UK Democracy Under Strain:

Democratic Backsliding and Strengthening 2019 - 2023

Professor Toby S. James

Compass

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DEMOCRACY

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About the author

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About the Powering Up Project

Unlock Democracy and Compass are working together to build consensus around a new democratic settlement. With a cross-party focus and reference to civil society campaigners, we are looking to create the conditions for a new 21st century democratic settlement for our nations, communities, and citizens.

The Powering Up Project is funded by the Joseph Rowntree Reform Trust. The Joseph Rowntree Reform Trust funds projects which promote democratic reform and social justice within the UK.

About Unlock Democracy

Unlock Democracy argues and campaigns for a vibrant, inclusive democracy that put powers in the hands of the people. We seek a democratic, participative process resulting in a written constitution that serves and protects the people. That constitution would define the roles of, and relationships between, the Executive, Legislature, and Judiciary. It would determine how, and to what extent, power is shared between representatives at local, national, and United Kingdom levels, and with international organisations. It would enshrine basic liberties and human rights for all.

About Compass

Compass is the pressure group for a good society, a world that is much more equal, sustainable and democratic. We build alliances of ideas, parties and organisations to help make systemic political change happen.

Our strategic focus is to understand, build, support, and accelerate new forms of democratic practice and collaborative action that are taking place in civil society and the economy, and to link those with state reforms and policy. The meeting point of emerging horizontal participation and vertical resource and policy we call 45° Change.

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Foreword

"We have been brought up in Britain to believe that we are free: that our Parliament is the mother of democracy; that our liberty is the envy of the world; that our system of justice is always fair; that the guardians of our safety, the police and security services, are subject to democratic, legal control; that our civil service is impartial; that our cities and communities maintain a proud identity; that our press is brave and honest. Today such beliefs are increasingly implausible."

These were the words which launched Charter 88, a mass movement for democratic and constitutional reform in the UK, nearly 35 years ago. Today, that call to action is more relevant and urgent than ever.

The truth is, trust in politics in the UK is at an all time low. Polling has shown that just 1 in 7 believe our political system is working for them, and a quarter think that party donors have the most influence on government decision makers. 3 out of 4 say there are too few checks and balances in place to stop rule breaking in Westminster, and an astounding 9 out of 10 feel that they have little or no influence over the government of the day.

People look at our politics, and they are not impressed. When MPs are seen to pursue lucrative second jobs and consultancy roles, it looks like they're taking their constituents for granted. When yet another sleaze scandal bursts out of the corridors of power, it feels like there's one rule for them and another for the rest of us. When government after government is handed absolute power despite being backed by far less than half of the population, it tells people that voting is a waste of time.

The solution is clear: We need to clean up our politics to save our democracy.

That's why Unlock Democracy and Compass launched the Powering Up project in 2021. We're calling on politicians from all parties to commit to a comprehensive programme of reform that will restore trust and credibility to our politics, and return the UK to its position as a global leader in upholding democratic values.
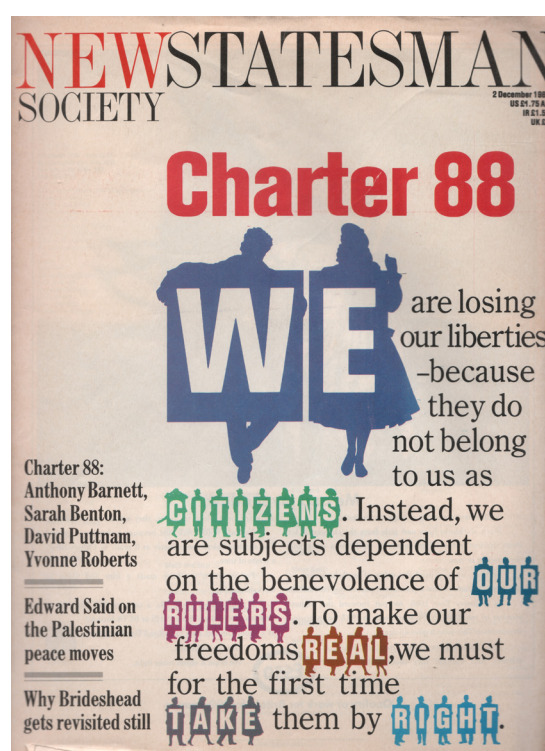
Charter 88 was launched by a group of activists, writers, and thinkers who saw the need for democracy to continually reform and renew itself. Their message still rings true today.

We believe that things can be better - but only if we take action to modernise our failing political system.

This is how we get started:

- ▶ Change the culture of Westminster politics - tackle sleaze, cronyism, dishonesty, lobbying and dark money in our politics. Make sure the politicians play by the same rules as everyone else.
- ▶ A proportional representation voting system, and a Parliament that is truly representative of the people.
- ▶ Reform the House of Lords - with those setting our laws accountable to the people.
- ▶ Devolve power - away from Westminster to all levels of government, giving local communities greater input into key decisions through Citizens' Assemblies.

A functioning political system and a healthy, vibrant democracy should be something that every political party can get behind.

Who will give us the fresh start our politics needs?

Tom Brake
Director, Unlock Democracy

Executive Summary and Recommendations

There have been concerns about declining levels of democracy and democratic backsliding around the world. Countries such as the United Kingdom have been called upon to support and address this global problem: One of the most important of our time. But democratic erosion can occur within any country.

This report traces developments in the quality of democracy in the United Kingdom between 2019-2023. It reveals that the UK has itself seen a marked decline in the quality of democracy in its own backyard against five key components of democracy:

▸ **The integrity of elections and freedom of speech have been undermined.** The **Elections Act 2022** reduces the independence of electoral bodies and introduces photographic voter identification requirements. **Media concentration** is becoming an increasing problem alongside **pressures on local journalism** and concerns about government appointments to the BBC. The use of **'dark money'** in elections is an increasing concern. Freedom of speech remains protected in law, but a proposed **Online Safety Bill** may restrict this in the future. The government has also made political interventions to shape education syllabuses.

▸ **Constitutional Protections have been put under severe strain following major breaches of the standards in public office** at the most senior level and concerns about corruption and conflict of interest. There have been attempts within parliament by a prime minister to **change the parliamentary standards system** for political purposes. Political rights have been undermined by the **Police, Crime, Sentencing and Courts Act 2022** and the **Public Order Act**

2023, which increases powers to stop protests. **Law was experienced unevenly**, with Black citizens much more likely to be stopped and searched by the police than White people. **Access to legal aid** is restricted, making justice uneven. The Government has strengthened its power over the judiciary by **reducing the scope of judicial review** in the Judicial Review and Courts Act 2022. Government ministers have openly shown willingness to **break international law.**

▸ **Participatory conditions for democracy have remained good** with widespread elections across all levels of government and opportunities for participation in party leadership elections for party members. However, there remains **no opportunity for direct or indirect participation regarding the election of the second chamber** - with the House of Lords seeing more direct appointments by the Prime Minister. The devolution of power to local councils and people has been promised by consecutive governments and prime ministers since 2010, but there has been **very little genuine devolution so far**. There is evidence that money has been allocated unevenly to local areas on the basis of **'pork-barrelling'** rather than through democratic mechanisms, with marginal government-held areas the beneficiaries.

▸ **Deliberative conditions for democracy have been damaged by the fast-tracking of legislation through Parliament by the Government.** There are also ongoing concerns about **social media disinformation**, with false information being spread about the Ukraine war and Covid vaccines. There have been innovative and important examples of **citizens' assemblies**, such as the Climate Assembly in Scotland, but citizens' assemblies remain **infrequent and disconnected** from policy making.

▸ **Educational and economic resources are needed by all to be active citizens in society.** The pandemic saw **disparities in education levels** grow which may have lasting consequences for democracy. There remains **no universal democratic education** in schools to inspire and inform the next generation of citizens. There has been a growing 'cost of living' crisis and **decline in material living standards**. The Strikes (Minimum Service Levels) Bill, introduced by the Government in 2023, has been argued to **undermine worker and human rights** and may negatively affect living standards further.

Charter 88 was published in 1988 as a call to action to 'demand political, civil and human rights in the United Kingdom.' It was at a time when there was widespread discontent and concern with the quality of UK democracy. Given the developments mapped out in the report, these concerns should be ever-greater today.

The report therefore sets out ten key recommendations to form a new charter to protect, strengthen and renew democracy in the UK.

A NEW CHARTER TO RENEW DEMOCRACY: 10 RECOMMENDATIONS

1. **Reform of the Westminster voting system** to a system where votes cast are more closely matched to seats won, and so parliament is more representative of the country as a whole.

2. Elections should be made more inclusive by **allowing non-photographic voter identification** (and 'vouching' at polling stations), and legislating for **automatic voter registration** to register the millions missing from the electoral register.

3. The **independence of the Electoral Commission** should be restored.

4. Electoral finance legislation should be tightened to **prevent 'dark money' being used to influence UK elections.**

5. Political rights and an **appropriate balance of powers** should be enshrined in **a fully codified constitution.**

6. Power should be more fully and evenly **devolved to local communities**.

7. A two-stage reform process should be initiated to deliver **reform of the House of Lords** – with immediate steps to reduce the house size, introduce greater quality control and remove hereditary peers. The House of Lords should then be reformed to ensure a democratic and effective second chamber

8. **Citizens' Assemblies should be more fully supported** to ensure greater deliberation and involvement in decision making.

9. **Economic and educational inequalities should be addressed** to take down barriers to democratic participation.

10. **Political literacy and democratic education should be enshrined and resourced** in the school curriculum for all schools to create the next generation of engaged citizens.

1. Democracy Under Threat

In December 2021 the President of the United States opened the first global Summit for Democracy. President Biden described the times as one of 'sustained and alarming challenges to democracy [and] universal human rights' [1]. There was therefore the need for champions for democracy all around the world. He pointed out that:

> *'Democracy doesn't happen by accident. We have to renew it with each generation. And this is an urgent matter on all our parts, in my view. Because the data we're seeing is largely pointing in the wrong direction' [1].*

Several major international reports have pointed out a global trajectory of democratic backsliding. The Varieties of Democracy ('V-Dem') Project reported that the level of democracy enjoyed by the average global citizen in 2022 was down to 1986 levels. The last 35 years of democratic advances 'have been wiped out' [2]. In their Global State of Democracy Report 2022, International IDEA reported that half of the world's democracies were in retreat – and the number of countries moving towards authoritarianism had doubled in the last six years [3]. Research from the Electoral Integrity Project suggests that although the quality of elections is rising in many parts of the world, many established democracies have seen a decline in the quality of their elections [4, 5].

Countries have been asked to make commitments for how they will improve democracy and elections as part of the Summit for Democracy. The then Prime Minister said that 'it has never been more vital to strengthen democracy at home, and stand up for our principles abroad' [6]. The UK has made commitments to support democracy by setting new global transparency standards for asset returns, build security partnerships, and developing trade relationships [7], but the commitments to strengthen democracy at home have been more limited.

Is there a need for the UK to support democracy at home, in its own backyard? What have been the actions of the UK government since being elected in 2019? Has it strengthened democracy, or undermined it? What steps are needed for the future?

This report begins by providing some democratic benchmarks against which we can assess trends. It then puts the current moment in the UK into the historical and international perspective using cross-national datasets. Although these are useful for identifying crude trends, a more micro-level assessment is needed. Part 4 therefore considers patterns of democratic strengthening or backsliding in the UK against five dimensions of democracy. Part 5 then provides a call to action and summarises the recommendations.

2. Defining democracy

Democracy is colloquially defined as 'rule by the people.' This definition is vague about how the people are able to rule, and there have always been multiple alternative meanings and visions of democracy [8]. To capture these competing visions the Varieties of Democracy Project has therefore differentiated between five models of democracy [9]:

▶ **Electoral democracy** – which considers whether government offices are filled by free and fair multi-party elections.

▶ **Liberal democracy** – which considers whether political power is decentralised and constrained.

▶ **Participatory democracy** – which considers whether ordinary citizens participate in politics.

▶ **Deliberative democracy** – which considers whether political decisions are the product of public deliberation.

▶ **Egalitarian democracy** – which considers whether all citizens are equally empowered.

The approach taken here is to combine these approaches, since they all play an important part in empowering citizens in what we might consider full or *real democracy**. Democracy is therefore considered to be dependent on: electoral integrity, constitutional protections, participatory conditions, deliberative conditions and the availability of educational and economic resources for citizens to be active members of their democracy (Appendix 1).

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*   For more information, see: 10. James, T.S. (2022), 'Realist democracy: A critical realist approach to democracy and democratic theory', conference paper presented at International Critical Realism Conference, The Hague, Summer 2022. Available from the author on request..

3. The UK in a longitudunal and international context

What are the long term trends in the UK? The UK was one of the world's earliest democratisers with extensions to the franchise in the eighteenth and nineteenth centuries, followed by measures to redress bribery at the ballot box. These were heralded as important moments in the global history of democracy.

The twentieth century saw the UK continue to improve the quality of its democracy, with a great leap forward following the Second World War and the enfranchisement of women, as Figure 1 shows. The UK has traditionally been stronger at electoral democracy, providing clean elections, rather than other democratic measures. Participatory democracy in the UK, for example, is much weaker.

This progress is now going into reverse. There has been a decline in the quality of democracy since 2019, according to all measures used by V-Dem[*]. For example, Electoral Democracy dropped from .88 in 2019 to .84 in 2022. The Liberal Democracy Index dropped from .81 in 2018 to .77 in 2022. The UK has now declined to have a lower quality of democracy than the average in Western Europe, dropping below France and on par with Italy - although it has not seen the extent of backsliding witnessed in the USA (Figure 2).

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[*]   The UK was also downgraded in the March 2023 Civicus civic freedoms index to having freedoms 'obstructed'. See: https://monitor.civicus.org/country/united-kingdom/
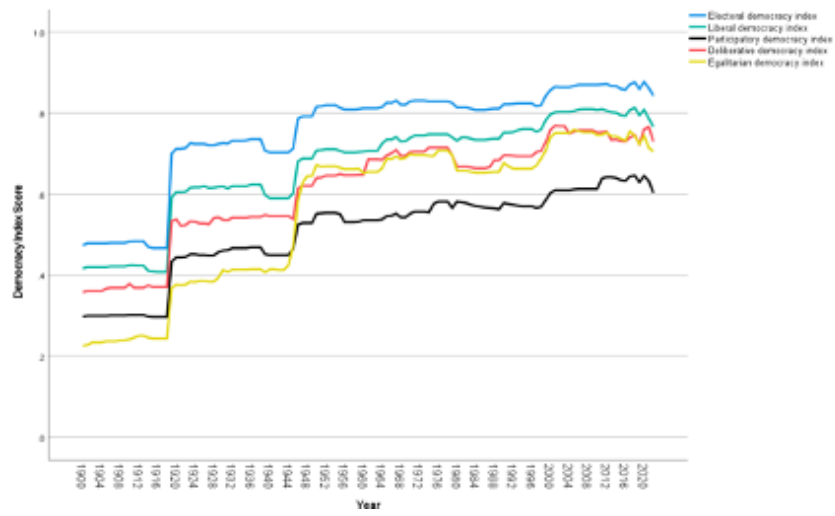
Figure 1: The quality of democracy in the UK according to the five V-Dem indexes, 1900-2022. Source: author, based on data in V-Dem [11]
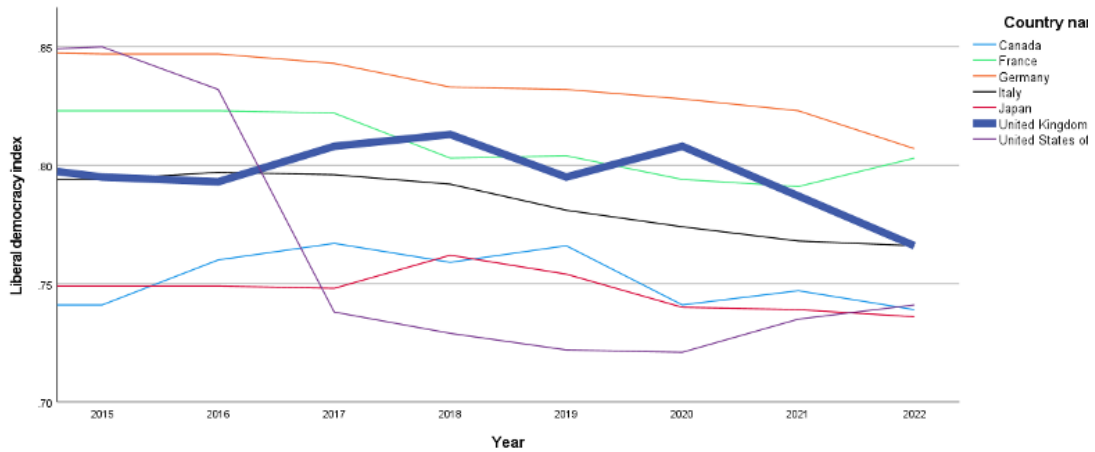

Figure 2: The quality of liberal democracy in the G7 countries according to the Liberal Democracy V-Dem index, 2015-2022. Source: author, based on data in V-Dem [11]

4. Components of UK democracy

International indicators are useful for providing crude measurements of the quality of UK democracy, but more detailed analysis is needed of the sub-components of democracy to identify and explain the key patterns and changes. This report draws from existing assessments of UK democracy [12, 13], various briefing notes from the House of Commons and House of Lords libraries to track more recent developments, alongside further documentary analysis to assess changes in the quality of democracy 2019-23 using the framework above.

i. Electoral integrity and free speech

Elections are indispensable for delivering democracy as they enable citizens to choose their representatives, participate in decision making and hold governments to account. Elections require that citizens have equal and free opportunities to participate and contest elections, that the elections are well run, are in line with international standards, are free from electoral fraud and are conducted in a fair, free media environment where there is free speech and freedom of association [14-16].

Developments since 2019

Electoral law processes have been heavily revised by the government:
► The Elections Act 2022 made photographic voter identification compulsory for UK and English local elections. Concerns were raised heavily by parliamentarians, academics and campaigners that this was a disproportionate measure which would prevent many people from voting [17]. Proposed compromises which would have limited the impact on participation, such as non-photographic identification and a Canadian style 'vouching' scheme, were not taken forward by the Government and were rejected in the legislative process [18].
► The Elections Act 2022 enabled Ministers to make a 'strategy and policy statement' for the Electoral Commission. This was criticised by the Electoral Commission Chair, who said that 'Powers on the face of a Bill like that are

inconsistent with the Electoral Commission acting as an independent regulator' [19]. A range of civil society groups, academics and parliamentarians have also criticised the move for undermining electoral body independence, including the Public Administration and Constitutional Affairs Committee [20].

► The Elections Act 2022 removed the 15-year cap on overseas voting, allowing permanent enfranchisement for overseas UK citizens.

► Financial pressures on electoral administrators have become increasingly documented in the context of cuts to public spending, and additional burdens as a result of the implementation of voter identification requirements and other changes in the Elections Act [21]. This has led to concerns about electoral services being compromised in the future, with voter outreach activities already being reduced [22, 23].

► The annual canvass for electoral registration has been modernised with the greater use of data-matching of the electoral register. A full evaluation has not yet been published. This has been argued to have led to major cost savings, but risked undermining the completeness of the electoral register for first-time voters and attainers. Calls to move to automatic voter registration to boost the representation of under-registered groups have not been followed[24].

► Concerns about the use of 'dark money' (finance which is used to support electoral campaigns but which is not fully declared) continue. The Committee on Standards in Public Life made recommendations in 2021 on Regulating Election Finance to include tightening up the criteria of who can be a donor to political parties and legislation to ban foreign organisations or individuals from buying campaign advertising in the UK [25]. The problem is likely to increase in the future now that the Elections Act has removed caps on the eligibility of overseas electors.

The broader impartiality of the media has been a key source of concern and discussion:

► There are concerns about media concentration. Reporters Without Borders have argued that media freedom is under threat with three companies (News UK, Daily Mail Group and Reach) dominating the national newspaper market [26]. The Media Reform Coalition has reported that these three companies owned 90% of newspaper circulation in 2021 – up from 71% in 2015 [27]. This was partly the result of 'large companies [continuing] to enhance their

dominant market positions through mergers and takeovers of their smaller rivals'[27].

▸ There have been concerns that economic pressures have led to smaller news teams and editorial redundancies, which have undermined news coverage. Reporters Without Borders have said that 'Budget cuts in newsrooms and financial restrictions caused by the pandemic have left many outlets forced to close their newsrooms or drastically reduce the number of staff' [26]. The Press Gazette reported increased editorial redundancies in 2022 and the National Union of Journalists said that employers were citing increased economic factors such as the impact of the pandemic and Ukraine to justify cuts [28].

▸ Concerns were raised about the appointment of the BBC Chairman, Richard Sharp, following reports that he helped the then Prime Minister secure a £800,000 loan in late 2020. He subsequently resigned after a report found that he created the appearance of a conflict of interest [29].

▸ The impartiality of the BBC was questioned following several criticisms of government policy by prominent sports presenter and personality Gary Lineker [30]. Lineker was removed from air, before being reinstated only a few days later. A review of the BBC Social Media Policy for freelancers was announced.

▸ Research has found that BBC journalists tend to follow centrist politicians on social media, providing support to suggestions that it is orientated towards the political centre [31]. Non-partisan or centrist think tanks tend to be used – although there has been a move to use right-wing think tanks since 2015 [32].

▸ The government reportedly pushed the appointment of Daily Mail editor, and BBC critic Paul Dacre to be Chair of Ofcom, despite concerns by the recruitment panel that he was 'un-appointable' [33]. He later withdrew.

▸ The safety of journalists reporting on paramilitary groups in Northern Ireland remains an ongoing problem [34].

▸ More positively, the UK government supports the Media Freedom Coalition which was formed in July 2019 [35].

Concerns have been raised about wider freedom of speech, expression and belief, which provide an important background to elections:

▸ The Government has proposed an Online Safety Bill, which will give the Secretary of State power to designate and address potentially harmful content such as online trolling, illegal pornography and internet fraud. However, there are concerns that this could bring about attacks on privacy and freedom of speech [36]. International online platforms would be judging whether the online speech of UK citizens is harmful, harmful rather than illegal speech will be removed and Ofcom will cease to become an independent regulator, critics argued.

▸ The government has made political interventions to shape curriculum in university and school syllabuses. Schools in England were instructed not to 'under any circumstances work with, or use materials produced by, external agencies that take extreme political positions' which included 'violently overthrowing capitalism' [37]. This led to criticisms from parliamentarians and academics since it could prevent teaching on the 'history of British socialism, the Labour Party and trade unionism, all of which have at different times advocated the abolition of capitalism' [38]. The then equalities minister said in Parliament that 'Any school which teaches these elements of critical race theory, or which promotes partisan political views such as defunding the police

without offering a balanced treatment of opposing views, is breaking the law' [39].

▶ Freedom of religion and belief remains protected in law. However, official statistics show a substantial increase in cases of hate crime – defined as 'any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic.' This has increased to 155,841 in the year ending March 2022 in England and Wales, from roughly 42,255 in 2013 [40]. This might be due to improvements in police reporting. A BBC investigation revealed the widespread abuse that parliamentarians face - with over 3,000 offensive tweets sent every day [41].

Analysis

According to the Electoral Integrity Project's Global Electoral Integrity Report, the United Kingdom was ranked 29th out of 171 countries for the quality of elections [4, 42]. They are therefore generally well-functioning by international standards. The areas noted for improvement were the Westminster electoral system (because electoral laws were noted to be unfair to smaller parties) and voter registration reform to increase the accuracy and completeness of the electoral register [43]. Reforms introduced in the Elections Act did not address these problems, and instead threaten to undermine the quality of elections. The Act will make it more difficult for some citizens to vote, and disproportionately harder for those without voter identification [44]. A central principle of elections – that electoral bodies should be independent of the government of the day - has also been undermined by compromising the Electoral Commission's independence.

The UK media is also under pressure to provide the depth and balance of coverage needed in a healthy democracy given increased market concentration and pressures on local journalism. The high-profile polarised debate about the impartiality of the BBC has overshadowed these pressing problems. Freedom of speech remains protected in law – but hate crime is a serious problem facing British society putting de facto pressure on free speech.

Recommendations

An inclusive agenda for electoral reform should be launched. At the cornerstone of this is that **the Westminster voting system should be reformed to a system that provides greater proportional representation**.

Elections should be made more inclusive by **allowing non-photographic voter identification (and 'vouching' at polling stations) and automatic voter registration.**

The Elections Act should be amended to freshly enshrine **the independence of the Electoral Commission.**

Electoral finance legislation should be tightened **to prevent 'dark money' being used in UK elections.**

Local journalism should be supported, market concentration monitored and methods to tackle hate speech considered **to create a stronger democratic environment.**

Electoral legislation should be consolodated and the financial resources provided to electoral officials strengthened **to ensure the safe delivery of elections.**

ii. Rights, standards and the balance of powers

Constitutions provide essential protections for citizens, ensuring that they have their human rights protected. A balance of powers between the judiciary, legislative and executive is important to prevent the over centralisation of power within the government of the day. Constitutions come in many forms. The UK has often been criticised for lacking a codified constitution which enshrines citizens' political rights and provides effective checks on the power of the executive, especially when they have a majority in parliament [45]. Parliament has also previously been criticised for not being an inclusive institution, as it is dominated by men [46]. Despite this, the UK has historically seen political rights being well respected by international standards [12]. Codes of conduct prescribing ethical behaviour in office were strengthened in the 1990s by the establishment of the Seven Principles of Public Life (also known as the 'Nolan Principles') [47] and the Ministerial Code of Conduct [48], followed by the Cabinet Manual in 2011 [49, 50].

Developments since 2019

There have been breaches of the standards in public office at the most senior level:

- There were high profile political scandals and cases of malpractice in office during and following the Covid pandemic. Parties and gatherings took place inside government buildings, including Number 10 Downing Street which were a breach of the public health regulations [51]. The sitting Prime Minister, Boris Johnson, was found to be in breach of these regulations and was issued a Fixed Penalty Notice by the Metropolitan Police [52]. He subsequently resigned from office as a result of the scandal.
- Former Prime Minister, Boris Johnson, was found to have repeatedly mislead the House of Commons on 'Partygate' by the House of Commons Privelages Committee [53].
- There have been inquiries into the harassment and bullying of civil servants by senior ministers. The Independent Advisor Sir Alex Allen found that Priti Patel had broken the Ministerial Code, but the then Prime Minister rejected his findings leading to the advisor resigning [55].   Dominic Raab was found to have been 'persistently aggressive' and 'intimidating' by an investigation before resigning [54].
- There have also been widespread allegations of sexual misconduct by MPs, including ministers, with 56 reported under the Independent Complaints and Grievance Scheme (ICGS) [56]. During the reporting year of July 2021-June 2022, 327 people contacted the ICGS Helpline, either by phone or email [57].
- There were claims of corruption, conflict of interest and bias concerning the awarding of government contracts during the Covid crisis. Decisions had to be made rapidly during emergency conditions. However, parliamentary committees and media reports were widely critical of potential waste – but also that there was a lack of transparency about the awarding process [58, 59]. The use of 'VIP lanes' led to concerns about favouritism to companies which had links to ministers and former ministers [60]. The High Court ruled in February 2021 that the Health Secretary had acted unlawfully by not publishing the details of contracts within 30 days of contracts being signed [61]. A Conservative peer in the House of Lords, Baroness Michelle Mone, took a leave of absence following claims that she had profited from a company which had

received two contracts worth £200 million via the government 'VIP lane system' [62].   The use of a 'VIP Lane' was judged unlawful in one High Court case [63].

- The Committee on Standards found Owen Paterson to have lobbied on behalf of paid clients and therefore imposed a 30-day suspension from parliament since he had breached the ministerial Code of Conduct [64].   The Prime Minister whipped MPs to change the parliamentary process to prevent Paterson's suspension. The amendment called for the creation of a new committee to review the current standards system, the case against Paterson and related matters. This would have undermined the entire Standards system and the Commissioner for Standards [65]. Paterson subsequently resigned.
- The Conservative Party were fined by the Electoral Commission in December 2021 for failing to fully report a donation that was used to finance the Prime Minister's official residence[66]. The Prime Minister was subsequently cleared of breaking the Ministerial Code, but acted 'unwisely' for not finding out who had paid for the work [67].
- Two MPs were recalled using provisions of the Recall Act 2015. This Act allows the electorate to remove an MP before their term is over if the MP has been found convicted of an offence for which they receive a custodial sentence, is suspended from the House following a report and recommended sanction from the Committee on Standards, or is convicted of making false or misleading Parliamentary allowances claims. Fiona Onasanya and Chris Davies eventually lost their seats in parliament after successful recall petitions.
- A review of the Code of Conduct began in late 2020. It concluded with the House agreeing to a new edition of The Code of Conduct together with the Guide to the Rules relating to the Conduct of Members. The new Code and Guide to the Rules are effective from 1 March 2023 [68]. There is a requirement to keep the Code under review for every parliament.
- A former government minister, leading a government review into civil service governance, has called for the 'politically impartial civil service' to be reformed with more party-political appointments.

Political rights have been undermined by:
- The Police, Crime, Sentencing and Courts Act 2022 widened the power of the police to stop protests which involved 'significant impact on people or cause serious disruption to the activities of organisations in the vicinity' [69]. Concerns were raised that this effectively reduced the right to protest [70]. 'Kill the bill' protests were organised to prevent the passage of the legislation, but it became law [69].
- The Public Order Act 2023 introduced new offences relating to public protests such as locking on, going equipped to lock on, and interfering with key national infrastructure and 'serious disruption prevention orders'. The new laws were passed immediately before the Coronation of King Charles III. Anti-monarchy campaigners were subsequently arrested during the Coronation proceedings under the new law, including the chief executive of Republic, Graham Smith. During the passage of the Bill, Parliaments' Joint Committee on Human Rights

accused ministers of creating a 'hostile environment' for protest [70].

▶ The rule of law and legal enforcement has continued to be unevenly experienced. The police power to 'stop and search' was made 7.5 times per thousand White people, compared to 52.6 per thousand Black people [71]. Black and Asian people were more likely than white people to be given fines for breaking Covid-19 lockdown rules during the pandemic [72]. A report into the Metropolitan Police commissioned by the Met after one of its own officers abducted Sarah Everard found 'institutional racism, misogyn, and homophobia in the Met' [73].

▶ Legal aid has been subject to financial cuts and a reduction in scope. Concerns remain about whether citizens are given effective access to justice [74]. Citizens have taken the Ministry of Justice to court after being refused legal aid provision [75].

▶ The Freedom of Information Act 2000 created a public right to access to information held by public authorities, but there have been concerns raised about the availability of the information and the responses by public authorities to Freedom of Information requests [76].

▶ There are ongoing concerns about privacy. The use of automated facial recognition by South Wales Police was ruled unlawful in 2020 by the Court of Appeal because there was no clear guidance on how it should be used, the data protection impact assessment was deficient and the police did not take reasonable steps to identify whether the software would have gender or racial bias [77]. The Information Commissioner has judged that given existing data protection laws, and the personal nature of the data collected, there was a 'high bar for its use to be lawful' [78].

▶ Elections were held in Northern Ireland in May 2022, but the Democratic Unionist Party refused to assent to the election of a Speaker in protest against the Northern Ireland Protocol. This meant that the Assembly could not meet to discuss other affairs, denying elected officials their

right to govern and voters a political voice.

The balance of powers between the executive, legislature, courts and monarch have been thought to be undermined:

▸ The government has sought to move the balance of power away from the judiciary to itself. The Judicial Review and Courts Bill was announced in the 2021 Queen's Speech with the aim of trying to 'restore the balance of power between the Executive, Legislature and the Courts' [79]. The Judicial Review and Courts Act 2022 restricted the use of judicial review – for which the Law Society noted 'concerns that this could prevent a successful claimant, and anyone else affected by the unlawful decision, from receiving a full remedy' [80].

▸ The Government has been accused of reducing the independence of regulators. The Commissioner for Public Appointments raised concerns about the 'breadth of the campaign led from the top of the government' in making the 'appointment of political allies' in key positions of public office [81]. This also included a diminution of the independence of the Electoral Commission (see above).

▸ The Fixed-Term Parliament Act 2011, which limited the prime minister's ability to force a snap election (at a time convenient for the government) was repealed by the Dissolution and Calling of Parliament Act 2022.

▸ Constitutional convention holds that the monarch does not interfere in the policy of the government of the day. However, an investigation in 2021 found that the late Queen had been given personalised exemptions in more than 160 laws since 1967, giving her immunity and unique protections as the owner of landed estates [82].

International law provides a further check on governments having excessive power, but the Government showed willingness to break international law:

▸ In December 2020, the Northern Ireland Secretary openly said that proposed changes to agreements with the EU would 'break international law', justifying this on the basis that 'there are clear precedents of this for the UK and, indeed, other countries needing to consider their international obligations as circumstances change' [83]. Independent Advisor Lord Christopher Geidt resigned at the prospect of the UK breaking international law [84].

▸ The UN Refugee Agency criticised the government's 'New Plan for Immigration' presented on 24 March 2021, because it risked breaching international legal commitments [85]. The Illegal Migration Bill was introduced in March 2023 proposing that those illegally entering the UK will be detained and removed without any rights to asylum [86]. In proposing the legislation, the Home Secretary Suella Braverman acknowledged that there was a 'more (than) 50% chance that they may not be' compatible with the European Convention on Human Rights [87]. The UNHCR stated that the Bill 'would amount to an asylum ban – extinguishing the right to seek refugee status. This would be a clear breach of the Refugee Convention' [88].

Analysis

Misconduct by those in public office does not constitute democratic backsliding or a decline in the quality of democracy, provided that the political system is able to provide accountability mechanisms. The conduct of those in high government positions has been punished with loss of office for many, most notably the Prime Minister Boris Johnson. There have been apparent breaches of both the MPs Code of Conduct in the Commons and the Ministerial Code for ministers. Owen Paterson resigned from office as an MP and there is an investigation into the actions of Baroness Michelle Mone by the House of Lords Commissioner for Standards and National Crime Agency [62]. These cases therefore illustrate democratic institutions fulfilling their roles against strong efforts to undermine them.

Nonetheless, their actions may have harmed public trust in institutions. There also appears to be severe weaknesses in the systems. Prime Ministers have shown a willingness and ability to disregard the findings of ethics advisors and parliamentary committees. The system does not appear to have delivered clear accountability in some cases, or has taken a long time to work (such as the Priti Patel bullying findings).

More generally, these cases illustrate an underlying disrespect of the Standards system by some incumbent legislators and members of the Government, which has also been reported by the House of Commons Committee on Standards. One MP responded anonymously to their survey saying, 'Why do we need a Code of Conduct? Whence came it?' [89]. The system may not be delivering the best standards of behaviour if such views are prevalent. These attempts to undermine the system may 'normalise' the questioning of standards in the future. It does not seem to have been inevitable that accountability was delivered in the cases where it was.

Moreover, individual citizen rights have been undermined and there is evidence of inequality in the Rule of Law and access to justice. Consecutive governments have sought to consolidate greater political power in the Executive. Given that the constitutional doctrine of 'parliamentary sovereignty' continues, there are no existing constitutional protections to protect citizens from a government with a majority in the House of Commons. The Government's willingness to break international law is a further worrying development which reduces the protection of individual human rights in the UK. It also weakens the UK's capacity to promote democracy and the rule of law overseas. A move to reduce the impartiality of the civil service would be a move towards a clientelist and undemocratic political system and should not be undertaken.

Recommendations

Parties and individual parliamentarians commit to observing **the newly agreed MPs code of conduct** in order to preserve confidence in public institutions and democracy.

In the longer term **a fully codified constitution** should set out the appropriate balance of powers between the executive, judiciary and legislature; and preserve constitutionally enshrined human rights.

iii. Opportunities for participation

Merely holding elections to enable periodic and indirect involvement in political affairs is not thought to be sufficient for a full and vibrant democracy. Democracy should be fully participatory in order to embed citizens' views and interests [90]. Participatory democracy involves civil society groups having opportunities to be involved in the decision making process, citizens should be able to participate in electing party leaders, citizens should be able to participate in referendums and sub-national governments should be fully elected.

Developments since 2019

There have been participation opportunities in party leadership contests:

▸ Party leadership elections were held between July-September 2022, and then October 2022 for the Conservative party leader. Liz Truss won the first contest based on a mass ballot of party members, following the narrowing of the candidates to two by the parliamentary party. Rishi Sunak won the second contest without a ballot of the members. The SNP commenced a leadership election in February 2023 following the resignation of Nicola Sturgeon, which was decided by the party membership. These contests were especially significant since the winners became not just party leaders, but Prime Minister of the UK and First Minister of Scotland respectively.

▸ There have been opposition party contests. Keir Starmer was elected leader of the Labour Party in April 2020 based on a mass ballot of the party membership, following the narrowing of the candidature by the parliamentary party, MEPS, constituency Labour parties and affiliated groups. Ed Davey was elected by the Liberal Democrats' party membership in August 2020.

▸ The process has seen some centralisation by the Labour party. Labour issued new guidance to take power away from local parties in favour of the party leadership. Longlists would be provided by the national

executive rather than local parties [91]. This has led to local Labour parties complaining that a candidate was 'imposed' on them by the centre [92]. Former leader Jeremy Corbyn was prevented from standing as a candidate by the party leadership [93].

There have been few opportunities for citizens to be involved directly in decision making:

- ▶ Civil society groups routinely have the opportunity to submit evidence to parliamentary select committees and government consultations where policy is being decided. The opportunity to have input into the political process was undermined by the fast tracking of parliamentary legislation (see below), however.
- ▶ There have been calls from the SNP for another referendum on Scottish independence. Legislation was put in place for the conduct of such a referendum in Scottish law [94] and the Scottish government proposed a date and draft law for a new referendum [95]. However, the UK government denied the request and said that it was out of the powers of the Scottish parliament to call a referendum. The Supreme Court ruled in favour of the government [96].
- ▶ A local authority may choose to hold a referendum on whether to have a directly-elected mayor, or on changing a council's form of governance to a leader and cabinet system or a committee system. Since 2019 there have been referendums on whether to have an elected mayor or have another governance system in Newham, Tower Hamlets, Croydon, Sheffield and Bristol. Turnout has ranged from 21.0 to 41.8% [97].
- ▶ There were two petitions to recall sitting Westminster parliamentarians in 2019, made possible by the Recall Act.
- ▶ Referendums are required where local authorities seek to make substantial council tax increases, but no such increases were proposed or referendums held from 2019 to date [98].

Devolved elections have seen uneven levels of participation:

- Turnout in elections the 2021 Scottish Parliament election was the highest ever recorded at 64%, which was especially notable given that it took place during the pandemic [99, 100]. Turnout remained low in the 2021 Senedd elections at 47%, albeit higher than in recent years [101]. Local government elections recorded lower turnout. For example, Mayoral election turnout in 2022 ranged between 26% and 40% [102].

There have been concerns about the management of local government and spending:
- The devolution of power to local councils and people has been promised by consecutive Conservative governments and prime ministers since 2010. In May 2021 the Government announced that devolution plans would merge into the Levelling Up white paper, which was published in February 2022. The Levelling Up and Regeneration Bill 2022-23 was introduced into Parliament in May 2022. As of January 2023, fourteen areas had agreed 'devolution deals' with central government. Plans included measures which in some cases included consolidated transport budgets, adult education budgets and children's services [103]. Analysis has suggested that there has been little genuine devolution so far [104].
- A Towns Deal scheme was established by then Prime Minister Boris Johnson with the stated purpose of improving transport and communications infrastructure in English towns. The scheme has been shown to disproportionately involve the allocation of money to marginal Conservative-held areas [105]. This use of public funds for partisan gain has been described as 'pork-barrelling' and a breach of the Nolan Principles [105, 106].
- Citizens continue to have no participation in the selection of members of the second chamber, the House of Lords.
- There have been further appointments to the Lords. Boris Johnson was criticised by the lord speaker of the House of Lords for appointing too many lords [107]. 93 new appointments were made between 2019-2021 [108]. The former Prime Minister has also been criticised for pushing an appointment that was reported to have been rejected [109].
- Proposals have been made for a 'Assembly of the Nations and Regions'. However, given the historic difficulty of Lords reform, a two-stage reform process has been set out involving more immediate actions such as limiting the size of the house, agreeing a formula to sharing seats, introducing quality control on appointments and removing hereditary peers [110].

Analysis

The participatory dimension has historically been the weakest dimension of UK democracy according to V-DEM. The period since 2019 provides no reason to rethink this. Leadership elections have meant that many people have had the chance to choose the Prime Minister and the First Minister for Scotland, but the numbers involved in the selectorate are very small compared to the wider population.

There have been no major referendums. Although there has been talk of decentralisation to sub national governments, genuine decentralisation has not been forthcoming. Most worryingly, participation seems to have been supplanted with pork barrelling in the allocation of some public funds.

The inability of the electorate to have any power over the House of Lords remains an anachronism. There is no place in a democracy for hereditary seats in the legislature, or for the prime minister of the day to have excessive appointment powers. The Lords should therefore be systematically reformed.

Recommendations

The devolution of power should not be reliant on the whim of central government. **Power should be more fully and evenly devolved – giving communities greater input into decisions.** These should be protected by an enduring constitutional settlement.

A two-stage reform process should be undertaken to reform the Lords – with immediate steps to reduce the house size, introduce greater quality control and remove hereditary peers. The House of Lords should be then be reformed to a mainly indirectly or directly elected chamber.

iv. Discussion, debate and deliberation

Democratic societies work best when they foster genuine engagement and discussion about the political questions of the day and challenges facing them. Conflicts can be resolved and better decisions can be reached through deeper argumentation, dialogue and reflection. Discussing and debating political issues rather than simply aggregating interests creates a more collaborative democracy. Democracies can therefore be evaluated in terms of whether they deliver deliberative democratic conditions. This involves decision making that uses reasoned justification, considers the common good and counterarguments. There is also consultation in government and public decision making and there are widespread public deliberations [111].

Developments since 2019

The use of evidence in policy making came to the fore during the pandemic:
   - ► The use of scientific evidence in decision making was heavily used to justify policy by the government during the pandemic period. The Scientific Advisory Group for Emergencies (SAGE) was established to provide scientific advice to the government. However, there were also claims that the scientific advice was ignored, such as expert advice on providing Covid tests for people going into England's care homes [112].
   - ► The UK government has rejected the use of evidence in other important policy areas. The then Chancellor and Treasury rejected offers of economic forecasts from the Office of Budget Responsibility (OBR) during the preparations for the September 2022 'mini-budget' and refused to publish their forecasts of the UK's economic outlook [113].

Opportunities for the deliberation of government policy have been reduced:
   - ► A Constitution Unit report has noted a trend towards fast tracked primary legislation and considerable use of statutory instruments, which means that parliamentarians have less opportunity to discuss and consider proposed legislation [13]. The Health and Social Care Levy Bill, for example, was rushed through all stages in the House of Commons on one day [114]. Six significant bills were rushed through before the end of the parliamentary session in April 2022: The Building Safety Bill, The Health and Care Bill, The Elections Bill, The Police, Crime, Sentencing and Courts Bill, The Nationality and Borders Bill and The Judicial Review and Courts Bill [115]. Many of these laws then affected citizens' ability to exercise democratic rights.

There continues to be concern about the spread of disinformation on social media:
   - ► The Freedom House report on Freedom on the Net noted that the period from 2016-20 saw increased concerns about foreign, partisan, and extremist groups potentially using automated 'bot' accounts on social media, alongside 'fake news', and altered images to shape discussions on social networks [116]. It also reported on interventions by social media companies to prevent this problem. This included Meta's identification

of 524 Facebook accounts, primarily located in China, which were targeting global English speaking audiences [117]. More recent Quarterly Adversarial Threat Reports have noted heavy Russian-origin attempts to shape perceptions of Russia's war in Ukraine [118].

► Social media disinformation was also reported during the pandemic on Covid and affected the health and vaccine choices of citizens [119].

► More positively, The Elections Act introduced requirements for campaigners to include digital imprints on election-related material to show who has produced and paid for the material from November 2023 [120].

► There have been reported cases of the civil service retracting invitations for academics to speak at government events if they have criticised government politicy on social media [148]. This prevents the good use of academic knowledge in the policy process.

There has been some deliberative involvement of citizens in citizens' assemblies:

► There have been examples of citizens' assemblies, where a group of citizens are brought together to discuss an issue and reach a conclusion about what they think should happen. The UK government commissioned and trialled the Innovation in Democracy Programme (IiDP) programme. This involved producing a handbook on 'How to run a citizens' assembly' and piloted the scheme in three local authorities, alongside delivery partners Involve, The Democratic Society, the RSA and mySociety [121]. In Scotland, a Climate Assembly took place between November 2020 and March 2021 to deliberate on how Scotland should respond to the climate emergency. Their report was laid before the Scottish Parliament and formally responded to by the Scottish government [122]. A 'Citizens' Assemblies Tracker' located between 11-13 assemblies taking place each year between 2019-21 [123].

Photo by RawPixel.com via Shutterstock

Analysis

The UK was one of the earliest democratisers, but has a tradition of working on the basis of 'government knows best' [124, 125]. During the pandemic period this was accentuated, with smaller decision-making groups and decisions being made in shorter periods of time. The UK has been slower to support citizen-led ways of feeding into the policy process. Deliberative decision making creates better outcomes and dissolves conflicts. There is now an opportunity to ensure more widespread involvement in decision making by learning from the pilots and experiments from the past few years.

Recommendations

Principles of deliberative democracy should be embraced with the **transparent publication of evidence. Discussion and debate should be encouraged at all levels.**

Citizens' Assemblies should be more fully supported to ensure greater deliberation and involvement in decision making. This requires more resources to enable them to be delivered and clear institutionalised pathways into the policy making process.

v. Educational and economic resources

For citizens to be able to participate and be active in a democracy, they need access to resources. However, such resources are often unevenly distributed, creating inequalities in the quality of democracy [126, 127]. This makes an understanding of changes in the distribution of resources essential for understanding changes in the quality of democracy [10]. Resources are also shaped by the cultural context - the democratic culture.

Developments since 2019

Educational resources remain unevenly distributed across the UK:
- ▸ A Department of Education review found that educational attainment was much lower for pupils of lower socio-economic status background, but also for some specific ethnicity groups [128]. The groups with the lowest achievement at 16 were White British and Black Caribbean/Mixed White & Black Caribbean students from low SES backgrounds.
- ▸ The disadvantage gap in educational achievement was found to have widened during the pandemic period, according to a report by the Education Policy Institute [129].
- ▸ A report from the All Party Parliamentary Group on Political Literacy found that the quality of democratic education, that is 'curricular and non-curricular modes of education or political learning activities that are geared towards improving young people's political literacy', was in much need of improvement [130]. Democratic education was found in a survey of schools and parents to be a 'peripheral feature of secondary education in English schools'. There were also inequalities in provision, with pupils in fee-paying schools or maintained secondary schools serving affluent communities being advantaged [130].

The UK has seen a material decline in living standards for many, during a difficult economic context:

- The pandemic, the war in Ukraine and the September 2022 'mini budget' have contributed towards a difficult economic position. Inflation reached a 40-year high of over 11% following energy price rises [131]. This contributed towards real terms pay decreases from March 2022 to March 2023 – following few real terms pay increases since 2002 [132]. Interest rates have subsequently increased which have added to the cost of mortgages and other lending. The UK was therefore widely considered to be living through a 'cost of living crisis' [133].
- The pandemic and cost of living crisis have affected the UK unevenly. The level of income inequality between households increased during the period 2019-22 [134].
- The gender pay gap for full-time work had been declining between 2000-2020, but has increased between 2020-22 and stood at 8.3% in 2022 [135]. The pay gap is higher for more senior positions.
- New data also revealed income inequality to vary by ethnicity. Three-quarters of Pakistani households were in the 2 lowest income quintiles. Over half of households from the Bangladeshi, Asian Other, Black and Other ethnic groups were in the two lowest income quintiles. By contrast, 42% of White British households were in the two highest income quintiles [136].
- The Strikes (Minimum Service Levels) Bill was introduced by the Government during a period of increased industrial action to deliver minimal service levels in key policy areas [137]. The Joint Committee of Human Rights in Parliament raised concerns that the bill is not compatible with the European Convention on Human Rights, which provides a qualified right to freedom of assembly and association [138].
- Major concerns have been raised about the lived experience of migrants to the UK [139]. Asylum seekers and migrants can be detained indefinitely and in poor living conditions [140, 141].
- It was estimated that 5.0% of adults (6.9% women and 3.0% men) had experienced domestic abuse in the year ending March 2022 – roughly 1.7 million women and 700,000 men [142].

A democratic culture is undermined by racism, misogyny and homophobia across society and within key public institutions:

- Misogynistic attitudes have been reported in key public institutions, including the criminal justice system [144] and parliament [145].
- Survey data published in April 2023 revealed that more than a third of people from ethnic and religious minorities have experienced racially motivated physical or verbal abuse [147]. Most BME MPs, a report found, had experienced racism and 83% said that it had made their job more difficult [145]
- A survey of trans adults reported widespread experiences of transphobia, alongside racism and ableism [146].

Analysis

Inequalities in economic and educational resources are ever-present in all societies and the UK is no exception. The pandemic period and subsequent economic context has seen these grow. They need to be addressed in order to ensure a fully inclusive democracy. Legislation which reduces workers' rights moves the UK in the opposite direction.

Democratic education has long been missing from the UK but is needed to give the next generation of citizens the informational and literacy skills they need to become the next generation of active citizens [143]. There has been no progress in this regard since 2019 and the problem is ever more urgent.

Recommendations

Supporting educational and economic opportunity is central for a vibrant democracy. Economic and educational inequalities should therefore be addressed. **Political literacy and democratic education** for all should be enshrined and resourced in school curriculum to create the next generation of equally engaged citizens. Tackling racism, misogyny, and homophobia in political culture are essential for building a democratic culture.

5. Conclusions: A new 10 point Charter and a call to action

There are global concerns about a retreat in the quality of democracy. **The UK seeks to be a beacon for democratic ideals, but the UK is not immune from pressures of democratic backsliding.** In all societies, incumbents may be tempted to centralise power or undermine human rights where they feel that it might help them to stay in office. Media systems are under strain because of economic and technological pressures. Citizens' ability to be active members of a democratic society are impinged upon by challenging economic circumstances.

The UK has seen serious strains on its democracy during the period 2019-2023. These have included the most powerful people in office breaching codes of conduct, democratic norms – and even the law. Not all of these strains constitute democratic backsliding. Accountability mechanisms have often proved strong enough, eventually, to hold them to account.

However, there are longer-term changes that have been made which will outlast the current administration, and which do undermine democracy. The independence of the Electoral Commission has been removed, unecessary and discriminatory voter ID laws are now on the statute book, local journalism has seen major changes, the right to protest and strike is being restricted, the power of the judiciary has been reduced.

These developments compound existing failings within the UK system. There is no codified constitution to protect citizens. The electoral system can give outright power to a single party, which may not even win the majority of votes and can pass more laws to undermine democracy. There are deep educational and economic inequalities which prevent citizens being fully involved.

With greater uncertainty in the future, it is therefore time to hardwire greater protection into the UK democratic system. Elections should be made more inclusive. There should be constitutional guarantees to citizens about their rights and the balance of power should be protected into the longer term. Citizens should be allowed to take back control of decision making with power devolved to local communities. Debate and deliberation should be made central to politics. And 'politics' should not be a dirty word, but one which young citizens should be enabled to understand, engage with and raise their voice in.

In 1988 Charter 88 was published claiming that:

> *'We have had less freedom than we believed. That which we have enjoyed has been too dependent on the benevolence of our rulers. Our freedoms have remained their possession, rationed out to us as subjects rather than being our own inalienable possession as citizens. To make real the freedoms we once took for granted means for the first time to take them for ourselves. The time has come to demand political, civil and human rights in the United Kingdom.'*

Although dating from nearly 35 years ago, these words could not be more timely. Some of the reforms that the Charter 88 reformists called for were put in place, but others were not and there is now an urgent need to protect and strengthen democracy for the longer term. **The ten reforms set out overleaf do this.**

A NEW CHARTER TO RENEW DEMOCRACY: 10 RECOMMENDATIONS

1. **Reform of the Westminster voting system** to a system where votes cast are more closely matched to seats won, and so parliament is more representative of the country as a whole.

2. Elections should be made more inclusive by **allowing non-photographic voter identification** (and 'vouching' at polling stations), and legislating for **automatic voter registration** to register the millions missing from the electoral register.

3. The **independence of the Electoral Commission** should be restored.

4. Electoral finance legislation should be tightened to **prevent 'dark money' being used to influence UK elections.**

5. Political rights and an appropriate balance of powers should be enshrined in **a fully codified constitution.**

6. Power should be more fully and evenly **devolved to local communities**.

7. A two-stage reform process should be initiated to deliver **reform of the House of Lords** – with immediate steps to reduce the house size, introduce greater quality control and remove hereditary peers. The House of Lords should then be reformed to ensure a democratic and effective second chamber.

8. **Citizens' Assemblies should be more fully supported** to ensure greater deliberation and involvement in decision making.

9. **Economic and educational inequalities should be addressed** to take down barriers to democratic participation.

10. **Political literacy and democratic education should be enshrined and resourced** in the school curriculum for all schools to create the next generation of engaged citizens.

Appendix 1: Approach to Democracy

Dimension of Democracy	Description
Electoral integrity and freedom of speech	Elections are indispensable for delivering democracy as they enable citizens to choose their representative, participate in decision making and hold governments to account. Elections require that citizens have equal and free opportunities to participate and contest elections, that the elections are well run, are in line with international standards, are free from electoral fraud, are conducted in a fair and free media environment where there is free speech and freedom of association [14-16]
Constitutional protections	A wider set of human rights are required, outside of elections, to ensure that citizens have equal power. This includes equality before the law and well as protections for the rights of minorities against the dangers of majoritarianism. There should be checks on executive power from the judiciary and legislature.

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Dimension of Democracy	Description
Participatory conditions	Participatory democracy involves civil society groups having opportunities to be involved in the decision making process, citizens should be able to participate in electing party leaders, citizens should be able to participate in referendums and sub-national governments should be fully elected.
Deliberative conditions	Decision making should involve reasoned justification, the common good should be considered, counter arguments should be considered, there should be consultation at expert levels and there should be widespread public deliberations.
Availability of democratic resources	For citizens to be able to participate and be active citizens in a democracy, they need access to resources. This includes educational resources, democratic education, but also broader economic resources and freedom from physical violence and oppression.

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