الإطار النظري وألمفاهيمي للأمن الديمقراطي

Boudinar Imene*, Ibrahim Sultan Cheibout- Algiers 3(Algeria)

imeneboudinar52@gmaile.com

Abstract:

In this study, the main aim is to clarify the meaning of the political concept which is Democratic Security, also, explaining the relationship between Democracy and security. Moreover, in this article, we will make an effort to introduce the theoretical framework of democratic security in order to highlight each explanations and definitions given to the concept of Democratic Security. Democratic Security stands as one of the most coherent and recognizable programs of study in international relations. Yet despite the pages of research devoted to the subject and claims about its law-like nature, the democratic security remains a highly contested finding. In large part, this contestation arises out of an enduring question: What are the main definitions and elements of democratic security?

Key words: Democracy, Security, Democratic security, Democratic peace, Democratic order.

Introduction

To be valid, the concept of democratic security attempts at reconciling the tension between democracies that is inseparable from fundamental rights guarantees on the one hand, and due considerations given to security both at the national and the individual level on the other hand. As such, it opens up the room for more multilevel analyses international, state, and individual of concrete strategies and institutions that aim to show the inseparability of human rights and security.

Among these strategies and institutions are state constitutions, international conventions and other binding and nonbinding documents of international law, as well as specific security strategies, including those drafted by nongovernmental organizations or in the academia. In addition, the concept enables to look at the practice of reconciling democracy and security in concrete decisions and actions taken by governments as well as other domestic and international actors.

Moreover, this contribution begins by elaborating on the meanings of democratic security, with the aim to provide hands on conceptualization that can be used in empirical analyses, and to minimize the risks entailed in bringing a relatively new and not so frequently used concept into the discussion about global security.

Besides, it introduces a few avenues where the concept can be applied, illustrating its particular relevance for several contemporary societal dilemmas, which entail at least a

* Corresponding Author

seeming trade -off between adhering to democratic principles and providing the people with security guarantees. Also, it explores a few other avenues where the concept has relevance beyond what is widespread in contemporary studies. Further, it argues for more discussion about this concept, the meaning of which is insufficiently represented by the more well-known concept of human security in security studies.

Historically breathtaking, the year 1989 signaled the end of the Cold War and the success of anti autocracy movements in Eastern Europe and the Soviet Union. Yet, these two momentous developments underscored two other harsh realities. First, the militarily competitive balance of power system which spawned the Cold War, the balance of nuclear terror, and the militarization of world society remained in place. No major power stepped forward with even so much as a tentative plan to transform the international system through a worldwide effort to demilitarize international relations and build more reliable world security institutions.

Indeed, preparations for war continued scarcely unabated in the United States and many other countries. Precious opportunities for permanently reducing the role of military power have slipped unnoticed through the fingers of most officials and national security managers. Although East-West tension has been reduced, the willingness to rely on military force in international relations has not decreased.

Likewise, despite the heartrending pleas for justice from peoples' movements representing those recently or currently oppressed in Eastern Europe, China, southern Africa, and elsewhere, there is still no promising international effort to secure the rights of people mistreated by their own governments and by a global system that in terms of maldistributed economic and political resources, remains a global version of apartheid. In fact, the moment of unusual diplomatic fluidity, opened in 1989 by reforms in the Soviet Union and Eastern Europe, began to be obscured in 1990 by the war against Saddam Hussein's occupation of Kuwait and the rising influence of conservative forces in the Soviet Union.

Nonetheless, the Gulf War has underscored the need to adopt a less militarized approach to security, because continued legitimation of the traditional role for military force will result in recurring insecurities due to the availability of modern weapons and the willingness to use them. Equally important, the need and opportunity for new attitudes and instruments for managing the role of military power, at a time when a diversity of other planetary threats loom ever larger on the horizon, calls our species, as trustees of life itself, to identify alternative policies that can more effectively enhance security and implement the values of human dignity. As well, the policies growing from these needs, which one might call "democratic security policies, distinguish themselves from traditional security policies in at least three ways. Furthermore, to hone the democratic element of security policies produces a double edge.

On the one hand, democratic security provides a benevolently soft quality: People, or at least a majority of them, are entitled to secure the values that they most want. People's preferences should determine policies.

On the other hand, there is also a reassuringly "hard" quality that ensures predictability in the behavior of others: All people, not merely a majority of them, must comply with rules established by the majority. Basic rights for minorities should be inviolable against encroachment by a majority, of course, but beyond that basic level of human decency all members of a democratic society, whether national or global, must live by the rules that the majority favors.

If, for example, a majority of people on Earth prefer a military policy that will never use nuclear weapons first, and authoritatively decide to implement it, then a minority claiming the "right" to initiate the use of nuclear weapons must yield on its preference.

Journal of legal and politicalthought (ISSN: 2588-1620) Volume 6 N° 1 (2022) (pp :1101,1113)

"Theoretical and Conceptual Framework of Democratic Security"

Research Problematic:

This study, also will center on the changes that have known the concept of Democratic security, and how it will affect the study of this latter in the future. For doing so, we have opted to ask the following problematic:

'What is the significance of Democratic Security according to a theoretical framework explanation?'

Research Hypotheses:

Based on the research problem and as an initial answer to it, the following hypotheses can be presented:

H1: the concept of democratic security has been a serious trouble for many scholars to highlight the correct meaning and share it in the file of international relations.

H2: the meaning of democratic security is relative and abstract, which made it too vague and being able to create a debate about the fact to give it unique and universal definition in order to be practical and clear enough.

H3: may be all theories and approaches that have made efforts to study the concept of democratic security have not succeeded in showing the core meaning of the democratic security's applications and elements.

Research objectives:

Based on the previous proposition of the research problem, this study aims to achieve a set of objectives, the most important of which are:

- To predict a new perception of democratic security. Also, to show whether it is applicable or not.
- To clarify the meaning of the concept of democratic security.
- To cover all approaches and theories those have tried to deal with the concept of democratic security, in order to compare between assumptions, meaning, and definitions given by them.

Importance of the Research:

It can be limited to the following points:

- Taking notes from this study, the concept of democratic security is complex and hard to contextualize it, so the study's importance is to stress the importance of the concept itself first, and then, the milestones of democratic security.
- This study aims to deal with a suitable definition of the concept of Democratic Security, and try to omit the ambiguity and hardness to understand it.
- We also try to identify the dynamics that the concept of democratic security may provoke in the theoretical research and international studies.

Research Methodology:

- We take two major most influential theories of IRS, i.e Liberalism in order to explain security and democracy, and what is the relationship between the two concepts.
- We use the historical method to explain the developing of democracy and security throughout time. And finally the emergence of the concept of democratic security.
- We use also the comparative method in order to compare between democracy and security, in a purpose to clarify the strange relationship between these two basic elements.

To do so, we have opted to chase this following plan:

- I- The meaning of Democratic Security
- **II- Theories explaining Democratic security**

III- The application of Democratic Security

I- The meaning of Democratic Security

The notion of democratic security aims to reconcile the contradiction between democracies, which is inextricably linked to fundamental rights guarantees on the one hand, and due considerations given to national and individual security on the other.

1-1-The definition of Democratic Security

To start with, democratic security policies means to nurture attitudes and values and to devise processes and institutions that encourage the representation of all people in a quest for achieving security in all areas where safety is in question.

Additionally, the terms "common security" and "comprehensive security" encapsulate two fundamental qualities that distinguish the new concept of security from the old. Also, security can be achieved today only when rival nations hold it in common and only when people take a comprehensive view of security threats, encompassing demographic, economic, environmental, political, psychological, and religious as well as military problems that jeopardize their future. ¹

For security to be held in common means that every country must give sincere attention to maintaining the security of its rivals as well as of its own public and allies. ²In the same context, if in the future an adversary of country A would feel threatened, it might well increase its ability to threaten A or perhaps it might engage in indirect form of combat that, even if not directed against specifically against A, would almost certainly inflict severe security costs on A's society through radioactive fallout, global economic dislocation, climate change from global warming, or irresistible migratory pressures from unwanted populations.³

Moreover, in an environmentally fragile age where nuclear and non nuclear weapons of mass destruction may be grasped at almost any moment by many different nations, no country can maintain its own security while ignoring or even inadvertently increasing the insecurity of other societies. Accordingly, the old, still prevailing goals of national security, if pursued with traditional policies and preparations for war, actually destroy the prospects for common security.

Today's exponents of more sophisticated nuclear and conventional arms those in the United States, for example, who endorse a \$290 billion military budget and sincerely see themselves as the best of patriots unintentionally constitute a new kind of internal US "enemy." They inadvertently threaten US security by standing in the way of common security policies that are the only hope for war prevention in the long run.

Truly, the comprehensive nature of people's security needs constitutes the second emphasis in democratic security. It pushes the conceptual change even further by moving it from military security, which in the past has been attained through a haphazard balance of military power, to safety from all of life's major threats, which in the future can be addressed through a wide variety of new international regimes and institutions governing global environmental, economic, military, and human rights issues.

As a more comprehensive concept of security begins to incorporate nonmilitary threats, the concept of "enemy" also changes. Yet, the perpetrators of these largely unacknowledged, non military security threats frequently are found not in some restless poor society or in the embrace of an alien ideology but, instead, among the governing elites and consumer segments of Japan, Europe, the United States, and other friendly industrialized societies.

Thus many contemporary Western security threats originate from within the Western camp, not from without. Security proposals that dwell primarily on interadversarial, intergovernmental diplomacy; the traditional focus; simply are not democratic enough to address contemporary security problems.⁴

1-2 Envisioning Alternative Security goals

Whereas prevailing security policies emphasize national sovereignty and military competition in the balance of power, an exponent of democratic security would seek to form bridging identities and institutions among nations. To be sure, new strategies of security enhancement must operate in the existing diplomatic framework, but they also must guard against merely perpetuating it, as traditional national security managers and inertial social forces are bound to demand.⁵

A powerful and effective future security policy must aim deliberately at establishing a new structure of international relations and a code of conduct that reflects the mutuality and comprehensiveness of security, as well as a new accountability of national decision makers to people within their own societies⁶

This aim can be facilitated through the rough and tumble of politics with an animating vision that can be expressed conveniently as the ability to transcend five time-honored boundaries, both tangible and conceptual, that now exacerbate all contemporary dangers to human life by fracturing the human mind, spirit, and community. These boundaries impede movement toward a democratic security concept that heeds the common, comprehensive nature of threats to the world's publics.

The first of these boundaries is the species dividing boundary between nation states, a physical psychological boundary that produces easy acceptance of the "us-them" approach to economic and political life and the Good Guys/Bad Guys syndrome that psychologists have compellingly shown to be a recurring problem in international relations. If this boundary and its accompanying tendency toward territorial discrimination are not transcended with a heightened sense of human solidarity, collective violence and globally undemocratic political decisions will accompany the human race for as long as we are able to put off extinction. The interspecies national identities that usually are carried to extremes when they are wedded to military power, a separatist identity that Erik Erikson called "pseudo speciation" three decades ago, facilitate violence and are a fundamental violation of the democratic principle insofar as they deny the equal humanity of others.⁷

The second boundary is between rich and poor, both within and between nations, perpetuating economic inequity and widespread, unnecessary suffering and conflict. Gross economic inequities create the conditions that often give rise to violence and squander opportunities to employ economic relationships to build a strong structure of peace. The right kind of economic relationship, not just the extent of economic connections, produces peace. This point is illustrated by the radically different consequences flowing from the separatist, warinducing function of French German economic relations after World War I and the integrative, pacifying function of more equitable, mutually beneficial economic relations between France and Germany in the European Community since World War II.

Indeed, a balanced economic relationship not only helps keep the peace, it also is a more efficient economic relationship in the long run, of enormous importance in the coming age of scarcity. Yet the failure to narrow the gap between rich and poor in the years since 1945 demonstrates how widely people have accepted this self- destructive gap in practice if not in rhetoric.

Third, an intergenerational boundary, which modern societies seldom bridge, enables people to recklessly consume the planet's resources and overload it with pollutants without concern for future generations or indeed for anyone's long term needs and without respect for generations who have gone, before us. Short-term considerations dominate political decisions, corporate balance sheets, military decisions about how to achieve security, and even moral calculations.

Fourth, boundaries between the human species and the rest of nature must be transcended to increase respect for all of creation and to stop despoiling the biosphere. The prospect of population growth, deforestation, desertification, ozone depletion, and climate change, all of which exacerbate the denial of democracy in the domestic and international systems, constitute grave security challenges that no technological fix or military repression can address.

Finally, commonly existing psychic boundaries that compartmentalize and separate the conscious and unconscious minds, the material and spiritual worlds, the word (professed values) and the deed actual behavior, thinking and feeling, and masculine and feminine values all these discourage conditions essential for democracy, increase the likelihood of war, and freeze progress in transcending the four previously mentioned boundaries. These walls of the heart and mind reinforce authoritarian personality traits and political institutions, sustain violent power relationships, produce exaggerated fears of adversaries, inhibit flexibility and tolerance, and discourage the growth of universal identities on which future democracy and security will depend. People unaware of the ways misperceptions of reality are induced by these five boundaries more readily employ violence against other humans and disregard nature.⁸

The tendencies toward exclusivist identification with one's nation, economic class, generation, and a single species, plus psychic habits characterized by separation and compartmentalization, limit people's vision and empathy; unnecessarily constrict their political and technological decisions and make them less democratic; stifle a more efficient, less exploitative, and potentially stabilizing global political economy; discourage the growth of international legal norms, procedures, and institutions; unravel efforts to weave a more governable social fabric worldwide with more representative institutions; and even warp people's basic moral calculations. On the other hand, by intentionally striving to transcend these boundaries of thought and behavior, people can envisage and implement more powerful and effective security policies for the future.

1-3 -The identifying guidelines for alternative security goals

To grapple deftly with these five boundary problems, a principled approach to security policy is needed. By explicitly endorsing central principles or generalized intentions, activists and politicians can give overall direction and constancy to security policy. Once principles are publicly embraced, officials are less tempted to dismiss them for short-term opportunistic reasons. During electoral campaigns, discussion of positive principles can help protect candidates and the public from unscrupulous appeals to the most chauvinistic, xenophobic tendencies of the electorate. Endorsement of a principled democratic security policy by the public and by legislators also can shape legislation and constrain executive officials from deviating easily or covertly from what a more principled policy would consider prudent in the long run.¹⁰

In addition to that, principled security policies, especially if widely known and increasingly honored throughout the world, also can serve as a corrective to the problem of "national partisanship." In a democratic security policy, where the entire species is considered the relevant constituency for decision making, any national perspective, however bipartisan from the standpoint of domestic politics, is partisan from a global perspective. If electorates and officials become more aware of this problem because the same principles for security policy become touchstones for many countries, disputes are less likely to lead to violence. The use of principles, rather than en- trenched positions, as the basis for negotiations also aids enormously in settling potentially violent disputes.

Five elements stand out in a principled security policy designed to meet people's security needs and to transcend the five boundaries mentioned above: reciprocity, equity, environmental sustainability, demilitarization, and accountability. Each is explained briefly here, but only the last two, because of their special relevance, are analyzed in detail.¹¹

A- Honoring Reciprocal Rights and Duties:

The principle of reciprocity is perhaps the most fundamental and already widely endorsed principle on which a democratic security policy can conveniently rest. Although reciprocity is frequently violated in practice, its nearly universal endorsement by people and governments, regardless of ideology, nationality, or religion, provides a basis for attempting to hold governments accountable to a fundamental ordering principle. If rigorously applied, no government could with impunity insist on a "right" for itself that it would not willingly grant to others, or claim a duty for others that it would not accept for itself.

To install reciprocity as an operational policy principle can also drain heated ideological hostilities or religious fanaticism from many conflicts, because officials in dispute would be more likely to focus on principles of good conduct, rather than on the ideological goals of the other. Ideologically diverse governments can live peacefully with one another as long as they understand and explicitly design policies to respect this fundamental democratic principle. ¹²

B-Achieving a Sustainable World Society

Without deeper respect for nature, a life of dignity for the human species cannot continue on planet Earth. Environmental issues pose planetary dangers of such magnitude and severity that they constitute the most serious long range security problem in the world today. As the World Commission on Environment and Development (the Brundtland Commission") concluded, life support systems for the entire human species face profound and uncertain threats from pollution, resource depletion, population pressure, and species extinction.

Although these serious security problems can be addressed in part within local and national contexts, none can be treated effectively through the traditional security instruments of military strength or even through the traditional diplomatic instruments of bilateral diplomacy. ¹³

In this study the main goal is to show that people now need decision making authority that is globally binding. Also, only the transfer of massive financial resources and brainpower from military to environmental purposes and only truly cooperative, binding, multilateral legislative efforts to protect the ozone layer and halt climatic change induced by global warming will enable the species to survive and enhance the dignity of life for future generations.

C-Achieving Equity:

The guideline to advance equity throughout global society arises from a moral desire for more justice and a pragmatic need to achieve more economic rationality ,international cooperation, and willingness to sacrifice for the good of all. Because more people feel an immediate threat to their security from poverty than from war, any serious security policy must give high priority to the abolition of hunger and gross economic inequities.

A more equitable distribution of economic and political resources would contribute to development programs that meet the needs of all people, as well as reduce the political power and authoritarian influence of military establishments. In addition, it would help to overcome enemy images and the consequences of global class antagonisms that contribute to war and the denial of democracy internationally.

D- Demilitarizing World Society:

The purpose of global demilitarization is to reduce the role of military power in international relations generally, in contrast to arms control which aims to limit weapons of one sort or another. Demilitarization may well include gradual reduction of arms, but it goes much

deeper than arms control which, as it has been practiced since the 1950s, has meant merely the management of the arms buildup.

In addition, it would be accompanied by the growth of world monitoring and security institutions to replace over time the need of governments to rely on their armed forces for security. ¹⁴

E-Democratizing World Society:

At their bare roots, conflicts grow into wars because some government mistreats or threatens to mistreat some people, and other governments oppose the mistreatment, with arms when they deem it necessary. If democratic processes are nurtured at every level, from the family to the planet, people are likely to experience far less mistreatment and to enjoy a far more peaceful and economically equitable world.

Whether mistreatment occurs as a result of domestic authoritarianism or international aggression, if human rights protection against it can become effective with the help of more effective and democratic international institutions, no legitimate rationale for war would remain. People's rights could be protected through legal means without any need for military force. In essence; people can demilitarize security by democratizing world society. Democratization and demilitarization reinforce each other.

Furthermore, Democratic security policy seeks to open the door to crossborder or horizontal accountability to increase governmental responsiveness to people who, regardless of their nationality and territorial home, are affected by the political, economic, and environmental decisions that various governments make, regardless of the national capital in which a decision is made. Yet the principle of accountability, so important to those who founded democratic governments after revolutions in the United States and Europe in the eighteenth and nineteenth centuries, has been virtually ignored in recent years while a growing number of decisions that affect the lives of citizens in one country, such as the United States, have surfaced in Japan, West Germany, the Soviet Union, and elsewhere. ¹⁵

Nevertheless, in order to maintain a democratic way of life domestically, the democratic principle of accountability must be implemented internationally. As interdependence increases, the number of decisions that affect the citizens of one country, yet which occur outside that country, will increase also. For example, if the political, economic, environmental, and human rights decisions that affect, say, the Japanese or US publics increasingly occur outside of Japan or the United States but representative global governance does not increase, then the degree of democracy for Japanese and US citizens declines, even though domestic democratic forms, such as elections and a free press, continue to function at home.

Of course, precisely the same problem exists for people in all other countries, only in many cases the degree of democracy may be smaller to begin with, either because their own domestic institutions are not democratic, or because they lack the power and wealth that have enabled Japan and the United States to be well represented arguably over represented in world diplomatic councils. ¹⁶

II- Theories explaining Democratic Security

Democracy is increasingly asserting its moral and political authority in international relations. Though its meaning and character continues to be contested, even by its strongest advocates, an increasing number of states feel compelled to claim to be democratic, in form even if not in practice. Democracy's legitimacy and moral authority is usually defended in terms of its inherent virtues, including rights and freedoms, accountability and self-government, transparency and the rule of law.

2-1 Democratic peace theory

To be valid, the two main variants of the democratic peace theory, the structural account argues that it is the institutions of representative government, which hold elected officials and decision-makers accountable to a wide electorate, that make war a largely unattractive option for both the government and its citizens. Because the costs and risks of war directly affect large segments of the population, it is expected that the average voter will throw the incumbent leader party out of office if they initiate a losing or unnecessary war, thus, providing a clear *institutional* incentive for democratic leaders to anticipate such an electoral response before deciding to go to war.

This view does not assume that all citizens and elected representatives are liberal-minded, but simply that democratic structures that give citizens leverage over government decisions will make it less likely that a democratic leader will be able to initiate a war with another liberal democracy. Thus, even with an illiberal leader in place, institutions such as free speech, political pluralism, and competitive elections will make it difficult for these leaders to convince or persuade the public to go to war.¹⁷

What is more, the claim that democracies rarely fight one another because they share common norms of live and let live and domestic institutions that constrain the recourse to war is probably the most powerful liberal contribution to the debate on the causes of war and peace. If the theory is correct, it has important implications for both the study and the practice of international politics. Within the academy it undermines both the realist claim that states are condemned to exist in a constant state of security competition and its assertion that the structure of the international system, rather than state type, should be central to our understanding of state behavior. In practical terms democratic peace theory provides the intellectual justification for the belief that spreading democracy abroad will perform the dual task of enhancing American national security and promoting world peace. ¹⁸

Furthermore, Democratic peace theorists have discovered a powerful empirical generalization: Democracies rarely go to war or engage in militarized disputes with one another. Although there have been several attempts to challenge these findings, the correlations remain robust. Nevertheless, some scholars argue that while there is certainly peace among democracies, it may be caused by factors other than the democratic nature of those states, for example, suggest that the Cold War largely explains the democratic peace finding. In essence, they are raising doubts about whether there is a convincing causal logic that explains how democracies interact with each other in ways that lead to peace. To resolve this debate, we must take the next step in the testing process: determining the persuasiveness of the various causal logics offered by democratic peace theorists. ¹⁹

III- The application of Democratic Security

Democratic security may be applied to answer a range of research questions inquiring about the decision-making as well as implementation of policies affecting the standards of fundamental rights protection.

3-1The enforcement of Democratic Security

To start with, the 2015 report of the Secretary General of the Council of Europe, followed by the 2016 and 2017 reports, stipulates an even broader conceptualization, whereby the "delivering of democratic security" is determined by the presence and flourishing of efficient and independent judiciary, free media, vibrant & influential civil society, legitimate democratic institutions and inclusive societies.

While this conceptualization signals a commitment to the understanding of the democratic foundations being intertwined with security guarantees, it is slightly too broad for the concept to make a meaningful difference between democratic security and democracy itself.

Additionally, both at the global and state levels, there is a proliferation of security measures questionable from the perspective of the democratic procedures of their adoption. This not only can be read as part of a global trend of autocratization ,but also in the context of the increasing complexity of issues that have direct implications for individual rights in the digital era. At the level of the universal international organization, the United Nations, the process of appointment of member states of the Human Rights Council has resulted in outright authoritarian regimes occupying seats in this body.

Again, this result can be seen as being in line with procedural democracy and the unifying mission of the United Nations, the capacity of these members to shape the global agenda of protection of human rights despite their constant violation of international human rights norms may legitimize policy measures that undermine democratic security on a global stage.

While this resolution might be seen as a drop in the ocean of international politics, it indicates the viability of autocratic actors with no concern for domestic democratic security measures to present their agenda on the global stage offered by organizations such as the United Nations.

In the following, four examples of application of democratic security will be detailed. These examples by far do not exhaust the subject of study surveillance policies being a notable case not covered. The first example addresses the war on terror that has gained prominence particularly after the attacks of 9/11. In the same way, democratic states are not the only ones which may use limited or even nondemocratic procedures to centralize decision making powers. Hence, neglecting democratic security can inspire other states to engage in similar practices under the guise of formal rule of law.

The concept of democratic security can help understand another policy area more thoroughly: the banning political parties because of the threat they represent to the democratic regime. The logic of these bans goes as follows: if parties which demonstrably try to overthrow the regime get to power, the whole regime will be endangered. Therefore, in order to protect the regime (and all its citizens), the parties cannot be allowed to get to power, and party bans through legal means guarantee that. This measure is rarely discussed directly in connection to the concept of security that does not devote separate discussion to security considerations related to party bans.

Disentangling its logic, however, could point to how party bans follow the premises of democratic security, given that they aim to prevent the violation of fundamental rights, and the overthrowing of democratic regimes.

At the same time, the parties which are banned often have next to no chance to build a legislative majority, so the rationale of this preventive measure to protect the "security of the democratic regime" can be questioned.

In brief, the results of empirical analyses of the effectiveness of the bans in minimizing the presence of antidemocratic ideas in the public space are mixed as well.

Currently, applying the concept of democratic security allows linking the discussion on party bans to a notion of security which includes the existing normative considerations for upholding the values of the rule of law and fundamental rights that may be undermined by at least some decisions on bans.

At the same time, it takes into consideration that certain political parties may indeed form security threats for the continuation of democratic values, and actions taken against them would not be justified simply by the normative preference of incumbent power holders for a democratic regime, but by the security risks entailed in these parties getting the control of any state institution.

The emphasis on the security of the nation rather than human security already indicates the tension between individual's rights and the interests of a larger social group. Rather than limiting speech in order to protect an individual's security, it is the nation or the public that is declared to be protected by the limitation. Regardless of whether the perspective of individuals' rights or the security of the nation is employed, if the legitimacy of restricting speech for security reasons needs to be subjected to critical scrutiny, democratic security, is a useful conceptual starting point for empirical analysis.

Besides, the question with respect to concrete measures and decisions for instance, the state of emergency declared in France after the terrorist attacks in 2015, is whether they operated with the presumption of remaining in boundaries of the democratic regime, or whether they were ready to overstep these boundaries, sacrificing some elements of democracy in the name of security.

These sacrifices might not be apparent but they emerge from a more nuanced analysis of the reasoning behind the policies adopted, the evaluation of the approach chosen to implement them as well as their practical effects. Such an analysis may show that even a formal commitment to democratic security does not always result in practicing it in the organization under study.

This debate could be moved one step further by asking whether and to what extent the democratic deficits occurring at the level of decision- making about common security policy instruments undermine the legitimacy of these instruments and, eventually, open up the room for unaccountable actions that run contrary to the fundamentals of democratic security both at the interstate and the community levels.

3-2- Unexplored terrains of Democratic security

Along with and in the examples have shown above, democratic security can be applied both to assess the process of decision making about various security related policies and the outcome of these policies from a democratic perspective. It empowers the observer with the option to uncover discrepancies between the presented purposes of the policy and its actual intent from the perspective of the foundations of democracy. While an extensive approach to democracy is preferable to provide a more complex evaluation, narrower conceptualizations focusing only on the majoritarian authorization of security measures may yield results as well.²⁰

Ordinary domestic legislation on security related matters e.g., procedure of declaration of the state of emergency, surveillance vs. privacy related laws, documents such as the European Security Strategy, international conventions on matters such as nuclear security, cybercrime, or health security can all be analyzed from a democratic perspective, looking at the procedure of their adoption and the consequences they entail for democratic standards locally, regionally, and internationally.²¹

Another avenue of research on democratic security, implicated already in the Council of Europe's broad conceptualization of democratic security, is the role of the media in monitoring and documenting the implementation of security policies. Democratic security requires that the media have broad access to decision-making procedures and implementation of security policies, so that they can critically assess them and point to potential short comings. In turn, vibrant and free media enhance security in democracies by reducing the risk of uncontrolled concentration and abuses of power.

Additionally, respected media help expose factually incorrect information, hoaxes, and demagogies and contribute to the sustainability of the democratic regime and the marginalization of antidemocratic actors. Last but not least, democratic security may be employed to assess the justifiability of various counter terrorism initiatives in a democratic context. ²²

As opposed to the notion of smart militant democracy, it retains the focus on the commitment to democratic standards rather than to efficiency with attention paid to avoiding an extensive departure from these standards. If policies limiting fundamental rights and bypassing processes of majoritarian decision making i.e., fast tracking legislative processes are adopted without extensive evidence and demonstration of a causal nexus between the need for the policy and the neutralization of an evidence based security threat, then democratic security cautions against their implementation on the ground of their potential to backfire and infringe upon democratic principles. ²³

Conclusion

To conclude, the concept of democratic security is suitable both for empirical evaluation of the presence of democratic elements in decision making on security policy, and the execution of security measures in line with democratic principles, and for a normative position on the inherent link between democracy and security and the impossibility of one to persist without the other.

While without minimum security guarantees represented by law enforcement and respect to the constitutional foundations of the political community, the democratic regime is likely to soon fall apart due to the ever-present efforts trying to undermine it, without respecting democratic foundations in implementation of security measures, they may become counterproductive and trigger at best the weakening of democratic standards. The exact form and degree of these effects is likely to vary across specific policy areas and concrete communities, which calls for more single and comparative case studies examining them.

Democratic security is better suited than human security to encompass the broad range of characteristics of a substantive definition of democracy for unaccountable actions that run contrary to the fundamentals of democratic security both at the interstate and the community levels.

The idea of democratic security may spread not because this is which warrants optimism but because the old national security is, upon fair-minded reflection, thoroughly discredited. Military means, the garrison state, and the militarily competitive balance of system are unable to address many, if not all, of the most pressing, range security problems of our era. Species identity and respect creation are the keys to world security.

With those keys in hand, the present generation is called to close time-honored door of national security policy and to open the door of democratic security policy. We have reached the historical shed when it is less important for one's own nation to retain the ability make war than it is to obtain influence over that ability in the others. To give up the former in order to obtain the latter would be enhancing bargain. That bargain trades the war-making function, exercised by separate states operating under traditional national sovereignty, for a war controlling function, to be exercised by many states operating with at least one sovereign function held in common.

Of course, there is nothing inevitable about progress toward the goals of democratic security. Indeed, one clings more to hope for rapid social learning than to confidence based on demonstrated ability to change resistant minds and institutions or to mobilize the hopeless, the indifferent, and the self centered.

Yet, by intentionally seeking to rise above the boundaries that separate nations and that maintain the rich-poor divide, by cultivating respect for future generations and for all of nature, and by nurturing the growth and power of psychologically healthy and spiritually sensitive people to shape their own and each other's destinies, surely the development of a principled, peaceful, and compassionate democratic security policy will not exceed our grasp.

Journal of legal and politicalthought (ISSN: 2588-1620) Volume 6 No 1 (2022) (pp :1101,1113)

"Theoretical and Conceptual Framework of Democratic Security"

References:

²Sveltana Tuylkina, Militant Democracy Undemocratic Political Parties and Beyound, (Routledge: Francis ebooks,2016),p38.

³John Karlsson Shaffer, The Co-originality of human rights and democracy in International order,(London: Cambridge University press,2015),p2.

⁴Anne Mason, Colombia's Democratic Security Agenda: Public Order in the Security Tripod,(London:oxford university press,2003),p34.

⁵ Anna Luhrmann, Valeria Mechkova and others, State of the World 2017: autocratization and exclusion?, <u>The E- International relation magazine</u>, USA,n°4,2018,p17

⁶ Max Stueur, Ibid, p59.

⁷ Anna Luhrmann, Ibid, p89.

⁸ Max Stueur, The Council of Europe and Democratic Security Reconciling the Irreconcilable? Journal of Political Science, Slovakia, n°29,2016,p19

⁹ Max Stueur, Ibid, p33.

¹⁰ Jarrod Hayes, Securitization, Social Identity and Democratic Security:Nixon, India and the Ties that Bind, <u>Cambridge University Press</u>, The International Organization Foundation, Vol22, N°2, Winter 2012,p16

¹¹ John Mark Owen How Liberalism produces Democratic Peace, <u>International Security Revue</u>, Vol 19, N°2,1994,pp87-125.

¹² Jarrod Hayes, Opcit,p47

¹³ John Mark Owen, Ibid,p127.

14 مصطفى ونوغي, النظرية النقدية التواصلية و منطق بناء الامن الديمقراطي, المجلة الجزائرُية للامن و التنمية العدد 5 جوان .2013 ص60.

¹⁵ Manuel Arenilla, Concepts in Democratic Security, Researchgate, 2010, p20.

¹⁶ Robert Cris Johnathan, Real Security is Democratic Security, Alternatives: Global, Local, Political, The Global Context of Democratic Security, Spring1991,vol16, N°2,pp209-241.

¹⁷Christian Davenport, Democracy and the Violation of Human Rights: Astatistical Analysis from 1976 to 1996, American Journal of Political Science, Vol48, n°3, July20114,p55

¹⁸Sebastian Rosato, The Flawed Logic of Democratic Peace Theory, American <u>Political Science</u> <u>Review</u>, Chicago University, Vol9, n°4, November 2003,p11.

¹⁹ Sebastian Rosato, Ibid,p58.

²⁰ Thomat Lynch, The Military and Alternative Security: Toward a more stable Conventional Security Through Enhanced Inter Military Cooperation, (Weston: Oxford university press), n°1, pp30-31.

^{2f} Brizn Milstein, Security and Democratic equality, Goethe University, Frankfurt, Contemporary theories, 2020, p34

Forst Robin, The justification of basic rights: A discourse theoretical approach, Netherlands Journal of Legal Philosophy, Vol 45, n°1, 2016, pp7-18.

Forst Robin, The justification of basic rights: A discourse theoretical approach, Opcit, p20

¹ Max Stueur, Democratic Security, <u>Departement of political sciences</u>, Comenius University, Bratislava, Slovakia, Vol4, 2019,p57