

# Is the Right to Vote Equal to Democracy? — An Analysis of Substantive and Procedural Democracy in the United States

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**Abstract:** In modern political society, democracy remains a universal concept. However, different ideologies still have their own views on the concrete realization form of democracy. Nowadays, the understandings of the concept of democracy in the United States and its democratic values have become the mainstream of Western society, and their historical value and role should not be ignored. However, the practice of this democratic system has differed from true democracy and has gradually manifested political confusion.

Firstly, this paper introduces the development of democracy and electoral system, and explains that the initial meaning of Western democracy is institutional democracy, namely procedural democracy, which is not the same as what we think of popular sovereignty today, and that the development course of Western democracy is also the expansion process of procedural justice. Then, constructivism theory is used to discuss the proceduralized process of substantive democracy and to explain the relationship between procedural justice and substantive democracy. Finally, through a specific analysis of the evolution and practice of the democratic electoral system in the United States, it concludes that the development of American democracy focuses only on expanding the scope of procedural democracy, but neglects the development of substantive democracy. For this reason, it explores the problems existing in American democracy.

## 1 Democracy and Electoral System

There is a great dispute on substantive democracy and procedural democracy in the field of contemporary democratic theory. In terms of the origin, it is emphasized that democracy is a state system. Aristotle created the classification of city-state system, and broadened the extension of "democracy". Some people believe that "the rule by the people" means that the people rule themselves, and "democracy" is the system and method used by the people to deal with their own affairs; but others believe that it means that the people as rulers rule over others, and "democracy" is the system and method used to deal with the internal affairs of the people. Thus, even though the conception of democracy is groundbreaking and prescient, it is embodied in its application as the democracy of a privileged few, which is a democratic procedural process of the ruling class. The practices, such as the Athenian ekklesia, the "ostracism", the lottery system, the Roman legal system, the senate system and the archon system, have laid a solid foundation for the development of procedural democracy. However, the theory and system of substantive democracy are deficient. Therefore, in the minds of Plato and Aristotle, democratic regime is not

the most perfect one, and the term democracy also implies an irrational connotation.

During the early stage of the development of democracy, Lycurgus created a "community of equals" characterized by equality and collectivism within the Spartans, but the equality was not achieved in the context of a mixture of three regimes. At the same time, the king and the Gerousia held most of the power, and the citizens' assemblies and their elected ombudsmen were nearly hollowed out. The subsequent reforms of Solon, Cleisthenes, and Pericles all only harmonized the interests of various social classes to varying degrees, in order to alleviate the problems arising from the incompatibility of the economic and political systems of the Greek city-states. However, it was obviously unreasonable to divide the citizens in the society into four classes only according to the amount of property they owned, and hope to achieve political equality with economic inequality. This shows the limitations of democratic concept in Greece.

Meanwhile, in Athenian democracy, "citizenship" was excessively restricted throughout the development of Greek democracy - "This democracy excluded not only the slaves, but also the women and gentiles among the free people. Of the 300,000 to 400,000 people in the entire state of Athens, only about 40,000 were so-called

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citizens. Despite the high degree of democracy, not many people actually enjoyed democratic rights"<sup>[1]</sup>. Thus, the development of democratic thought in the West is reflected in the fact that procedural justice determines resultant justice, and procedural democracy is crucial. Democracy builders and constitutional thinkers actually pay less attention to whether the people have power, but more attention to whether the people can really wield power, or how the people's power can be exercised and effectively controlled. In the subsequent development of bourgeois democracy, elitist democracy and liberal representative democracy gradually replace classical democracy as the mainstream of democratic development, and substantive democracy is further diluted and deflated. Democracy is transformed into a synonym for procedures and methods of periodic election and replacement of political leaders. In short, procedural democracy, with bourgeois constitutionalism at its core, has the important tasks of preventing tyranny and promoting democracy on the one hand, and limiting citizens' democratic participation and preventing the emergence of "tyranny of the majority" on the other hand. Therefore, democracy has been developed by further deepening and refining the procedures.

As a result, electoral system has gradually become the most important part of democracy for achieving the above tasks. The development of democracy in the United States just is an expansion in procedure, not in substantive democracy. This paper takes the procedural democracy in the United States as research object. The current political phenomenon in the United States is undoubtedly the most typical struggle and unification of procedural democracy and substantive democracy. The development of Western democratic politics, represented by American electoral politics, focuses on the expansion of the subject of rights in the superficial system, but does not actually guarantee substantive democracy. This phenomenon prompts us to think about the following two questions: why the West insists on regarding procedural democracy in elections as true democracy, and why the focus on procedural justice only cannot achieve true democracy.

## **2 The Proceduralization of Substantive Democracy**

Here, we peer into democracy through the lens of international relations theory. Constructivist Alexander Wendt has proposed a rule of thumb for constructivist ideas: under the Neorealist and Neoliberal descriptions of the relationship and importance of rights and interests, a deeper understanding of international politics requires an inquiry into the discursive conditions which drive material theories <sup>[2]</sup>. This approach is applicable in the study of the transformation of the concept of democracy. The forms and manifestations of most capitalist countries in the world originate from the capitalist system. According to the connotation of the concept of democracy as interpreted in the West, discussion on the proceduralization of democracy allows us to trace the discursive conditions constructed under the capitalist

production relations and to explore the construction of the concept of democracy in the specific context of capitalism. In another words, bourgeois culture and ideas construct the tendency of interest preference and benefit distribution, and how the process of construction affects the distribution of power.

From a practical perspective, the development of capitalism in the West has contributed to the "capitalization" of the concept of democracy since modern times. Western scholars have enriched the concept of democracy by narrowing it down to a political election model, with a particular focus on vote-based democracy. In his book *Capitalism, Socialism and Democracy*, J. A. Joseph Alois Schumpeter elaborated on the theory of vote-based democracy, "The democratic method is an institutional arrangement for making political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote..."<sup>[3]</sup> This assertion laid the foundation for the mainstream conception of democracy in Western political science. He argued that the form, structure, and basic principles of the Western democratic process were all the results generated by the structure and role of interests in the bourgeois world. By separating the concept of democracy from socialism, he sought to create a dichotomy between democracy and socialism, and apply the relationship between democracy and non-democracy into the relationship between capitalism and socialism. Schumpeter lived in an era characterized by deepening capitalist globalization, wars and global conflicts, where bourgeois democracy and class dictatorship were united in order to preserve bourgeois domination and capitalist development interests. To oppose the growing wave of socialist ideology and politicization, the alienation of preferences was constructed in differential interactions of the politics of identity, which became the beginning of proceduralization. In turn, it affects the choice of interests and the process of interactions between the East and the West. Schumpeter's democratic theory can be seen as the beginning of Western-style democracy becoming procedural, in order to be able to realize the practice of socialist democratic dichotomy.

Samuel Phillips Huntington directly inherited and developed Schumpeter's view, and he thought, "After World War II, the definition of democracy lies in that election has become an international mainstream understanding," "For a modern national state, the definition of democratic regime is that every citizen has the right to vote, and they are entitled to elect the ruler on behalf of their own interests via fair and honest periodic elections."<sup>[4]</sup> Linking democracy more closely to elections affirms the possibility and importance of elections for the expression of own interests.

Comprehensively speaking, the scholars construct the proceduralization of democracy based on the position of Western capitalism, narrowing the concept of democracy to the electoral sphere and turning it into "democracy of the electorate". This discursive construction focuses democracy on the procedures and decisions of elections, and defines democracy only in terms of competitive

elections and multi-party politics. Such a discourse of democracy is non-process and discontinuous. The deepening mastery of democratic discourse in the West, accompanied by a trend of political polarization, has evolved into a vigorous pursuit of the so-called "liberal democracy", guided by universal values, which has been widely spread around the world as the way forward for the world and a high degree of confidence in its civilization. "They do not believe that there is any other vital and universal civilization except it."<sup>[5]</sup>

### 3 Procedural Justice and Substantive Democracy in the Electoral System

From what has been discussed above, we can, therefore, draw a conclusion. Firstly, the development of Western democracy just focuses on procedural democracy rather than substantive democracy. Secondly, after the development in the Cold War period, the phenomenon that ordinary people begin to regard procedural electoral democracy as procedural justice of real democracy appears.

What needs to mention here is that in both developments of the original classical Greek democracy and modern capitalism, it has become a universal consensus that citizens have equal rights. In John Rawls' *A Theory of Justice*, it is described as Principle 1: each person has an equal right to the most extensive basic liberty compatible with a similar liberty for others. At the same time, social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all.<sup>[6]</sup>

Such a basic idea widely exists in the public political culture of democratic societies. No matter which kind of development in Western democratic electoral systems, or ideas based on the relationship between electoral institutions and substantive democracy, Rawls argued that it is the model which can think based on an institution (procedural justice) and a concept (substantive democracy). If democracy is defined as a result of justice, then the American democracy is just the "justice born from these democratic institutions", which these institutions promote. As the most complete theory of procedural justice, we will use it to discuss something about American procedural democracy and substantive democracy.

Firstly, Rawls' Principle 1 states that differences in fundamental rights are not permitted; and Principle 2 states that there are some certain differences existing in social status and economic interests, and that these differences are inevitable inequalities. At the same time, Rawls gave some restrictions on the existence of socio-economic differences. First, these inequalities must depend on the fact that status and position shall be open to all equally. Second, each member in the society must carry out all activities under the principle that all of the activities benefit the people with the least advantages. Only under this condition, can inequality be allowed to exist<sup>[7]</sup>. It is this requirement that dominates the

distribution of rights and duties at all times, and regulates social and economic interests.

Obviously, the distribution of wealth and income cannot be equal, and the system only can take effect to make this distribution follow the interest of each individual. Therefore, Principle 1 clearly takes precedence over Principle 2. And positions of power and leadership must be available and accessible to all, because "these inequalities must depend on positions and offices being equally accessible to all people". This order implies that violations to the equal and liberal power endowed by Principle 1 cannot be justified or compensated for its greater socio-economic interests. The distribution of wealth and income, as well as the hierarchy of power, must be consistent with both the freedom and equality of citizens in the exercise of their rights.

Therefore, based on Principle 1, the basic rights possessed by each person in a situation where all members in the society are unequal, should allow everyone's income and wealth, etc., to be shared equally, and in the absence of any provision for any kind of inequality, being shared equally will make people satisfied based on the social differences in which they find themselves and which cannot be avoided due to themselves. This distribution is thus able to improve the situation of every person who is not equal.

Here, supposing a situation where people are unable to influence themselves or their surroundings through the use of their rights due to inherent economic differences between individuals in the society, but when they get the promises that the cession or transfer of some of their political rights (e.g., participation in politics by themselves) might improve their situation, what would be their choice?

In contrast, it is feasible to give up a minuscule amount of power or influence in exchange for a real economic income, which is a simple aspect of the cession of equal rights.

However, this exchange is what the two principles above want to eliminate, because after the cession of right is made, the rights they acquire are no longer institutionally equal. When this preference has justification in the system, the choices established in this order will also have justification. It will thus gradually lead to the design of the order of the two principles when establishing the fairness of procedural justice. This approach has the advantages of noticing the priority from the beginning and trying to find principles to deal with it. But when people are intentionally led in this way, it becomes difficult to notice a certain condition of existence, that is, the simultaneous recognition that equality of rights is justified by the difference between the economic basis of society and the social mechanism for the distribution of the various abstract rights of society. But in reality, there is a difference between basic rights and economic society, reflecting the fact that people will only make choices based on their different positions in the economic society.

Under both principles, a system based on these would broadly address all rights and freedoms, and a system constituted by a sense of democracy would openly

regulate some defined rights and freedoms. But Principle 1 only requires that certain rights need to apply normatively and equally to everyone. And when such defined rights become the reasons for the system, these equal rights regulated by the system are likely to disturb each other, because Principle 2 requires that each person derives benefits from inequality. This expectation will instruct them to look at their life prospects in terms of their own social status. This reflects the fact that human expectations will depend on the distribution of rights and duties throughout the basic structure (system).

Therefore, the essence of democracy as a fundamentally democratic and liberal right, as mentioned in Principle 2, cannot be realized if there are mechanisms in the system that exists the alienation of rights, rather than their own participation in the institutional process based on their original rights.

In the corresponding electoral system in the United States, we can see that the transfer of equal rights based on "socially unequal economic conditions" is happening. This is based on the electoral system itself, and the results of such elections are not necessarily the best to guarantee the harmonization of the democratic rights of all citizens in the sovereign state at the macro level. Moreover, it assumes the unspecified premise that only those who have an advantage in terms of socio-economic inequality can achieve the "transfer of the rights of others". So, if democracy is to be institutionalized, then everyone should be able to participate in the distribution of rights in political life within the framework of the system, without the constraints of socio-economic conditions. In the electoral system, there is only a transfer of power, based on the lack of social capacity, to the benefit of those who have the ability to use funds for political propaganda, and who are in an advantageous position in the system.

And in the electoral institution, the attribution of rights and freedoms is ignored by most people. It is just simply considered to be embodied in a fair right to vote. In fact, during the exchange of their own rights, the distribution made according to Principle 1 is also changed.

Based on the above reflections, we continue to explore the relationship between electoral institutions and democracy. The current state between procedural justice and substantive democracy is precisely the state described above — not just a reversal of two principles. The rights do not stem from equality in the concept, but

from inequality within the unequal elements of the society itself.

## 4 Analysis of the Electoral System

### 4.1. A pure procedural justice

Based on the above discussion about procedural justice, we can see that the American electoral system is under the logic of using Principle 2 (system) to embody Principle 1 (democracy). This electoral system eventually achieves only superficial procedural justice, which is what Rawls called "pure procedural justice". Here, the system is discursively blurred in the following three ways.

Firstly, it emphasizes the decision-making aspect of voting in democratic elections.

Secondly, it only recognizes the importance of democratic rights but does not consider the transfer of rights and the actual subjects of power.

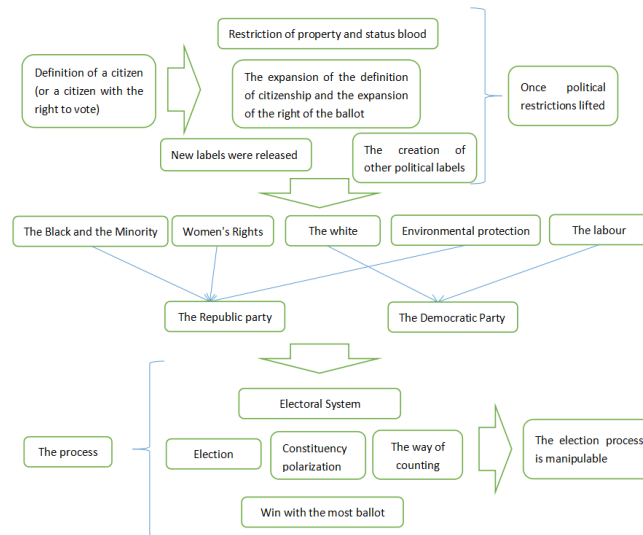
Thirdly, the one-person-one-vote system of the ballot system achieves only the legitimization of the rights of spokespersons representing different political views.

In particular, the third point uses the ballot as a legal basis, that is, the transformation of the essence of democratic rights into the support of a set of political institutions capable of electing the administrative team of the state. As Schumpeter mentioned in his classic work, "The democratic method is an institutional arrangement for making political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote..." [8].

This statement shows that we call this system as "democracy", but it is different from the real democracy "of the people, by the people, for the people".

Procedural justice and the definition of ballot democracy construct the understanding of the connection between true democracy and the electoral system. This is illustrated in a structural diagram below. The structural diagram uses a "labeling" model that assumes that the labels in the diagram will refer to different political identities and political claims such as traditional political identity labels for whites, blacks, and minorities, or labels for political agendas such as absolute environmentalism and gun control.

The following figure shows the development of elections and procedural justice based on this assumption.



**Fig. 1.** Procedural development of the electoral system

From the figure above, we can intuitively see that with the liberalization of labels and the expansion of elections, the perception of procedural democracy has only expanded above the original institutional limits. When this electoral power expands, Americans behave with a greater focus on procedural justice and believe that their votes will just achieve the justice in results. This is because all the people represented by the labels are taken into account. So, in Western democracies, the electoral model is an important expression of the concept of "democracy".

As we have discussed in Part III, Principle 2 infringes and interferes with Principle 1. This is an area where the social system needs to be improved and perfected. But in an electoral system that requires capital to maintain, the amount of capital, as a factor of inequity in socio-economic differences, becomes a part of the management which needs to guarantee the distribution of rights and obligations of Principle 1 and even of the society as a whole.

Then, every citizen who freely enjoys equal rights under the electoral system, in transferring his or her rights to others to achieve a reasonable distribution of socio-economic differences, inadvertently suffers from the unfairness brought by those who already have socio-economic advantages. And in the process of fighting for "democratic rights", people are not aware of this injustice and gradually equate such elections with democracy as a process of perfecting procedural democracy. The beginning of universal suffrage gradually makes "ballot politics" become a synonym for democracy. And under this electoral system, they are unable to see the subject who exercises the rights and the class who carries out the rights. Eventually, the phenomenon of "pure procedural justice" arises, making people believe that the result of the election process is just and democratic.

## 4.2 The prominence of "political identity" in the electoral system

From the above labeling model, it can be seen that labels has gradually generated in the society in the process of expanding the institutional subject. The expansion of labels is a "remedy for equal rights" in the process of implementing Principle 1, which has not been implemented before. It is the existence of such labels that makes it necessary for the society to have a universal system of public norms to regulate the rights and obligations of people. Thus, the implementation of laws and institutions must be just and consistent. Rawls argued, "The just and consistent implementation of laws and institutions, whatever their substantive principles may be, we may call them formal justice" "Formal justice is the adherence to principles...It is obedience to institutions." [9]

In other words, procedural justice is simply obedience to social institutions, and institutional obedience is not the same as the substantive embodiment of democracy. An eternal question that human society is always thinking about is the realization of institutions and ideas. As long as human ideas exist, society will always need a mechanism to embody them. And when too much attention is paid to procedural mechanisms of justice, the relationship between the two principles is reversed.

Many scholars, including Rawls, have argued that social justice depends on procedural justice to move backward to "substantive justice", that is, resultant justice. However, in his study of procedural democracy, American political scientist Robert Dahl proposed several value criteria for democratic procedures: (a) universal adult citizenship; (b) fully informed; (c) ultimate control over the agenda; (d) effective participation; and (e) equality in voting, broad public political participation and open competition for leadership. [10]

Therefore, the concept of "political identity" is prominently reflected in the "process". As we have already mentioned, the development of democratic rights at the beginning of the process includes inequalities in socio-economic differences. When such inequalities are deemed to be inconsistent with Principle 1, they are valued and supplemented. Such procedures, in turn, are needed to defend such ideas. Thus, political labeling is inevitable.

But when people participate in politics in these identities, what they actually manifest is a democracy that relies on such political labels. In fact they cannot really rely on institutions to realize the idea of democracy, but rather on procedures that reflect freedom and equality. The process is also based on the recognition of "socio-economic differences".

Can the new social contradictions brought by such procedures really give birth to new social ideas?

Here the last question arises, namely result-oriented pure procedural justice.

### 4.3 Result-oriented pure procedural justice

When the electoral process is considered to be just, the result is considered to be "democratic". In a context where the principles of freedom and equality and socio-economic differences are reversed, a procedural "democratic" process does not succeed in solving the substantive problem.

Then, we derive the principles on which such pure procedural justice is based.

First of all, we discuss about Principle 2. According to the article, although it affirms the social inequality aspect, it also proposes the establishment of an electoral system that distributes based on inequality. In the previous part, we have already revealed one of the characteristics of the "political label" in the electoral system. The system divides the whole of humanity by universal characteristics, even though these people are individuals of the whole human group. These are groups that do not have rights or are not guaranteed in the first place. So, the institutional system of Principle 2 instead requires the preservation of Principle 1 to reflect its justice, or democracy.

And Principle 2 is understood as the system that can guarantee social justice as the electoral system, which carries the political label and the guarantee of democratic rights. In this system, the rights that need to be guaranteed, due to their own properties of freedom, can be transferred to those who can exercise political influence to achieve a certain distribution of benefits, as told in Part III, transferring their rights to the people who can exert political influence to achieve a certain distribution of interests. In other words, to implement the rights in the social unequal economy, we need the social system and laws to guarantee, and conduct the distribution of rights and obligations.

However, in Principle 1, due to the electoral system, it is inevitable that some people will have different views

on the "free and fair rights" of other people, which will transform the rights that society needs to guarantee into a "label" for the rights of some people. Under this label, elections are held according to Principle 2.

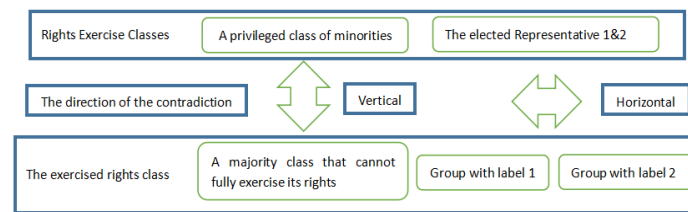
In other words, the basis for the division of rights that the electoral system is designed to guarantee is inherently unequal. The division of electoral "political labels" based on the initial order of principles has asked some people to use a kind of "inequality" to guarantee "unequal" "equal rights". The existence of the electoral system makes it possible to divide the people into two parts: people who guarantee rights and people whose rights need to be guaranteed. Because of the electoral system's determination in the legitimacy of the majority vote, there is again the possibility of such a basis of rights being overruled. This leads to what Rawls called "pure procedural justice".

If there is no standard of justice in the determination of the outcome, and if it depends entirely on the self-maintenance of the system implemented under these two principles, then after the inevitable division of the population, the "democracy" which they hope to be embodied by the electoral system has become "procedural justice". Moreover, the vote gradually becomes a "quantity" that becomes the basis for the legitimacy of rule in the legal sense. We can see that the ballot becomes the subject of the electoral process, which is not the subject of democratic rights. The problems in American electoral system are partial, but the contradiction is horizontal. In the election system, the solution to contradictions often starts from the local point, that is, to select one aspect of contradictions to govern, so that the American election system will inevitably have government rotation and policy reversal.

So, this is also a result orientation brought by the pure procedural justice – the differentiation of the contradiction between equal rights. This also weakens the ability of the system itself to be able to preserve the free and equal democratic rights of citizens.

Therefore, substantive democracy should be a vertical order in the order of principles. We recognize that, based on the affirmative recognition of social inequality in Principle 2, to guarantee that Principle 1 is not shifted by the unequal conditions of Principle 2, it is necessary to weaken the already existing gender and ethnic differences in Principle 1, so that everyone can truly achieve equality of rights in such a tone. The modern ballot system expands the definition of citizens on a large scale, while their political rights are enjoyed by another citizens elected by the citizens. Such an electoral system allows the conflicts between people who exist at the same level to grow. And it makes the real vertical contradictions hidden. But this is actually where true democracy should be monitored and maintained. So, it requires that horizontally the majority of groups who have not obtained their rights can unite in a political system that is democratic to those who actually exercise their rights.

As shown in the figure below.



**Fig. 2.** Subject and contradictory direction of rights

Therefore, the root of the chaos in modern democratic politics is that the institutional development of democracy does not match the substantive democratic political aspirations of citizens.

If there is a privileged class in the society, then it is only necessary for them to put up a political banner that guarantees the acceptance of citizens, and a significant part of them is only responsible for their local "public opinion" concerning the whole. And this is what Tocqueville called the "tyranny of the majority". Pure procedural justice in the form of the ballot system brings about intra-class conflicts rather than substantive democracy.

## 5 Conclusion

Through an analysis of procedural democracy in the American electoral system, this paper systematically clarifies that the ballot system can not achieve the true demands of democracy. The current electoral system is just using the accentuation of political identities to make American citizens believe that the development of the procedural electoral model is the development of democracy. Ultimately, the electoral system fails to promote the substantive democracy and gradually makes American fall into political chaos.

If a country needs to show its democracy by promoting an electoral system that reverses the order of principles and remains flawed, it precisely proves that the country has not reached substantive democracy; if a government needs to show its support for gender equality by promoting the participation of its female officials, it precisely reflects that the government is not free from the shackles of gender inequality; and if a government needs to be labeled with various labels to prove that it widely listens to public opinions for its claims, then it is clear that the system established by it does not guarantee democracy. What's more, in the mainstream thinking of the current world, the people who have the legitimacy to rule are only the voters, not all people. Democracy should be for the people, not just for the voters. Deliberately using votes to amplify conflicts among the people is irresponsible both to the country and the people. Votes are not equal to democracy.

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