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The Magna Carta: Alive but not well

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ABSTRACT

International public opinion findings presented in this paper suggest that, 800 years on, key principles associated with the Magna Carta are very much alive but not well realized in many countries.

The paper draws on three international research programs with relevant findings: the World Values Survey (University of Michigan), GlobeScan’s syndicated Radar program, and the BBC World Service Poll. Given the longitudinal nature of these polling programs, the paper is able to analyze current findings (including GlobeScan’s latest 20-nation survey conducted during January and February 2015) within the context of over a decade of tracking these views.

The paper explores citizen perceptions on many of the principles that have been associated with the Magna Carta, including human rights and the rule of law, democracy, religious and other freedoms, and media and Internet freedom. Findings from specific research questions are used to assess:

- The extent to which the courts and justice system enjoy the confidence of a nation’s citizens;
- Whether citizens believe that individual human rights are being respected;
- Whether citizens think their country is governed by the will of the people;
- Whether citizens judge their elections to be free and fair;
- The extent to which other liberties and freedoms associated with the Magna Carta are seen to be respected in their country, including:
  - freedom to practice the religion of their choice,
  - freedom to marry the individual of their choice,
  - freedom to speak publicly on any issue,
  - freedom from government surveillance;
- Whether citizens believe that their country’s media is free to report the news accurately, truthfully and without undue bias; and
- Whether citizens see the Internet as a safe place to express their opinions.

The paper concludes with a call to action for the survey research profession to further extend its efforts in helping citizens hold their governments to account on the liberties and democratic principles associated with the Magna Carta. By tracking and publicly reporting citizen perceptions of their governments’ performance on these matters, the profession can play a unique and vital democratic role in the world.
The Magna Carta: Alive but not Well
– Doug Miller, President, GlobeScan Foundation

Introduction

This paper draws from international public opinion research to assess the extent to which citizens believe that the principles associated with the Magna Carta are established in their country. It focuses on citizen views in 20 countries common to three international research programs with relevant findings: the World Values Survey (University of Michigan)\(^1\), GlobeScan’s syndicated Radar program\(^2\), and the BBC World Service Poll\(^3\). Given the longitudinal nature of these research programs, the paper is able to analyze current findings (including GlobeScan’s latest Radar study conducted January/February 2015) within the context of over a decade of tracking these views.

Many attributes of justice, democracy and human rights have been associated with the Magna Carta over the centuries, beyond its original focus on the rule of law. Because of this, the paper takes an inclusive look at related topics in order to provide a broad assessment of the “health” of the Magna Carta 800 years on. This includes relevant public perceptions of media and the Internet (the new “public squares”).

The following map shows the countries common to the three research programs, which form the field of view covered in this paper.

Human Rights and The Rule of Law

At its core, the Magna Carta proclaimed the right of citizens to a fair trial and non-arbitrary justice. One indicator of this is the extent to which the courts and justice system enjoy the confidence of a nation’s citizens. According to the World Values Survey,
such confidence exists in a broad mix of countries across the world, but there is another set of countries where such confidence does not exist among most citizens.

Majorities of citizens in 13 of 22 countries have “a great deal” or “quite a lot” of confidence in the court system in their country, especially in Asia (Japan, China and South Korea). Citizens of Latin America express the lowest levels of confidence (Peru, Argentina, Chile, Mexico, and Colombia).

The trend charts below show that in half (11) of the 22 countries, confidence in the courts is improving or keeping stable at a high level; and in another 11 countries confidence has declined over the last two decades. This and other findings suggest there are two worlds; one with growing Magna Carta rights, and the other with declining rights.
The World Values Survey has also tracked the extent that citizens believe there is respect for human rights generally in their country. This shows a somewhat more positive trend.

Overall, majorities of citizens in 19 of 25 countries say there is at least a fair amount of respect for individual human rights in their country. Again, citizens of Latin American countries are least likely to agree (Peru, Colombia, Brazil, Argentina, and Mexico). It is interesting to see China in such strong standing both here and in confidence in the courts.

The following trend charts show that over the last decade-and-a-half, perceptions of respect for individual human rights have strengthened or held at a high level in 15 of 25 countries, while in another 10 countries such perceptions have declined.

![Respect for Personal Human Rights](chart1)

This evidence suggests that core elements of the 800 year-old Magna Carta – the rule of law and respect for human rights – have since migrated well beyond countries that were
once under British rule or influence. This is a significant accomplishment and historically important. It suggests that these make up part of what humans see as defining elements of justice and human dignity. At the same time, even after all these centuries, it is clear that significant numbers of the human family continue to live in countries that are not respecting these rights in sufficient measure to satisfy their populations.

**Democracy**

The extent to which citizens can decide on their leaders and set their country’s overall direction is another set of rights that has been popularly bundled with the Magna Carta. While the structure of a country’s democratic institutions is a significant factor here, survey research can provide metrics on two other important aspects of democracy: the extent to which citizens believe their country is being governed by the will of the people, and the extent to which they believe their country’s elections are free and fair.

Over the last decade-and-a-half GlobeScan (including in partnership with Gallup International in 2002) has conducted surveys in 65 countries asking whether respondents agree or disagree with the statement, “Our country is governed by the will of the people.” In all this asking, majorities in only 7 countries have ever agreed with the statement – and not one has been an established Western democracy. The latest GlobeScan Radar survey, conducted in January and February 2015, found majority agreement in only 2 of 18 countries – Indonesia and China. However, as the tracking chart below shows, the views in 7 countries are trending upwards.

Ironically, it is among Americans where we find one of the most dramatic downward trends, with only 23 percent today saying that the US is governed by the will of the people, down from 44 percent in 2002. The UK is at the same low level (25%), as are France and South Korea.
Another dimension of democracy informed by survey research is the extent to which citizens believe their country’s elections are conducted in a free and fair manner. Here, we see another bifurcation or two-world pattern, with a majority of citizens in half the 16 countries rating their elections as “free and fair,” with the other 8 countries having majorities or pluralities of citizens disagreeing.

The following tracking chart shows that 4 of the 16 countries have moved upwards over the last 13 years (especially Argentina and Indonesia). Another 4 countries have trended downwards, including the UK and US. Today, only 45 percent of Americans believe their elections are free and fair, down from 58 percent in 2002.

These findings suggest that some of the most acute “democratic deficits” are felt by citizens of the two countries most associated with the Magna Carta, the UK and US. While this is not the best advertisement on the occasion of The Great Charter’s 800th anniversary, it can be argued that there are no better countries in which this pent-up citizen frustration can result in real democratic reform and renewal.

**Religious and Other Freedoms**

There is evidence from a 2014 BBC World Service Poll to suggest that many of the personal freedoms that Western democracies have championed in the world are actually fairly well established in the minds of citizens across 17 countries polled, particularly religious freedom. Ironically, it is in some of the Western democracies where citizens give relatively poor ratings of some freedoms.

In the aftermath of Edward Snowden’s revelations over invasive US Government surveillance practices, over one in three citizens (36%) across the 17 countries said they did not feel free from government surveillance and monitoring, making this the worst-rated of five freedoms examined in the poll. Majorities of Americans (54%) and Germans
(51%) did not feel free from government surveillance, while in contrast, strong majorities felt free of surveillance in countries such as China (76%), Indonesia (69%) and Russia (61%).

As for the other freedoms examined by the BBC, strong majorities across all 17 countries felt they had a high level of freedom to “practice the religion of their choice” (87%), to “marry or live with the person of their choosing” (86%), and to “speak about any issue publicly” (75%).

![Image of chart showing perceptions about individual freedoms](image)

### Media and Internet Freedom

It is in the newer public spaces of the media and the Internet where polling evidence suggests the spirit of the Magna Carta is least established. Findings from the same 2014 BBC World Service Poll suggest that these two underpinnings of modern democracies are in fact at risk—a media seen as free and fair; and an Internet safe for the free expression of views.

On average, only 40 per cent of citizens across the 17 countries believed that the press and media in their country were “free to report the news accurately, truthfully and without undue bias.” Just above a quarter (27%) had the opposite opinion, and the views of 28 per cent were mixed (neither free nor not free).

Respondents from emerging economies tended to most believe in the freedom of their national media, with Indonesians by far the most likely (73%), followed by Peruvians (51%) and strong pluralities in Africa (Nigeria, 49%; Kenya, 44%), India (49%) and China (47%)—although in China this perception was moderated by an almost equal proportion of neutral opinions (44%). Conversely, South Korea stood out with seven in ten (69%) saying the media in South Korea is not free, followed by strong pluralities in Spain (46%) and France (40%).
Across eight countries surveyed for the BBC in both 2007 and 2014, the percentage of people who rated their media as free dropped by nearly one third over the last seven years, from 59 per cent to 40 per cent. The biggest falls occurred in Kenya (down 37 points), India (down 23 points) and Russia (down 20 points). In the UK and the USA, only a minority of respondents felt they had a free and fair media in 2014 (45% and 42% respectively), compared to majorities in both countries in 2007 (56% and 53%).

As for the newest “public square,” perceptions of the Internet’s freedom were no doubt significantly affected by widespread media coverage of Edward Snowden’s whistleblowing over extensive on-line surveillance by the US National Security Agency (NSA). Following this, when the 2014 BBC World Service Poll explored views of whether “the Internet is a safe place to express my opinions,” fully one in two citizens (52%) across 17 countries disagreed – outnumbering the 40 per cent who agreed it was safe.

While one-in-two judged the Internet an unsafe place for expressing opinions, two-thirds (67%) did say the Internet brings them greater freedom, with only 25 per cent disagreeing.

There were very large differences in perceptions of Internet freedom from country to country. The following chart shows the very negative views of citizens of Western democracies, with milder negative perceptions in Russia and China. Conversely, a
majority of citizens of Nigeria and India (and less so Indonesia, Kenya, Peru and Pakistan), believe they can safely express their views over the Internet.

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<th>Country</th>
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<td>Mexico</td>
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<td>Nigeria</td>
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It is no doubt disheartening for democrats everywhere that so-called established democracies, including what could be called the “Magna Carta countries” of the UK and US, have some of the lowest perceptions of both media freedom and the safe expression of views on the Internet. Any renewal of democratic principles is most likely to be accomplished through these virtual “public squares.” While long democratic traditions no doubt make citizens of Western democracies “harder markers” on these matters, such negative evaluations by citizens can undermine the collective will that is required for reform and renewal.

**Conclusions**

While social researchers can always wish for a broader array of country data and more longitudinal data points on which to base their conclusions, the survey research evidence presented in this paper do suggest the following conclusions:

- On the Magna Carta’s 800th anniversary, the magnitude of its continuing influence and importance to citizens in countries around the world suggests it is one of the most influential documents in human history. Its core principles have
become widely penetrated in the minds of citizens in countries far removed from any direct influence from Britain, and a number of these principles are judged by citizens to be reasonably well implemented in their countries.

- However, at best there are two worlds; one composed of countries where a majority of citizens are relatively satisfied with how these human rights and obligations of the state are observed; and another world made up of countries where citizens feel a democratic and rights deficit.

- Ironically, it is in the two countries most associated with the Magna Carta, the UK and US, where citizens give the most negative ratings of how related freedoms and obligations are currently realized in their countries.

- Perhaps the greatest cause for concern about the Magna Carta’s future comes from the very negative (and deteriorating) citizen ratings of two key underpinnings of modern democracies — a media seen as free and fair; and an Internet safe for the free expression of views.

- All in all, it must be concluded that the principles associated with the Magna Carta are very much alive, but not currently well realized – especially in two of the key underpinnings of modern democracies (the media and the Internet) and in the two countries that have most driven the global expansion of these principles (the UK and US).

- Without the continuing credibility and leadership of the UK and US (in the eyes of citizens), it is uncertain what the future will bring for the principles associated with the Magna Carta. Alternative nation-state leaders have not yet identified themselves. This presents a leadership opportunity for the United Nations. However, any continuing leadership vacuum will most likely be filled, including by Civil Society organizations.

All of this presents an historic challenge for the public opinion research profession to closely monitor and publicly report research findings on all aspects related to the rule of law, personal freedoms, human rights and democracy. Our profession, more than others, is predicated on the essential equality of all people and their right to express their views on important matters of state.

Therefore, this paper concludes with a call-to-action for all WAPOR members and survey research organization around the world to live up to this challenge by giving regular voice to citizens on a full range of topics related to the Magna Carta. In this way, we will take our modest share of the leadership mantle to ensure continuing democratic progress across the world.
End Notes:

1 The World Values Survey research program, under the leadership of the University of Michigan, has been conducted using telephone or in-person surveys in a total of 100 countries over six waves of research since 1981.

2 GlobeScan’s Radar is a syndicated research program that has been conducted annually across 20+ countries since 1997, each involving 1,000 telephone or in-person interviews with representative samples in each country.

3 The BBC World Service Poll has been conducted once or twice annually since 2005 by GlobeScan and its national research partners in collaboration with the Program on International Policy Attitudes (PIPA) at the University of Maryland. It has covered a wide range of newsworthy topics and typically involves findings from 20 countries.

4 Involving 22,500 telephone and in-person interviews of adult citizens across 24 countries, conducted mostly between January and February 2015 by GlobeScan and its national partners. Within-country results are considered accurate within +/- 2.9 to 4.9 per cent, 19 times out of 20.

5 Involving 17,500 telephone and in-person interviews of adult citizens across 17 countries, conducted between December 2013 and February 2014 by GlobeScan and its national partners. Within-country results are considered accurate within +/- 2.9 to 4.9 per cent 19 times out of 20.