCRACY AND POLITICAL TOLERANCE

Political intolerance is a problem everywhere. It manifests itself when political leaders refuse to give any space to opposition parties and politics, when political parties do not tolerate dissent from their membership and, more generally, through a rejection of different views. The IPU has chosen the theme of “Democracy and political tolerance” for the International Day of Democracy 2009 in order to highlight the importance of creating a culture of tolerance in society, and in political life in particular. This publication sets out some of the general principles that underpin political tolerance, and examines their application in the parliamentary environment.

DEMOCRACY AND POLITICAL TOLERANCE

Political tolerance means accepting and respecting the basic rights and civil liberties of persons and groups whose viewpoints differ from one's own. All citizens, including political leaders, have a responsibility to practise political tolerance in their words and deeds. As a clear rejection of "might makes right," political tolerance is a **key principle of democracy**.

As an ideal, democracy upholds that members of society should treat each other, and be treated, as equals. Underlying democracy is the acceptance and respect of the other. Democratic life is both the right to differ as well as the acceptance of such difference by all. Democracy implies respect for the plurality of views and virtues of dialogue as a means of resolving conflict.

"Tolerance implies no lack of commitment to one's own beliefs. Rather it condemns the oppression or persecution of others."

—John F. Kennedy

Political life involves confrontation, and this is perfectly normal. Institutions of democracy, such as parliaments, provide the channels to make confrontation between opinions possible. Parliament is meant to regulate tensions and maintain an equilibrium between competing claims of diversity, and to accommodate the participation of all sectors of society.

Political tolerance is therefore essential to the functioning of parliaments and should be actively pursued in practice.



▲ Kgalema Motlanthe (ANC) and Tony Leon (Democratic Alliance), South Africa, September 2008. © AFP Photo/Gianluigi Guercia

CAUSES AND EXPRESSIONS OF POLITICAL INTOLERANCE

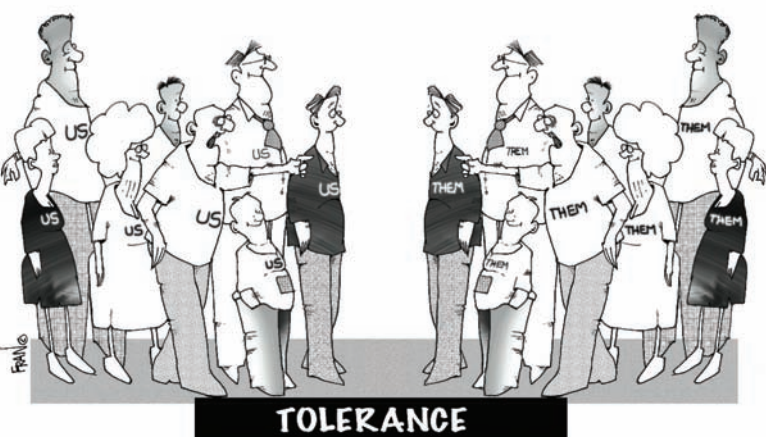
Political intolerance is engendered by a willingness to restrict the rights of a disliked person or group based on their differing views. It represents a threat to democracy since it discriminates against and may even silence certain parts of the population. Intolerance creates a conformist culture and a closed society, which narrows citizens' perceptions of politics and shapes their subsequent behaviour.

"Language in politics often promotes intolerance or even legitimizes violence . . . Fearless respect for disagreement without threats of violence is the test of maturity [and] democracy . . . Democratic culture is tested when we can respect the equality and freedom of those furthest away from us in political opinion, material interest, belief and conscience."

—Zackie Achmat, "Of language and Politics",
Mail & Guardian, 16 March 2009

"It is thus tolerance that is the source of peace, and intolerance that is the source of disorder and squabbling"

—Pierre Bayle



▲ © fran@francartoons.com

The main causes and expressions of political intolerance include:

- An environment where the rules of democracy are non-existent, not clearly defined, or unfairly enforced
- Ignorance among citizens and political actors about the rules of participation and engagement in a democracy
- Personal insecurity and fear of criticism
- A political environment which revolves around personalities rather than ideas, or is dominated by favouritism
- Exclusion in terms of electoral outcomes, where the "losers" are marginalized
- Restrictions or absence of avenues for dialogue and constructive engagement
- Bigotry and dogmatism, i.e., the attitude that "my views are true and always right"

Adapted from Bertelsmann Group for Policy Research, 2000 and International IDEA, 2009.

Citizens may espouse abstract support for democracy, yet choose not to extend civil liberties to certain groups when perceiving danger or general political uncertainty. This happens particularly at times of internal threats to the State. Data from 33 countries shows that mass support for the basic civil liberties of nonconformist and unpopular groups decreases considerably during civil war, rebellion and terrorism.

Source: Hutchison and Gibler. "Political Tolerance and Territorial Threat: A Cross-National Study." *The Journal of Politics*: 69(1): February 2007.

DEVELOPING A CULTURE OF TOLERANCE

A culture of tolerance involves debate and dynamic exchanges of opinions and arguments, whereby people can learn from others, get closer to the truth, and benefit from a vital public life. Some of the key ingredients of a culture of tolerance are:

Education

Education and political participation can cultivate tolerance among citizens. States can help to eliminate discrimination and hatred by promoting dialogue with minority and vulnerable groups. Citizens who have more opportunities to practise and observe tolerance are more appreciative of and committed to tolerance and respect for others' rights. States can contribute to democratic learning and stability by involving citizens in the democratic process and upholding the civil liberties of all groups.

Freedom of expression

A society in which freedom of expression is not guaranteed hinders political tolerance. Open dialogue and a diversity of political opinions are made possible by and reinforce a culture of tolerance.



▲ Media reports on post-electoral violence, Kenya, January 2008.
© AFP Photo/Jose Cendon

Media

The media plays an important role in developing a culture of tolerance. States have a duty to allow a pluralistic media to flourish and present diverse and critical views. Encouraging a wide array of ideas and beliefs among individuals and institutions builds an equitable and non-discriminatory environment that enhances political life.

Developing a culture of tolerance is a long-term undertaking that removes the roots of intolerance and is necessary for the democratic process.

A study conducted in the Dominican Republic, Poland and South Africa found that individuals exposed to civic education were significantly more active in local politics. Individuals who make use of civil liberties – such as signing petitions, joining boycotts or attending lawful demonstrations – are more likely to develop greater political tolerance.

Source: Finkel. "Can Democracy be Taught?"
Journal of Democracy: 14(4): October 2003.



▲ Civics class on tolerance, France. © AFP Photo/Jean Pierre Prevel

FREEDOM OF EXPRESSION

Freedom of expression is the cornerstone of democracy, in addition to being a key ingredient of a culture of tolerance.

Political tolerance means respecting the right of everyone to impart information and opinions, and to seek and receive information held by public bodies.

Political intolerance undermines freedom of expression and freedom of information. This impedes the ability of parliamentarians, the media and other actors to participate effectively in decision-making and in assessing the performance of their government.

However, freedom of expression is not an absolute right and States may restrict it on certain grounds which are clearly defined in international law, for example to combat hate speech.

In 1990, only 13 countries had adopted laws guaranteeing access to public information. Today there are more than 70 such laws adopted across the world with a further 20–30 of them under consideration in other countries.

Source: UNESCO, 2009.

In 2008, Reporters without Borders recorded a total of 60 journalists killed, 29 media professionals kidnapped and 929 physically attacked or threatened. In 2007, a total of 67 media professionals were kidnapped and 1,511 were physically attacked or threatened. That same year, 86 journalists and 20 other media workers were killed, the highest figure since 1994.

Source: UN High Commission for Human Rights: A/HRC/11/4 (April 2009) and A/HRC/7/14 (February 2008).

“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 of the Universal Declaration of Human Rights

“The right to freedom of expression can be described as an essential test right, the enjoyment of which illustrates the degree of enjoyment of all human rights enshrined in the International Bill of Human Rights, and that respect for this right reflects a country’s standards of fair play, justice and integrity.”

—UN Special Rapporteur on the promotion and protection of freedom of opinion and expression
E/CN.4/75/2002, January 2002



▲ Student protest against the military coup, Thailand, 22 September 2006.
© AFP Photo/Mike Clarke

FREEDOM OF EXPRESSION AND PARLIAMENTARIANS

Freedom of expression is the working tool of members of parliament, without which they cannot represent their constituents. Members of parliament need some measure of protection to carry out their work, most importantly, protection of their freedom of speech. Thus, parliamentarians generally enjoy immunity from prosecution or other proceedings for votes they cast, statements they make in parliament and acts carried out as part of their parliamentary function.

Parliamentary immunity safeguards the integrity and effectiveness of the parliamentary institution. However, this immunity is not an individual privilege granted for personal benefit and is not meant to place parliamentarians above the law. Rather, it protects them from politically motivated proceedings or accusations.

Parliamentary immunity is vital for enabling parliamentarians to speak freely according to their conscience, without fear of harassment, punishment or other retaliatory measures.

Party control

The freedom of conscience and expression of parliamentarians is frequently limited in practice by political parties, which seek to exercise control over their members. Although in theory parliamentarians generally have a free representational mandate, various rules and practices have been put in place to ensure that members support the “party line”. By controlling the terms of their mandate or party membership, parties can prevent parliamentarians from fulfilling their mandate and undermine the democratic process as a whole.

In some countries, States have legal provisions on parliamentarians “crossing the floor” to join other parties. These laws may stipulate, for example, that parliamentarians whose election was sponsored by a political party lose their seat if they become members of another political party before the expiration of their term.

Signs of “political party dictatorship” can consist of:

- Excessive use of party “whips” to ensure that members vote along party lines
- Party disciplinary measures, such as sanctions and expulsions, which deter individual parliamentarians from speaking out
- Abuse by the Presiding Officer and parliamentary authorities, who are generally members of the majority party, of their disciplinary powers

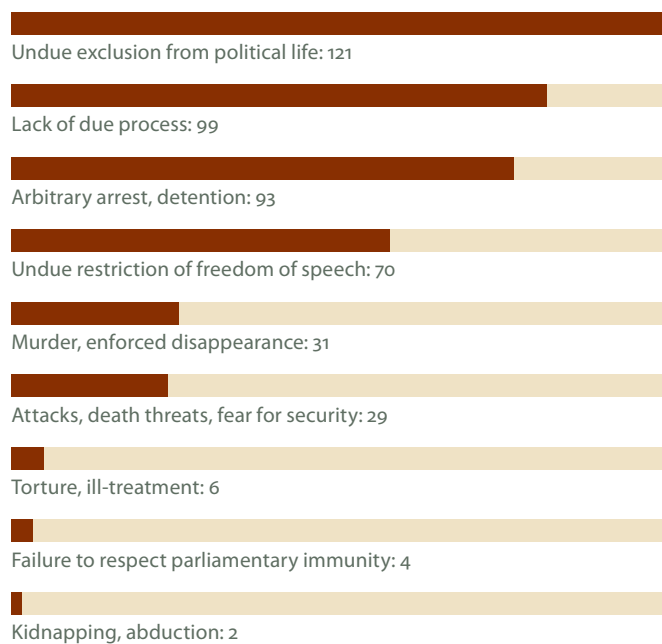


IPU AND THE HUMAN RIGHTS OF PARLIAMENTARIANS

“Protection of the rights of parliamentarians is the necessary prerequisite to enable them to protect human rights and fundamental freedoms in their respective countries . . . the representative nature of a parliament closely depends on the respect of the rights of the members of that parliament.”

—Council of the IPU in Mexico City, 1976

Political intolerance often leads to abuses of the human rights of parliamentarians in a number of ways, such as through the arbitrary use of defamation laws. Actions that infringe on parliamentarians’ rights are of particular concern to democracy. The IPU’s Committee on the Human Rights of Parliamentarians investigates such violations. By protecting parliamentarians from abuses, the Committee safeguards the rights of the parliamentarians’ constituents and therefore defends the institution of parliament and democracy in general. In June 2009, the Committee was examining 63 cases concerning 253 parliamentarians in 30 countries.



Abuses of parliamentarians’ human rights: Analysis of cases presented to the IPU Governing Council in April 2009 by the Committee on the Human Rights of Parliamentarians.

Examples of cases reported to the IPU Governing Council

- On 18 September 2001, 11 parliamentarians from **Eritrea** were arrested after publishing an open letter criticizing President Issayas Afwerki’s policies. They have been held incommunicado ever since without ever being formally charged or tried. The Committee finds no grounds for justifying their imprisonment, which violates their human rights, and has urged the authorities to ensure the immediate release of the parliamentarians.
- In **Myanmar**, the IPU has consistently condemned the complete refusal of the military rulers to convene the parliament that was democratically elected in May 1990, and has expressed serious concern for the continuous removal of many parliamentarians-elect by various means from the political process. These means have included arbitrary arrest, detention, unfair trials and denial of basic legal rights to political opponents. At the time of publication, 16 parliamentarians-elect continued to languish in prison.



▲ Aung San Suu Kyi addressing a rally in Arakan state of Myanmar, December 2002

RIGHTS AND DUTIES OF THE OPPOSITION

The freedom of expression of parliamentarians, almost exclusively those from the Opposition, frequently comes under attack. This is a particular concern because the Opposition in parliament is an indispensable component of democracy. Opposition and minority parties play a key role in holding the government to account, and in providing alternative policy options for public consideration. The opposition therefore has rights and duties that enable it to make an effective contribution to the democratic process.

Rights of the opposition include:

- Respect for freedom of expression and information to permit them to carry out their parliamentary duties
- Right to contribute to the legislative process, such as the right to submit bills and amendments, and to put questions to members of government
- Proportionate representation on parliamentary committees and subcommittees

- Fair access to the material and technical resources, and other facilities made available to parliament to fulfil its missions

Duties of the opposition include:

- Offer voters a credible alternative to the government in office
- Hold the government to account for its actions and policies
- Be ready to exercise the responsibilities to which it aspires on a lasting basis, meaning it must have a programme which it is ready to implement
- Act in a statesmanlike manner by engaging in constructive opposition, and making counter-proposals that endeavour to improve action in the general interest
- Refrain from advocating violence as a means of political expression

Abstract from "Guidelines on the Rights and Duties of the Opposition in Parliament." IPU, 1999.

A feature of political life in democracy is constant alternance, which means that governing parties will be in the opposition one day and vice versa. In 2008, 14 out of 35 countries where the composition of government depended on the results of parliamentary elections voted the ruling party out of office.

Source: "Panorama of Parliamentary Elections 2008." IPU.



▲ Parliamentary session on constitutional amendments, Egypt, May 2005. © AFP Photo/STR

RECOMMENDATIONS FOR PROMOTING POLITICAL TOLERANCE

To the executive and legislative branches of government

- Guarantee that the fundamental rights of citizens are recognized and respected, especially the right to freedom of expression, and that hate speech and discrimination are sanctioned.
- Construct a sound legal framework for:
 - Elections, including a code of electoral conduct, independent election administration, and free and open competition among political parties;
 - Political parties, including rules that ensure fair opportunities for party competition, such as guarantees of transparent party finances and norms which do not enable parties to revoke the parliamentary mandate.
 - The media, ensuring their independence and diversity;
- Provide civic education that would enlighten citizens about their rights and obligations in a democracy, with an emphasis on promoting political tolerance.

* * *

To Speakers (Presiding Officers) of Parliament

- Maintain impartiality in exercising functions to ensure equality of treatment of all parliamentarians, whether from the ruling or opposition parties.
- Guarantee respect for parliamentary rules, for example, that all parliamentarians have an equal opportunity to speak.
- Ensure that all parliamentarians can receive information upon request from a specific service within parliament.
- Encourage the use of a bureau or other management structures within parliament in which all parties are represented.

To political party leaders

- Develop internally democratic procedures that allow for full debate on contentious issues, rather than relying on dictates from the party executive.
- Follow appropriate procedures when pursuing the suspension or expulsion of a member, including guaranteeing due process and the right of members to defend themselves.
- Develop and adhere to codes of conduct that promote political tolerance, especially during the electoral period.
- Open avenues for inter-party dialogue and initiatives to set an example for constituents.

* * *

To individual parliamentarians

- Pursue political action through dialogue and concerted action, not violent means.
- Be role models for constituents by acting in a statesman-like manner in negotiations and debate, respecting the opinions expressed by others.
- Promote tolerance in relations with citizens and be receptive to opinions expressed by constituents.
- Run electoral campaigns that are transparent and adhere to electoral codes of conduct.

* * *

To civil society

- Support civic education campaigns, in particular youth outreach.
- Work with local communities and authorities to monitor and prevent hate speech, provide forums for dialogue between groups, and raise awareness about intolerance and discrimination.
- Promote political participation in all its forms, such as voting, contacting elected representatives, participating in the work of political parties, signing petitions, and attending lawful demonstrations.

EXAMPLES OF ACTIONS TO PROMOTE POLITICAL TOLERANCE

- The Electoral Commission in **South Africa** hosted a pre-election conference in which all political parties represented at the national level pledged to respect their political differences and desist from using violent tactics in the run-up to the 2009 elections.
- A recent study in West Bengal, **India**, found that when gender quotas were introduced in village councils, the repeated exposure to women leaders reduced voter bias against them. By gaining an electoral base, the women leaders won legitimacy and local support.
- In **Bulgaria**, the government adopted national action plans on social inclusion, including a “Decade of Roma Inclusion.” Local authorities set up programmes to promote inclusion, such as days of intercultural dialogue, workshops, round tables, exhibitions, and intercultural training initiatives.
- In June 2007, in response to unbecoming behaviour during parliamentary proceedings, four minor parties in **New Zealand** proposed a Code of Conduct, expressing their concerns about the abuse of points of order to bully speakers, the shouting matches that prevented members from being heard, and flippant comments made in response to questions. They stressed that the status of member of parliament demands a standard of behaviour that allows all voices to be heard.
- To reduce discrimination against indigenous peoples, the government of **Brazil** worked with television stations to broadcast a series of programmes promoting indigenous cultures.
- At a national seminar for parliamentarians organized by IPU and the Parliament of **Sierra Leone**, participants agreed to promote parliamentary outreach through regular constituency visits by teams comprising members of both the majority and opposition parties.



▲ Children's Parliament, Uruguay. © AFP Photo/Miguel Rojo

“A PARLIAMENT DOES NOT
GUARANTEE DEMOCRACY,
BUT THERE CAN BE NO
DEMOCRACY WITHOUT
A PARLIAMENT.”

The IPU and democracy

Established in 1889, the Inter-Parliamentary Union (IPU) is the world organization of parliaments. In June 2009, 153 parliaments were Members of the IPU and eight regional parliamentary assemblies were associate Members.

The IPU is headquartered in Geneva, Switzerland, and has an Office in New York that acts as its Permanent Observer to the United Nations.

The IPU promotes democracy, in particular by strengthening the institution of parliament. Over the years, it has helped to develop democratic principles of governance and international standards for free and fair elections, and has helped to strengthen parliamentary systems in more than 50 countries. It has developed guidelines for good practices in parliaments, and methods for assessing parliamentary performance.

The Organization also assists the more than 40,000 parliamentarians around the world in representing their constituents freely and safely. In 1976, the IPU founded its Committee on the Human Rights of Parliamentarians, which investigates violations of parliamentarians' rights. The IPU also encourages women's participation in political life and monitors their progress in politics around the world. In doing so, the IPU has become the recognized authority in this field.

In addition, the IPU encourages parliamentary involvement in international relations and promotes parliamentary diplomacy through its twice-yearly Assemblies, at which parliamentarians from around the world meet to exchange views and take positions on issues of immediate global concern.

For more information about the International Day of Democracy, please visit our website: <http://www.ipu.org/idd/>

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