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CHAPTER EIGHT

Threats and pitfalls

Introduction

The previous chapters have mapped out the advance (and setbacks) of democracy and human rights, the reasons (and explanations) for that advance and the attempts across many countries (through mechanisms for transitional justice) to redress the past wrongs that have been committed during periods of authoritarianism, conflict and foreign occupation. These accounts have shown a general positive and encouraging trend in global politics and certainly the regime change and dramatic developments in the Middle East and North Africa are seen as yet another reason to be optimistic about the overall direction of this trend. But as this is a cautiously optimistic book, it must be realistic in also considering the fact that there remain significant threats to the long-term sustainability of both democracy and human rights. These threats involve forces that are **internal** to democracy and the tensions between democracy and human rights. These threats also involve forces that are **external** to democracy that relate to a larger set of global transformations that have and that are taking place. The threats can be grouped as follows:

- 1 inter-state and intra-state conflict;
- 2 economic globalization and inequality;
- 3 global terrorism and its response;
- 4 environmental degradation and climate change;

Each of these threats is considered in terms of their internal and external impacts on democracy and human rights. We will see that the primary threat to the protection of personal integrity rights is intra-state conflict, which in itself is not too surprising given high levels of violence that are

experienced in times of civil war and other internal conflicts (e.g. one need only look at the violence of the conflict in Syria between the Assad regime and the Free Syrian Army in 2012). We will see that structural inequalities **between** countries and that poverty and inequality **within** countries related to processes of economic globalization can undermine the ability for the full exercise of human rights as well as the quality of democracy itself. While global terrorism presents a direct threat to democracy and security around the world (Enders and Sandler 2005), the **response** to the terrorist threat among the world's democracies has undermined the very rights commitments that were the hallmarks of the twentieth century (Sands 2006; Brysk and Shafir 2007). Finally, the Rio +20 United Nations Conference on Sustainable Development in 2012 showed that the challenge of sustainable development is at the forefront of policymakers' minds as the world finds ways in which to increase economic abundance and raise overall levels of welfare without long-term adverse effects on the environment. But the links between consumption, poverty, rights and democracy mean that there are additional political and legal challenges to the quest for sustainability. Let us consider these different threats and pitfalls in turn.

Conflict

Armed conflict of one type or another has been a constant feature of world politics. The twentieth century was a very bloody century indeed, and any kind of armed conflict poses a direct threat to democracy and the enjoyment of human rights (see Keane 2004). Not only do different kinds of armed conflict lead to the deprivation of the fundamental right to life, but countries in conflict have additional problems in the guarantee of 'physical integrity rights' on a day-to-day basis as state and non-state actors commit a variety of atrocities (see Poe and Tate 1994). Civil war has been identified as the most significant explanation for high levels of violation of these rights while other kinds of domestic conflict are also positively related to higher levels of integrity rights violations (see Poe and Tate 1994; Landman 2005b; Landman and Larizza 2009). While states engage in greater repression during times of conflict, which leads to higher levels of human rights abuse, democracies tend to use less repression than authoritarian states (Davenport 2007). Nevertheless, the existence of conflict and the prevalence of human rights abuse can threaten the quality and stability of democracy if conflict remains prolonged and the violations that have taken place are widespread and egregious.

For example, in the case of Peru, successive democratic governments between 1980 and 1992 sought to combat the Maoist insurgency **Sendero Luminoso** while also trying to consolidate democratic rule. The conflict between the government and the rebels led to a large number of killings,

estimated between 61,007 and 77,552, where the state was found to be responsible for 30 per cent of the violence overall (see Ball et al. 2003). The conflict led to the breakdown of democracy in 1992, followed by the ousting of President Fujimori in 2000 and process of transitional justice under the auspices of the Peruvian Truth and Reconciliation Commission. In similar fashion, the conflict in Colombia between the state, the rebels, the paramilitaries and the drug cartels has been a constant threat to democratic stability in a country that established democracy in 1959 after a prolonged civil conflict known as **La Violencia** (see Hartlyn 1989; Roldán 2002; Roldán 2010). In contrast to Peru, Colombia has not succumbed to outright authoritarian rule and has had regular elections, the formation of new political movements and rising visibility for previously marginalized groups such as ethnic minorities, gays and lesbians and evangelical Christians (Roldán 2010: 63–4). However, the country has seen an increase in the use of authoritarian and antidemocratic policies in the face of increasing levels of violence, as Roldán (2010: 80) notes:

. . . the existence or threat of violence can very effectively be used to justify the expansion of executive powers, the restriction of civil rights, and the suppression or demonization of dissent, while appearing to do so in defense of democracy and political stability.

Beyond these two examples, what kinds of conflict are there in the world? And is the level of conflict getting better or worse? While definitions vary, there are effectively four different types of armed conflict in the world: (1) inter-state conflict, (2) intra-state conflict, (3) international intra-state conflict and (4) extra-systemic conflict (see Themnér and Wallenstein 2012).¹ Inter-state conflict involves armed conflict between two or more countries, where the primary belligerents are the states themselves. Intra-state conflict involves the government of a country and a non-governmental party (typically rebel group, guerrilla organization, separatist movement, etc.) where the conflict itself remains within the jurisdictional territory of that country. International intrastate conflict involves the government of the country and a non-governmental party, but also involves troop support from a third country for the government, the non-governmental party or both disputants. Finally, extra-systemic conflict involves a state and a non-state group that is outside its own territory, such as in colonial conflicts. It is clear that each of these different types of conflicts represents a threat to democracy and human rights, but each has not been equally prevalent. The most popular form of conflict is intra-state conflict, which between 1946 and 2011 varied between approximately 15 conflicts and over 50, followed by inter-state conflict, extra-systemic (which ceased in 1974 with the fall of the Salazar government in Portugal) and international intra-state. Intra-state conflicts reached a peak of over 50 in the early 1990s and have declined to roughly 30 through the latter 1990s and early years of the twentieth century.

FIGURE 8.1 *Armed conflicts by type, 1946–2011.*

Source: Themnér and Wallensteen (2012).

Inter-state conflicts have declined dramatically, while international intra-state conflicts have become more prevalent (see Figure 8.1).

Terrorism

Domestic and international terrorism has been an enduring feature of politics long before the terrorist attacks on the United States on 11 September 2001. Democracies and non-democracies alike have suffered various forms of terrorist violence from sectarian groups (e.g. Northern Ireland), separatist movements (e.g. the Basque Country in Spain), urban guerrillas (e.g. the Tupamaros in Argentina), leftist groups (e.g. the Red Brigades in Italy), rightist groups and individuals (e.g. Timothy McVeigh in the United States or Anders Behring Breivik in Norway) and various forms of Islamist terrorism such as that which the world has experienced from Al-Qaeda; itself an ill-defined and amorphous network of terror cells operating around the world (see Holmes 2009). While terrorists carry out attacks on many different countries, there have been a large number of analyses that have examined whether democracies are more vulnerable to terrorist attack than non-democracies. Indeed, the logical combination of **lower costs** and **bigger gains** for terrorists makes democracies more likely to be attacked. The idea of lower costs comes from the assumption of the ease of mobility without detection and the sharing of information within

open and free societies that makes it easier for terrorists to organize within them. The idea of bigger gains comes from the assumption that democracies need to respond in order to satisfy their publics and thus a targeted terrorist attack can reap the publicity benefits from such democratic response (see Plümper and Neumayer 2009). Comparative and statistical analysis using data on terrorist events and regime type has shown that countries classified as democracies are subjected to more terrorist attacks than those classified as non-democracies (see Pape 2003; Enders and Sandler 2006; Marshall and Gurr 2006; Li 2005). One consequence of this finding has been to think of democracies as having to confront a fundamental dilemma between security and liberty and that to increase security democracies must therefore decrease liberty.

Alternative analysis suggests otherwise. It is not clear that democracy as a **system** is the target for terrorists. Rather it is the national citizen from particular countries with high strategic value that makes particular countries more vulnerable to attack. Thus, in order to assess the relative vulnerability to terrorist attack, analysis needs to examine with whom a country is allied, whether the ally is powerful and whether that ally is also a democracy. Once this is done, it is clear that countries with powerful democratic allies (i.e. friends with United States and the United Kingdom) are more likely to be attacked (see Plümper and Neumayer 2009). Indeed, controlling for the alliance structure shows that if the terrorist's home country is a democracy, the likelihood of attack decreases, and if the target country is a democracy, then the likelihood of attack becomes non-significant (Ibid., 86–90). Taking the alliance structure into account thus undermines the strong case for restricting liberties.

Regardless the assumptions, theories and statistical findings about democracy and terrorism, the attacks on 9/11 fundamentally changed global politics in ways that have threatened the long-term sustainability of democracy and protection of human rights. The 9/11 attacks posed an immediate but not necessarily **existential** threat to the United States or to American democracy per se. The swift response in the United States and many other democracies (e.g. the United Kingdom, Israel, Spain, Canada and Germany), however, was to seek ways in which to enhance executive power and curb individual rights in order to fight terrorism more effectively. Typically, legislation sought to grant governments the power to detain individuals suspected of being engaged in terrorist activity indefinitely and without charge. Arbitrary detention of this kind, however, is prohibited across a wide range of international human rights instruments (e.g. Article 9 of the 1966 International Covenant on Civil and Political Rights); and it is a typical right that receives full protection in national democratic constitutions and historically dates back to the Magna Carta of 1215. While the obligation to uphold this particular right can be suspended during times of emergency if and only if a state is facing an existential threat, other rights, such as the right to life, freedom from slavery or servitude and privacy remain protected (see Landman 2007b: 90).

Despite these constraints, many democracies have restricted liberties in the post-9/11 period and their mass publics initially supported the enactment of legislation that restricted them. With time, however, there has been a quiet ‘judicial revolution’ among many democracies that has led to a rollback of the more draconian human rights restrictions. In the United Kingdom, for example, various anti-terrorism acts passed during the New Labour Government between 1997 and 2010 sought to empower the government to detain terror suspects indefinitely. The government made permanent all preceding anti-terror legislation through the Terrorism Act 2000, **before** the 9/11 attacks on the United States. In the wake of the 9/11 attacks (and alongside the 2004 Madrid bombing and 2005 London terror attacks), the government argued that Britain was facing an existential threat that should allow it to suspend its rights obligation under Article 5 of the European Convention of Human Rights, which guarantees the right to liberty and security (see Ghandhi 2002: 216). Initially, the Anti-terrorism, Crime and Security Act 2001 gave the government the power to detain foreign terror suspects indefinitely; a power which was expanded to include all terror suspects after the Law Lords deemed the previous power as discriminatory. But even this power was found by the Law Lords to be ‘disproportionate’ and that the government failed to make the case that the United Kingdom was indeed under an existential threat. Subsequent anti-terror bills sought to empower the government to detain terror suspects for different lengths of time, including 90 days, 42 days and 28 days. The political debates during the passage of this legislation led to the first defeat of the Blair government in the House of Commons (see Landman 2007a: 83–7).

The UK case is not unique in the types of restrictions democracies have sought to bring to fight terrorism. Indeed between 2001 and 2008, 20 established democracies in North America, Europe and the Pacific have enacted laws that have increasingly placed restrictions on different categories of liberties, including privacy rights, procedural rights and rights for immigrants and foreigners (Epifanio 2011). The total number of restrictions varies between 1 and 28 with an average number of approximately 13 restrictions across the sample of democracies, where countries such as the United States and United Kingdom have enacted the most number of restrictions and the Scandinavian countries, Canada and Switzerland the least (see Epifanio 2011; Epifanio et al. 2012). In some cases, however, the separation of powers as well as supranational legal authorities such as the European Court of Human Rights has meant that national and international judiciaries have been able to scrutinize the rights restrictions put in place by governments after 9/11. The initial impulse to curb liberties as the solution to fighting terrorism has been tempered by legal analysis and judgements which have found the key arguments for rights restrictions on the basis of threats to security wanting. In US domestic anti-terror policy, represented most notably by the Patriot Acts of 2001 and 2004, lower court challenges to provisions on material support to terrorist organizations (even if such

support is training in non-violence) have been overturned by the US Supreme Court (see **Holder v Humanitarian Law Project** 2009); however, in **US v Jones** (2012), the court held that secret deployment of a GPS tracking device on a suspect's car violated the 4th Amendment protection to privacy found in the US Constitution. While not a direct challenge to the Patriot Act itself, the court's ruling addresses an underlying desire among law enforcement agencies to use new technological means to pursue potential criminals and terrorists on US soil. The ruling curbs the use of these technologies on the grounds the right to privacy.

The more significant challenges to US anti-terror policy have come from the US Supreme cases regarding the detainees at the Guantanamo Bay facility. In its pursuit of terrorism after the 2001 invasion of the Afghanistan, the United States redefined individuals as 'enemy combatants' in order to circumvent the international law of armed conflict most notably found in the various Geneva Conventions. Rights guarantees normally enjoyed by prisoners of war were suspended for enemy combatants, many of whom were taken to third countries to be interrogated with the use of torture (i.e. 'extraordinary rendition') and/or ended up in the detention facility in Guantanamo Bay, where they stayed without judicial proceedings for many years. Across four separate cases – **Hamdi v. Rumsfeld** (2004), **Rasul v. Bush** (2004) **Hamdan v. Rumsfeld** (2006) and **Boumediene v Bush** (2008) – the US Supreme Court challenged the Bush administration's denial of detainees' right to challenge their detention, the use of military tribunals and the denial of **habeas corpus**. All but 169 detainees have now been released, and in May 2009, President Obama ordered that the facility be closed:

For over seven years, we have detained hundreds of people at Guantánamo. During that time, the system of Military Commissions at Guantánamo succeeded in convicting a grand total of three suspected terrorists. Let me repeat that: three convictions in over seven years. Instead of bringing terrorists to justice, efforts at prosecution met setbacks, cases lingered on, and in 2006 the Supreme Court invalidated the entire system. Meanwhile, over five hundred and twenty-five detainees were released from Guantánamo under the Bush Administration. Let me repeat that: two-thirds of the detainees were released before I took office and ordered the closure of Guantánamo.

There is also no question that Guantánamo set back the moral authority that is America's strongest currency in the world. Instead of building a durable framework for the struggle against al Qaeda that drew upon our deeply held values and traditions, our government was defending positions that undermined the rule of law. Indeed, part of the rationale for establishing Guantánamo in the first place was the misplaced notion that a prison there would be beyond the law – a proposition that the Supreme Court soundly rejected. Meanwhile, instead of serving as a tool to counter terrorism, Guantánamo became a symbol that helped al Qaeda

recruit terrorists to its cause. Indeed, the existence of Guantánamo likely created more terrorists around the world than it ever detained.

So the record is clear: rather than keep us safer, the prison at Guantánamo has weakened American national security. It is a rallying cry for our enemies. It sets back the willingness of our allies to work with us in fighting an enemy that operates in scores of countries. By any measure, the costs of keeping it open far exceed the complications involved in closing it. That is why I argued that it should be closed throughout my campaign. And that is why I ordered it closed within one year.

In the time that has passed since that speech, the facility has not been closed, as it would appear that the ‘costs of keeping it open’ have not exceeded the ‘complications involved in closing it’; and it is not clear if, when or how the remaining detainees will be tried and or released. Alongside the redefinition of individuals that led to the creation of Guantánamo, officials in the US justice department sought to redefine particular forms of interrogation techniques, such as ‘waterboarding’ as not constituting torture, and this perception and the attitudes that accompanied it created an environment in which the scandal at the Abu Ghraib facility in Iraq was made possible (see Greenberg and Dratel 2005). Again, in his May 2009 speech, President Obama declared that such practices were to be banned and stated ‘We must leave these methods where they belong – in the past. They are not who we are. They are not America’.

Obama’s speech does raise a number of significant points concerning how the anti-terror foreign policy of the United States has undermined the values and principles of democracy that it has sought to promote in the world (see Chapter 6 this volume). But he also defends the necessary balance that is required between and among accountability, transparency and security:

I ran for President promising transparency, and I meant what I said. And that’s why, whenever possible, my administration will make all information available to the American people so that they can make informed judgments and hold us accountable. But I have never argued – and I never will – that our most sensitive national security matters should simply be an open book. I will never abandon – and will vigorously defend – the necessity of classification to defend our troops at war, to protect sources and methods, and to safeguard confidential actions that keep the American people safe. Here’s the difference though: Whenever we cannot release certain information to the public for valid national security reasons, I will insist that there is oversight of my actions – by Congress or by the courts.

It would appear that with respect to the Obama Administration’s use of unmanned aerial vehicles (UAVs) or ‘drones’ to attack suspected terrorist strongholds in places such as Pakistan, Yemen and Somalia, the balance

has been towards security rather than transparency. Indeed, between 2008 and 2012, the United States has carried out over 300 drone attacks in Pakistan, more than 40 attacks in Yemen (although there are many more unconfirmed attacks) and fewer than 10 attacks in Somalia (Bureau of Investigative Journalism <http://www.thebureauinvestigates.com/>; see also Becker and Shane 2012). The death toll varies depending on the use of different sources, where it is estimated that between 2,545 and 3,285 people killed have been in Pakistan, 339 to 977 people have been killed in Yemen and 58 to 169 people have been killed in Somalia. The contrast between the stated principles in the May 2009 speech and the reality of the use of drone attacks is stark. While President Obama oversees and approves each decision to attack using drones, there are an increasing number of concerns being raised about the utility of the policy and the potential moral and ethical dilemmas it raises (see Becker and Shane 2012).

Domestic and international terrorism poses a huge threat to democracy and human rights, where attacks on democracies have and can cause great loss of life and can create an extreme climate of fear, where levels of trust in fellow citizens decline, suspicion of 'the other' rises and an overall sense of insecurity prevails. The negative consequences of the persistent threat of terrorism, brought home in high relief since the 9/11 attacks, undermines the safety and security promised by democracy (see Chapters 9 and 10 this volume). The response to terrorism from the world's most established democracies has undermined fundamental principles of the rule of law, accountability and protection of human rights. When established democracies curb liberties in the name of security and cooperate with non-democratic and rights-abusive states in the name of the 'war on terror', strong signals are sent about the devaluing of fundamental rights commitments that have been the outcome of centuries of struggle (see Ishay 2008 and Sands 2006). When larger geo-strategic interests related to the 'war on terror' prevail, the true victims are the norms, morals, values and rights upon which modern democracies are meant to be based.

Economic globalization

The world has been changing in an increasingly inter-connected fashion since the middle of the twentieth century. While inter-connectedness has always been a feature of the world of states (see Held et al. 1999), the pace of economic and technological advance in the latter half of the last century until now has meant that states are now more than ever affected by developments in other states. The volume and flow of information, capital, tastes, fashions, ideas and people between and among countries means that domestic political systems (of whatever kind) have become increasingly subject to outside influence. Economic globalization forms a large part of these dramatic developments and involves the flow of capital, labour and

tastes in ways that have implications for domestic politics and domestic regime dynamics. There has been much debate about the possible impact of economic globalization on democracy, with arguments for overall positive effects, negative effects and neutral (or no) effects (Li and Reuveny 2003). Drawing on the discussion in Chapter 5 in this volume, positive arguments make an indirect link between globalization and democracy through the idea that globalization promotes economic development, which in turn promotes democracy. Alongside such positive economic factors are additional factors relating to penetration of international business, lower information costs and the diffusion of democratic values, decentralization and the reduction of incentives for authoritarian leaders to remain in power (Li and Reuveny 2003: 33). Arguments for no effect suggest that states are simply less vulnerable to global changes than suggested and that globalization itself has been exaggerated (Ibid., 38). The arguments for a negative impact of globalization include a reduction in state autonomy, internal inequalities and ethnic conflicts, destabilization of domestic balance of payments and a widening gap between rich and poor countries (Ibid., 35.).

This latter category of critique is worth closer examination for our present purposes on the threats and pitfalls that confront contemporary democracies and their ability to promote and protect human rights. There is a general consensus that global distribution of income is highly unequal, where various estimates suggest that the top 20 per cent of the richest countries in the world have roughly 80 per cent of global income; however, there is much debate and disagreement over (a) why this state of affairs has come about, (b) whether and how this is a problem and (c) whether trends are getting better or worse. The theory of free markets suggests that some inequality is natural but that through the free flow of economic resources, market competition will reach an equilibrium in which in the long run, inequality between states will decrease. Counter-arguments suggest that the assumption of a 'free flow' of goods and information is flawed and that powerful states have controlled market advantage through the General Agreement on Tariffs and Trade (GATT) between 1946 and 1986 and now the World Trade Organization (WTO), which was created as part of the 1986 Uruguay round. Such control has yielded a continuing dominance of wealthy countries over the share of overall global income. The overall trends in income distribution have changed. In his now famous book, *The Bottom Billion*, Paul Collier (2008) argues that 1 billion rich people face a world of five billion poor people, but that even more importantly, the 'bottom' billion people (i.e. the poorest billion people in the world) are indeed getting poorer, even though overall global wealth has risen.

This structure of the global economy suggests that opportunities vary greatly for people around the world and that this difference in opportunity will have an impact on political stability, political institutions and for the topic of this volume, democracy and human rights. In the 1960s, 'dependency' theory made the same observation about the structure of the world economy

and argued that it would be harder for developing countries to make progress in the face of this persistent structure. While this idea was largely dismissed by neo-liberal economic theory and analysis through the 1980s and early 1990s (see, e.g. Brohman 1996; Cammack 1997; Meier and Stiglitz 2001; Stiglitz 2002, 2012), a focus on the links between structure of the global economy and the politics of development persisted. In the 1990s, analyses showed that the overall economic benefits of development for democracy were different for countries that occupied different positions within the global economic system (see, e.g. Burkhart and Lewis-Beck 1994; Foweraker and Landman 2004). The positive relationship between development and democracy of the kind discussed in Chapter 5 in this volume appears to be strongest for countries in the ‘core’ of the global economic system (i.e. the world’s richest countries), followed by those on the ‘semi-periphery’ (i.e. middle income countries) and ‘periphery’ (i.e. the least developed countries). In practice, this means that democracies that do form in these peripheral economies may well have greater challenges to overcome and may well need more time to consolidate democratic rule. Since these studies, Collier (2008) has shown that the peripheral countries that largely comprise the ‘bottom billion’ have actually become poorer, which makes their probability of either establishing or maintaining democracy lower than before.

Global comparative analysis has also shown that poorer countries have higher levels of human rights violations (see, e.g. Mitchell and McCormick 1988; Poe and Tate 1994; Landman 2004; Davenport 2007). While the exact causal mechanism that explains this relationship has not been fully specified, it is reasonable to argue that poor countries lack the necessary resources for the kinds of institutions and infrastructure required for the promotion and protection of human rights. All human rights cost money and therefore require tax and government revenue to invest in the judiciary, health service, prisons, schools, etc. in order for rights to be realized (see Donnelly 1999; Holmes and Sunstein 2000; Landman and Carvalho 2009). It is also reasonable to argue that greater economic resource allows governments to satisfy competing demands from groups in society and thus create conditions in which the probability of overt conflict and associated forms of human rights abuse to be reduced. In both cases, poor countries struggle to make the kinds of investments that provide strong institutions for rights-protective governance and conflict resolution and as a consequence, may well see greater levels of human rights abuse than their richer counterparts.

Beyond these broader impacts on democracy and human rights associated with the structure of the global economy, **internal** disparities of income can also threaten democracy and the protection of human rights. There are various arguments from the academic literature on political violence, inequality and human rights violations that come together around this key question. At a micro (or individual)-level, there are incentives for the ‘haves’ in society to engage in rent-seeking behaviour within governmental

institutions, to maintain control of their resources and to exclude access to those resources by the 'have nots' in ways that use coercive means that undermine the protection of personal integrity rights (see Heinisch 1998; Henderson 1991: 125; Poe 2004). The distribution, accumulation and defence of resource allocation at the micro-level are historically driven and when aggregated to the macro level, suggest that the means for maintaining these patterns of distribution may well include violations of civil liberties and personal integrity rights. In the context of many lesser-developed countries, there can be state complicity and even collaboration in acts of coercion. In following this line of argument, Landman and Larizza (2009) find that there is indeed a strong relationship between high levels of income and land inequality on the one hand and the violation of personal integrity rights on the other for a global sample of countries between 1980 and 2004. Stiglitz (2012) argues further that persistent inequality threatens democracy as large segments of a disaffected and marginalized population loses its ability to participate in democracy and thus erodes the fundamental principles upon which it is founded: popular sovereignty and collective decision-making (see Chapter 3). Thus, in addition to the structural threats to democracy among the world's poorest countries, there are domestic threats to democracy and human rights that can come from persistent disparities in income distribution.

The economic crisis that began in 2007 among the wealthy democracies and the 'Eurozone' crisis that followed thereafter also need to be seen in this context. Popular movements such as the Occupy Movement are making their case on the grounds of persistent and increasing economic disparity. The '99% versus 1%' discursive construction raises questions about government policies that have redistributed wealth upwards, and some of the more heavy-handed repressive responses in American cities such as Oakland and Davis California have led some to worry about the nature and quality of American democracy. In Europe, the pursuit of economic austerity alongside the bailouts of major banks and high rates of unemployment in countries such as Greece, Spain and Portugal have led to popular protests and a critique of market capitalism and representative democracy. The economic and Eurozone crises in my view are not crises of democracy but are crises for democracy, which is to say, these crises developed through increasingly unregulated forms of economic activity (e.g. sub-prime mortgage lending, over-exposure and easy extension of credit), absence of accountability among particular governments (e.g. Greece) and rapidly changing economic circumstances that were arguably beyond the control of any one government. They are a problem for democracy since democratic governments in the countries affected by the crises now need to respond. Their uncertain and cyclical nature as they move through the electoral cycle means that any response will be partial and subject to ideological differences (e.g. compare the approach of the coalition government elected in the United Kingdom in 2010 to the French approach under President Hollande). Democratic

governments need to find solutions to these problems in the face of persistent unemployment that limit the scope for economic opportunity as economies struggle to recover, both of which may bring increased pressure on existing governments and a critique of democracy itself. Austerity programmes are creating problems of service delivery to the poor and marginalized sectors of society, which can undermine fundamental rights commitments found in the 1966 International Covenant on Economic and Social Rights (see Chapter 3).

Climate change

The final large and long-term threat to democracy comes in the form of climate change and environmental sustainability more generally. A number of different studies have identified the current precarious state of a large proportion of the world's population that is directly linked to the environment and the relative scarcity of natural resources (Green Economy Coalition 2012). We saw above that the well-being of at least a billion people has gotten worse, where some estimates suggest that 1.2 billion people live in poverty, of whom 70 per cent depend on natural resources for all or part of their livelihoods (World Bank 2011). This dependence on natural resources means that any further decline in those resources will have a direct impact on the basic survival of a large part of the world's population. In addition, 2.6 billion people lack access to good quality sanitation, 1.3 billion people lack access to electricity and 0.9 billion lack access to clean water (UNDP 2011), which compounds problems associated with water-borne diseases (e.g. high levels of infant mortality) and other ailments linked to poor hygiene and absence of clean water. At current rates of consumption, decline in natural resources is likely to continue for some time, as for 2010 alone, the 'ecological footprint' (i.e. an aggregate measure of environmental damage) was '52% greater than the capacity of the planet to replenish natural resources and absorb pollution and waste' (Green Economy Coalition 2012: 4).

But what do all these trends in poverty and environmental change mean for democracy and human rights. The direct link between poverty, livelihoods and the environment means that the exercise of social and economic rights is limited if not absent for large proportions of the world's population. Constraints on the exercise of these rights can limit the exercise of other rights, such as the right to education and the right to participation. Poor people have less access to basic education, which means levels of literacy required for meaningful participation in politics is naturally reduced or compromised. The 1993 Vienna Declaration and Programme of Action claims in Paragraph 8 that 'Democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing'. If this is the case empirically (which we have seen in this

volume is a complicated set of relationships), then limited exercise of social and economic rights owing to persistent and growing poverty will limit the exercise of other human rights and ultimately, the quality of democracy itself. Reduced or absent participation and inclusion undermines one of the fundamental principles of democracy as noted above and in Chapter 3. In this way, there is an inter-relationship between and among environmental consumption and decline, poverty and social exclusion and rights and democracy. The quality of democracy itself is thrown into doubt when meaningful participation is restricted only to those who have the material means to do so.

Moreover, the continued competition for natural resources as more and more countries develop economically represents long-term risk and a threat to democracy. So-called resource wars as competing groups and countries fight for continued access to natural resources needed for energy can lead to a new round of violent conflicts in the world and threaten the protection of human rights and democracy. Between 1980 and 2005, for example, there were 73 conflicts in which environmental factors played a key part, including water use, land use, biological diversity and fish resources (WBGU 2008: 31). These different conflicts involved diplomatic crises, protests that included some violence, violent conflicts and systematic and collective use of violence (Ibid., 31). Both the level (or intensity) and the number of conflicts tend to be higher in the lesser developed countries in the world, where a low level of economic development increases the risk of conflict within societies (Ibid., 36, see also Collier and Hoeffler 2004; Fearon and Laitin 2003). This interaction between poverty, climate change and conflict represents a significant threat both to the long-term sustainability of democracy and the progressive realization of human rights.

Summary

It is clear that these different threats to democracy and human rights are not necessarily mutually exclusive. Rather, conflict, inequality, terrorism and environmental degradation form a complex web of challenges for democracy and the protection of human rights. Individuals are rights holders and states are duty bearers, while each of these threats on their own and taken together impinge on the ability of the rights holder to exercise his or her rights and challenge the ability of the duty bearers to meet their obligations. Inequalities and the power differentials that are associated with them intersect with democracies in ways that create and reinforce unfair outcomes that in many ways are inconsistent with values of democracy and human rights. Conflict and terrorism present direct threats to the right to life. The response to terrorism limits the exercise of rights in the name of security. Poverty, inequality and environmental degradation can have direct and indirect effects on individuals depending on their relative level of poverty

and opportunity. The compromise of rights inherent in the vulnerability of the world's poorest billion people can have long-lasting impact on their well-being, social mobility and meaningful participation in the way they are governed. Any book on democracy and human rights, however optimistic, needs to be realistic and acknowledge these threats and pitfalls and the challenges they represent for the future of governance. The next chapter will examine the benefits and outcomes of democracy before concluding with an overall assessment of the hopes and challenges that the world faces at this critical juncture.

SUGGESTIONS FOR FURTHER READING

- Brysk, Alison and Shafir, Gershon (eds) (2007) *National Insecurity and Human Rights: Democracies Debate Counter-Terrorism*. Berkeley: University of California Press.
- Enders, Walter and Sandler, Todd (2005) *The Political Economy of Terrorism*. Cambridge: Cambridge University Press.
- Lustick, Ian (2006) *Trapped in the War on Terror*. Philadelphia: University of Pennsylvania.
- Sands, Philippe (2006) *Lawless World*. New York: Penguin.
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Note

- 1 These types and their definitions are according to the Uppsala Conflict Data Programme at the University of Uppsala in Sweden (<http://www.pcr.uu.se/research/ucdp/definitions/>) which monitors and analyses conflict around the world.