Democracy and Globality

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Abstract

In this article, I consider the connection between globalisation and democracy with respect of (1) the historical 'waves' of democratisation and the (global) spread of 'democratic' system of political rule, and (2) the debate on a reformulation of democratic rule 'in the age of globalisation', and the concerns with global civil society, global governance and 'cosmopolitan democracy' in particular. Linking these two parts are considerations of the question as to whether a universal entitlement to democratic governance is emerging as a right in international law.

Keywords: globalisation, democratic governance, cosmopolitan democracy, democratisation.

The Globalisation of Democracy

A global process of democratisation?

In historical analysis and political science, the spread of the institutions of liberal-parliamentary democracy has occasionally been presented by using the metaphor of 'waves'. Following Robert Dahl (1989), one could see the formation of democracy in the Greek polis in the first half of the 5th century BC as the first time when the idea that a substantial number of free, adult males should be entitled as citizens to participate directly in governing the polis was formulated and institutionalised. Underlying this notion of democracy was the assumption that, in order for democratic rule to uphold the common good, the citizen body had to be highly homogeneous as high levels of economic inequality, of religious, cultural or racial diversity would tend to produce political conflict and disagreements over the common good.

The second transformation occurred once the notion of democracy and its institutionalisation could no longer be contained within the city-state and had to be reconceptualised and redesigned for geographically larger territories. In this phase, two significant additions to the classical democratic tradition were made. First, out of recognition of the unavoidable heterogeneity of civil and political society there arose the awareness of the fragility of civic virtue and the dangers of political corruption. Institutions had to be designed that would prevent the concentration of power. In order to balance the interests of 'the one', 'the few', and 'the many' (in the Aristotelian sense), forms of mixed government were advocated in which these interests were represented and pursued, respectively, the monarchy, an aristocratic upper chamber, and a lower house of commons. This was the solution entailed in the British constitution. The American Federal Constitution, however, went beyond this model of a 'mixed constitution'. It acknowledged that society was composed of different alliances and groupings, all of them pursuing a plurality of legitimate interests. But, in order for republican virtue to survive the struggle of political factions and social forces, authority was to be dispersed and many power centres were to be created to prevent the wholesale capture of authority by any one particular interest.

The notion of representation was the second idea added to the classical ideal. For large-scale communities, direct democracy was considered impossible as the people could not meet as a legislative body and had therefore to choose representatives to do what they could not do themselves. Democratic government would thus be conceptualised as representative government circumscribed by constitutional constraint. Political contestation became institutionalised through the mechanisms for the representation of 'the people' and special 'interests'. Above all, the struggles over universal franchise,

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free speech and freedom of assembly during the nineteenth and twentieth century broadened the institution of political participation which came to lose its elitist, aristocratic/patrician limitations.

The first 'wave', then, affected the small-scale city-state. The second 'wave' transformed politics in the large-scale communities which developed in the process of the formation of the modern state since about the Renaissance. The third 'wave', so an argument could be put forward, is now upon us. Democracy has to be freed from the shackles of the modern state and has to become global. In an era of ever-increasing global interconnectedness of people, places, capital, goods and services, democratic self-government of the people has to be institutionalised on the global level. Creating structures for a 'cosmopolitan democracy' is the task we have to face should we wish to uphold the ideal of democratic self-government of the people in the twenty-first century. At issue is the design of democratic institutions and procedures for such a global democracy.

Samuel Huntington (1991), too, used the metaphor of the wave for the (global) spread of democracy. In 'operationalising' democracy, Huntington emphasises the accountability of government to parliament and universal (adult) suffrage as two key institutional aspects of representative democratic government. He aims to identify the moment at which these two institutions have been established in the countries under investigation. This approach leads to the construction of time sequences, or 'waves' of democratisation. A first 'wave' of democratising could be seen as 'coming in' around the time of the First World War in Northern and Western Europe with the parlamentarisation of constitutional monarchies, the formation of republics and the extension of the franchise. In Central and Eastern Europe, the newly independent states after the collapse of the multinational empires (Austro-Hungary, Ottoman Empire and Russia) start experiencing with democracy at a somewhat later time. The second 'wave' after 1945 would see the defeated states such as Germany and Japan be given democratic constitutions; others, such as Italy and France, institute new democratic regimes. The third 'wave' affects the countries in Southern Europe and in Latin America in the 1970s and 1980s, with military dictatorships being replaced by elected civilian governments. This wave also brings the decline of authoritarian regimes in parts of East and South Asia starting in the mid-1980s and sees the collapse of the communist regimes in Eastern Europe after 1989 as well as the break-up of the Soviet Union together with the formation of 15 post-Soviet republics in 1991. The 'wave' reaches South Africa and brings about the decline of one-party regimes in several parts of sub-Saharan Africa in the first half of the 1990s, too. Even in the Middle East there are signs of liberalisation in the 1990s. This is a story that sees democracy spreading around the world from its European heartland.

The question arises as to whether there are any 'prerequisites' of democracy or, more broadly, what the 'causes' of democratisation are (as well as what accounts for the consolidation of newly established democratic regimes). Samuel Huntington's analysis of 'waves' of democratisation is a prominent example of such an analytical research program. To account for the 'third wave', for example, Huntington (1991: 45-6) lists five key factors: the legitimacy problems of authoritarian regimes as a result of poor economic performance or defeat in war; rising expectations regarding material consumption and education on the part of the middle class; the liberalisation of the Catholic Church following the Second Vatican Council of 1963-5 and its turning into a proponent of change; policy changes of international actors in support of democratisation and human rights; and, finally, the demonstration effect, facilitated by the global growth of communication networks.

The literature on democratisation initially analysed the 'transition to democracy' in a rather teleological manner, leading from 'opening' via 'breakthrough' to 'consolidation' (Carothers 2002: 7). However, it has become clear over the last decade or so that many new regimes of the 'third wave' 'are not themselves democratic, or any longer "in transition" to democracy' (Diamond 2002: 23; see also McFaul 2002). They occupy a 'grey zone' between fully-fledged democracy and outright dictatorship: '[T]hey suffer from serious democratic deficits, often poor representation of citizens' interests, low levels of political participation beyond voting, frequent abuse of the law by government officials, elections of uncertain legitimacy, very low levels of public confidence in state institutions, and persistently poor institutional performance by the state' (Carothers 2002: 9-10). Carothers distinguishes between those regimes characterised by 'feckless pluralism' and 'dominant-power' systems. Regimes whose political life is characterised by 'feckless pluralism' do have a significant amount of freedom which includes regularly held elections and alternations between political groupings representing different interests or ideologies. However, political participation is limited to voting and, generally, members of the

political elite are widely perceived as corrupt, self-interested or plain ineffective. A weak state is unable efficiently to address the country's problems (Carothers 2002: 10-11). In a dominant-power system, too, the population is disaffected from politics, and large-scale corruption and crony capitalism are ripe: 'Yet one political grouping – whether it is a movement, a party, an extended family, or a single leader – dominates the system in such a way that there appears to be little prospect of alternation of power in the foreseeable future' (Carothers 2002: 11-12).

These regimes in the 'grey zone' pose a conceptual challenge: how can they be best 'categorised' – possibly for the purpose of comparison? As we have noted above, for a regime to be properly called an 'electoral democracy', elections have to be (and have to be perceived to be) free, fair and genuine. Manifestly, elections held in the regimes of the 'grey zone' have none of these features. Still, elections are being held, and such regimes have been defined as 'electoral authoritarian' (Diamond 2002) or 'competitive authoritarian' (Levitsky/Way 2002). Levitsky and Way describe the features of competitive authoritarianism in the following way:

> *[F]ormal democratic institutions are widely viewed as the principal means of obtaining and exercising political authority … [Yet] [a]lthough elections are regularly held and are generally free of massive fraud, incumbents routinely abuse state resources, deny the opposition adequate media coverage, harass opposition candidates and their supporters, and in some case manipulate electoral results. Journalists, opposition politicians, and other government critics may be spied on, threatened, harassed, or arrested. Members of the opposition may be jailed, exiled, or – less frequently – even assaulted or murdered … [Indeed,] [r]ather than openly violating democratic rules … incumbents are more likely to use bribery, co-optation, and more subtle forms of persecution, such as the use of tax authorities, compliant judiciaries, and other state agencies to 'legally' harass, persecute, or extort cooperative behavior from critics.* (Levitsky/Way 2002: 52-3)

There are, then, several paths leading out of authoritarianism. One of them leads towards democracy – in whatever qualified form: as, for example, 'illiberal' democracy, 'electoral' democracy, 'tutelary' democracy, 'protective' democracy or 'restrictive' democracy (see Collier/Levitsky 1997). Another may lead to 'qualified' authoritarianism. While either way of categorizing a regime – as either not fully 'democratic' or not fully 'authoritarian' – allows holding fast to the notion of democracy as a telos, the longevity (and in many cases, the relative stability) of such 'hybrid' regimes suggest that they should be seen as regime types in their own right. Their formation deserves an explanation that goes beyond the notion of a 'stalled' transition to democracy.

Clearly, in the post-Cold War era, the liberal democratic model became hegemonic as a result of international influences such as 'demonstration effects, conditionality (as in the case of European Union membership), direct state-to-state pressure (in the form of sanctions, behind-the-scenes diplomacy, and even direct military intervention), and the activities of emerging transnational actors and institutions' (Levitsky/Way 2002: 62). With the collapse of the Soviet Union, alternative sources of military and economic aid subsided and put a premium on being on good terms with Western governments and the Western-dominated global institutions such as World Bank, IMF, or GATT/WTO. State weakness as a result of resource-depletion (and the ensuing difficulty in maintaining patronage networks) and elite fragmentation undermined the capacity of many authoritarian regimes to ride out crises. Yet, a number of authoritarian regimes were in position to keep political concessions to a minimum:

> *Some benefited from pockets of permissiveness in the international system, due in large part to economic or security issues that trumped democracy promotion on Western foreign policy agendas. Others benefited from state control over revenues from valuable commodities (such as oil), which undermined development of an autonomous civil society and gave rulers the means to co-opt potential opponents, and still others took advantage of quasi-traditional elite networks that facilitated the establishment of neopatrimonial regimes (as in Central Asia).* (Levitsky/Way 2002: 62)

In a later article, Levitsky and Way present a set of hypotheses to explain the transformation of authoritarian regimes either in the direction of democracy or in that of competitive authoritarianism. They distinguish, and then cross-referenc, two variables: Western leverage, that is, governments'

vulnerability to external pressure exerted by Western states; and linkage to the West, that is, the density of a country's ties to the United States, the European Union, and Western-led multilateral organisations. In their estimation, the impact of Western pressure on authoritarian regimes depends upon three factors. First, small states with underdeveloped economies are far more vulnerable than larger states with substantial military or economic power: states in sub-Saharan Africa are subject to Western leverage to an extent that China and Russia are not. Second, geo-strategic or economic interests of Western states may limit their leverage: demands for political reform in much of the Middle East or East Asia will be counter-balanced by geopolitical considerations. Third, if authoritarian governments are in a position to avail themselves of political, economic, or military support from an alternative regional power, Western leverage is much reduced.

Levitsky and Way argue that leverage is most effective when it is combined with extensive linkage to the West. These linkages may exist in a number of areas: economic linkage; geopolitical linkage (security and military alliances); social linkage (such as tourism, migration, the existence of diasporic communities, or elite education in the West); communication linkage (for example, cross-border telecommunications or Western media penetration); and transnational civil society linkage (such as links to international NGOs, churches, or party organisations). Linkage, so they claim, 'raises the cost of authoritarianism by (1) heightening the salience in the West of authoritarian government abuse; (2) increasing the probability of an international response; (3) creating domestic constituencies with a stake in adhering to democratic norms; and (4) strengthening democratic forces in relation to autocrats' (Levitsky/Way 2005: 23).

Cross-referencing these two 'variables', that is, 'linkage' and 'leverage', they postulate the following connections: 'Where linkage is extensive, international influences may be decisive, contributing to democratisation even in countries with highly unfavorable domestic conditions (Albania, Nicaragua, Romania). Where linkage is lower, international influences are weaker, and regime outcomes are more likely to be a product of domestic factors' (Levitsky/Way 2005: 33). Hence, in Central Europe and the Americas, where linkage with the West is extensive, democratisation was widespread in the post-Cold War period. On the other hand, in those regions which have low or medium levels of linkage – such as East Asia, sub-Saharan Africa, and the former Soviet Union between 1990 and 1995 – we notice a different situation: 'Of the 25 competitive authoritarian regimes … only five (Benin, Ghana, Mali, Senegal, and Taiwan) democratised, and one of them, Taiwan, is a case of exceptionally high linkage to the United States. In these regions, not only were the prospects for democratization weaker, but the prospects for competitive authoritarian stability was greater' (Levitsky/Way 2005: 32).

A universal right to democracy?

Concomitantly with these empirical processes of 'democratisation' as one form of political institutional change, there has been a scholarly debate on the question as to whether a right to democratic governance is emerging in international law and international practice. In 'classical' international law, how a state was constituted internally was considered to be outside the purview of international law and to be irrelevant when it came to the international recognition of a state. In one of the leading textbooks of international law at the turn of the last century, Lassa Oppenheim noted that '[t]he Law of Nations prescribes no rules as regards the kind of head a state may have. Every State is, naturally, independent regarding this point, possessing the faculty of adopting any Constitution it likes and of changing such Constitution according to its discretion' (Oppenheim 1905: 403 [§341]). In his 'General Theory of Law and State', the international law scholar, Hans Kelsen, answered the question as to under what circumstances a national legal order begins to be valid by stating that it 'begins to be valid as soon as it has become – on the whole – efficacious, and it ceases to be valid as soon as it loses this efficacy … The Government brought into power by a revolution or coup d'état is, according to international law, the legitimate government of the state, whose identity is not affected by these events' (Kelsen 1961: 220-1). This is an understanding of state legitimacy that was also succinctly expressed by Hersch Lauterpacht:

It is a fundamental rule of international law that every independent state is entitled to be represented in the international sphere by a government which is habitually obeyed by the bulk of the population of that

state and which exercises effective authority within its territory. To deny that right to a state is to question its independence. For this reason states are not normally concerned with the changes in the composition in the form of government which occur in other countries … This applies to changes taking place both in conformity with and in violation of the constitutional laws of the state in question. (Lauterpacht 1947: 87)

As recently as 1986, the International Court of Justice ruled in the *Nicaragua* Case that '[t]he Court cannot contemplate the creation of a new rule opening up a right of intervention by one state against another on the ground that the latter has opted for some particular ideology or political system' (*Military and Paramilitary Activities in and against Nicaragua* (Nicaragua v. United States), ICJ Reports 1986, at para. 263). The Court concluded that, in the absence of a specific legal obligation, there was no commitment on the part of the state to hold free and fair elections (para. 261).

Yet, in a seminal article in 1992, Thomas Franck spoke of an emerging democratic entitlement norm, with democracy beginning to be seen 'as the *sine qua non* for validating governance':

Increasingly, governments recognise that their legitimacy depends on meeting a normative expectation of the community of states. This recognition has led to the emergence of a community expectation: that those who seek the validation of their empowerment patently govern with the consent of the governed. Democracy, thus, is on the way of becoming a global entitlement, one that increasingly will be promoted and protected by collective international processes. (Franck 1992: 46)

Franck asked whether 'global society is ready for an era in which *only* democracy and the rule of law will be capable of validating governance' (Franck 1992: 49)? That this (alleged) emerging right to democratic governance must be seen in the context of the human rights discourse has been made quite explicit by the former Secretary-General of the United Nations, Boutros Boutros-Ghali. He stated in 1993 that 'democracy is the political framework in which human rights can best be safeguarded … a democracy is the political system which best allows for a free exercise of individual rights' (Boutros-Ghali as quoted in Cerna 1994/95: 291).

These sentiments found reflection in the Vienna Declaration and Programme of Action of 1993. A particularly noteworthy feature of the Vienna Declaration is the exhortation of states and the international community to promote democracy, human rights and fundamental freedoms:

Democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing. Democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives. In the context of the above, the promotion and protection of human rights and fundamental freedoms at the national and international levels should be universal and conducted without conditions attached. The international community should support the strengthening and promoting of democracy, development and respect for human rights and fundamental freedoms in the entire world. (I. 8)

Governments, the United Nations system as well as other multilateral organisations are urged to give priority to national and international action to promote democracy, development and human rights – but non-governmental organisations, too (that is, 'civil society actors') are recognised as important actors in this endeavour (while, at the same time, considered to be deserving of human rights protection themselves) (I. 38):

Special emphasis should be given to measures to assist in the strengthening and building of institutions relating to human rights, strengthening of a pluralistic civil society and the protection of groups which have been rendered vulnerable. In this context, assistance provided upon the request of Governments for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance. Equally important is the assistance to be given to the strengthening of the rule of law, the promotion of freedom of expression and the administration of justice, and to the real and effective participation of the people in the decision-making process. (II. 68)

These values and principles that informed the Vienna Declaration were then again confirmed in the United Nations Millennium Declaration, the resolution adopted by the General Assembly in September 2000: the sovereign equality of all States, respect for their territorial integrity and political independence, the right to self-determination of peoples and non-interference in the internal affairs of States, respect for human rights and fundamental freedoms (Art. 4). But at the same time, it was proclaimed that no effort will be spared 'to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development' (Art. 24). Manifestly, how to combine state sovereignty, on the one hand, and the enforcement of human rights (including the entitlement to democratic governance), on the other hand, is the main challenge.

Steven Wheatley (2002: 234) has succinctly summed up this emerging trend and its importance:

[W]hilst it might not yet be possible to identify a general obligation on states to introduce democratic government, the evolving internal aspect of the right of a people to self-determination, the increasing numbers of states party to universal and regional human rights instruments (which all contain provisions on free and fair elections and political participation), and recognition that a democratic system of government may not legitimately be replaced by an authoritarian one, indicates [sic] a progressive and irreversible movement to a world community of democratic states.

If a 'right to democratic governance' is indeed emerging, then the grounds for a state's legitimacy have dramatically shifted: '[I]nternational notions of legitimacy are no longer oblivious to the origins of governments, but have come to approximate quite closely those conceptions embodied in theories of popular sovereignty' (Fox 2000: 90). It is no longer sufficient for a state's legitimacy that its government is in effective control of its people and territory. It is no longer the case that, as long as there is a sufficiently high degree of effective control, what happens within a state's borders is protected from scrutiny by the principle of state sovereignty. Rather, for a state to be considered legitimate it has become necessary to demonstrate that it rules with the consent of the governed. This is the position to which the claim of an entitlement to democratic governance amounts.

'New liberal cosmopolitanism' and globalisation

Peter Gowan (2003: 52) sums up what he terms 'new liberal cosmopolitanism' in these terms: '[S]overeignty is reconceived as a partial and conditional licence, granted by the 'international community', which can be withdrawn should any state fail to meet the domestic or foreign standards laid down by the requirements of liberal governance.' The sustained endeavour by Western states to impose these standards of liberal 'civilisation' on non-Western, developing countries is a matter of record. But we must also remain cognisant of the fact that in many Western states a similar policy of 'neoliberal' restructuring has been going on since the 1980s. Reflecting on 'democracy's future', Philippe Schmitter succinctly summarises these policies:

Privatization of public enterprises; removal of state regulations; liberalization of financial flows; conversions of political demands into claims based on rights; replacement of collective entitlements by individual contributions; sacralization of property rights; downsizing of public bureaucracies and emoluments; discrediting of 'politicians' in favour of 'entrepreneurs'; enhancement of the power of 'neutral technical' institutions, like central banks, at the expense of 'biased political' ones – all these modifications have two features in common: 1) they diminish popular expectations from public choices; and 2) they make it harder to assemble majorities to overcome the resistance of minorities, especially well-entrenched and privileged ones. (Schmitter 1995, quoted in Gowan 2003: 62)

For Schmitter, these developments constitute a process of dedemocractisation: a substantial set of subject-matters that are central to any notion of the 'common good' has been removed from the opinion- and will-formation of the citizens. Referring back to the argument we encountered in chapter two regarding the relationship between 'negative' and 'positive' liberties, it is evident that such policies may arguably (and controversially) be justified by a claim that they enhance the ('negative')

liberty of the individual. It cannot be doubted, however, that they do not enhance democratic self-determination. This is the paradox, then: policies are being recommended to or actively imposed on non-Western states under the banner of human rights and democracy which, if implemented, would limit democratic self-legislation to a relatively narrow band of policy issues as the experience of those Western countries shows where such policies have triggered off a process of dedemocratisation.

There is a second paradox: many elites in Western democracies which argue in favour of the global spread of democracy and human rights (above all in the form of civil and political 'fundamental' rights) attempt to convince their population and citizens that, while these policies that lead to dedemocratisation are regrettable, in a globalising world they are also inevitable. 'Globalisation', so the argument goes, has changed the environment within which states have to compete to ensure prosperity, security and survival. There is no agreed-upon understanding of what is meant by 'globalisation' (see the discussions in Held et al. 1999 and Scholte 2000). At a 'descriptive' level, 'globalisation' gestures towards the following developments. We live in an era of ever-increasing interconnectedness of peoples, places, capital, goods and services. We are also witnessing an increase, and intensification, of political, economic, social and cultural interactions across territorial borders. Globalisation as a multifaceted process manifests itself in such diverse forms as global tourism, mass migration and the global reach of nuclear, environmental and health risks. Arguably, however, it has been economic changes and technological innovations in transport and information systems and their worldwide diffusion that have conjured up visions of a 'global' world. All states and societies – and, increasingly, individuals as well – have become entangled in a complex (and 'global') system of mutual dependencies. The 'globalisation hypothesis' posits that these interconnections and dependencies lead to the receding of the constraints of space and time on social and cultural arrangements in such a way that there occurs the 'spatial' and 'temporal' shrinking of the world. This process is accompanied by the development of a 'global' consciousness that perceives the world as 'one place'. It is this reality of worldwide interdependence, its emergence and its dynamics as well as its effects on states, societies, and individuals that the word 'globalisation' aims to sum up. These considerations open up another avenue for analysing the connection between globalisation and democracy.

Globalisation, civil society and cosmopolitan democracy

In the debate on 'globalisation' and politics, two concepts have become ubiquitous: 'global civil society' and 'global governance'. Let us attempt a definition of each term and then progress to a discussion of democracy in relation to these institutional forms of social action.

Global civil society' and 'global governance'

The growing economic, technological and cultural integration of a globalising world is believed to impel a deeper and more extensive co-operation among socio-political activists across the globe. This extension of NGO and social movement activity beyond state boundaries is considered to be opening up previously closed arenas of global politics, thereby gradually replacing the sovereign nation-state as the major locus of political power. Concomitantly with this wave of transnational movement activity, we witness the formation of a structure of global governance. A system of 'complex multilateralism' is emerging in which (international) non-governmental organisations, citizens' movements and multinational corporations in conjunction with states and international governmental organisations share – so it is argued – in the task of governance.

In James Rosenau's analysis of the 'turbulent world' of the late 20th century, the sites out of which authority is exercised and compliance generated have been dispersed and authority has been relocated 'outwards to transnational and supranational organizations, sidewards to social movements and NGOs, and inwards to subnational groups' (Rosenau, 1997: 43–4). Rosenau neglects to mention the state – but whatever position one adopts on the question as to whether one can notice a 'decline of the nation-state', the state clearly does continue to exercise governance functions. In addition to the state, we should also mention the private regulatory systems that have proliferated in many issue areas, and particularly prominently in the area of economic regulation. For example, there are debt

security, or rating, agencies, which are private entities that organise information for suppliers and borrowers of capital. Another private regulatory mechanism is international commercial arbitration. The settlement of disputes in the 'global economy' over contracts for the sale of goods, joint ventures, construction projects, distributorships, and the like has increasingly become the task of international commercial arbitration bodies. Rather than submit to the national courts of the other party – which in a dispute over an international contract would involve litigation in a possibly 'alien' legal system – parties agree on conflict resolution through private bodies – such as the International Chamber of Commerce in Paris, the American Arbitration Commission, or the London Court of International Commercial Arbitration. Much of this arbitration is done by big multinational law firms; and with Anglo-American law being dominant in international transactions, arbitration tends to privilege Anglo-American law firms and thus contributes to the globalisation of Anglo-American law. I shall return to these issues later to provide a somewhat more theoretically informed assessment of these developments.

With regard to global civil society, Mary Kaldor has argued that it expands the sphere of 'active citizenship'; it refers to 'growing self-organisation outside formal political circles, and expanded space in which individual citizens can influence the conditions in which they live both directly through self-organization and through political pressure' (Kaldor, 2003: 8). Kaldor points out that:

Whether we are talking about isolated dissidents in repressive regimes, landless labourers in Central America or Asia, global campaigns against land mines or third world debt, or even religious fundamentalists and fanatic nationalists, what has changed are the opportunities for linking up with other like-minded groups in different parts of the world, and for addressing demands not just to the state but to global institutions and other states … a new form of politics, which we call civil society, is both an outcome and an agent of global interconnectedness. (Kaldor, 2003: 2)

According to Kaldor, global civil society provides a way to supplement 'traditional' democracy, creating new channels for global deliberation and offering 'the possibility for the voices of the victims of globalisation to be heard if not the votes' (Kaldor, 2003: 148). Conceptually, there is the question of the distinction between NGOs and social movements when it comes to the definition of civil society. There is also the issue as to whether 'transnational, or 'global', civil society is best conceptualised as a fairly homogeneous, non-hierarchical and disinterested counter-point to the power-driven system of states representing an otherwise marginalised or disenfranchised 'global citizenry'.

Against such an ultimately 'liberal' understanding of 'global civil society' – which is rather widespread, particularly in the reports of International Governmental Organisations such as the World Bank or the IMF –, we may say that 'global civil society is what states make of it' (Alejandro Colas). Many NGOs are organised by governments (GONGOs), are quasi non-governmental organisations (QUANGOs) or are even government-run or initiated (GRINGOs). Their participation in conferences organised by international governmental organisations such as the UN is premised on their state-approved accreditation. This observation points us to a hypothesis that posits the state as a significant component of international social movement activity. Furthermore, a considerable number of NGOs have been boosters, and often willing executioners, of neo-liberal policies, more concerned with spreading, and entrenching, a particular form of capitalism rather than promoting democracy. More generally, NGOs as 'functional' organisations represent the interests of their members rather than a nascent global 'demos'. That there are, in the various 'anti-globalisation movements', forces that struggle against the logic of global capitalist accumulation and its political and cultural ramifications, cannot be doubted – although fighting against capitalism in itself does not make a social movement democratic. From the perspective of democratic theory, the NGOisation of civil society – as it has happened in the context of the 'good governance' policies and in liberal-pluralist conceptualisations of civil society – is thus deeply problematical.

The debate on 'cosmopolitan democracy'

Let us now place these two concepts within the context of the debate on 'cosmopolitan democracy'. According to David Held, globalisation poses the question as to how adequately to combine the system of territorially rooted democratic governance with the transnational and global organisation of social and economic life: 'As fundamental processes of governance escape the categories of the nation-state, the traditional national resolutions of the key questions of democratic theory and practice are open to doubt' (Held, 2000: 28). It is out of these concerns that Held and Daniele Archibugi have developed their model of 'cosmopolitan democracy'.

We face the challenge, so Held argues, to create and entrench democratic institutions at regional and global levels – complementing those at the nation-state level –, which would enable the peoples of the world to express and deliberate upon their aims and objectives in a progressively more interconnected global order.

For Held, the concept of 'cosmopolitan democracy' refers to 'a model of political organisation in which citizens, wherever they are located in the world, have a voice, input and political representation in international affairs, in parallel with and independently of their own governments' (Held, 1995b: 13). Transnational socio-political movements and non-governmental organisations (NGOs), that is, civil society actors, are to play a vital role in this process of global democratisation. Held favours a global and divided authority system, 'a system of diverse and overlapping power centres, shaped and delimited by democratic law' (Held, 1995a: 234–5). For Held, cosmopolitan law 'demands the subordination of regional, national and local "sovereignties" to an overarching legal framework, but within this framework, associations may be self-governing at diverse levels' (Held, 1995a: 234). He accepts that democracy must be institutionalised on many levels, ranging from the local/municipal to the sub-national and national levels and through the regional level to the global level. His goal is thus to strengthen democracy 'within' communities and civil associations 'by elaborating and reinforcing democracy from "outside" through a network of regional and international agencies and assemblies that cut across spatially delimited locales' (Held, 1995a: 237). Held frankly concedes that, 'in the first instance', it would be those democratic states and civil societies 'that are able to muster the necessary political judgement and to learn how political practices and institutions must change and adapt in the new regional and global circumstances' that would promulgate and defend cosmopolitan democratic law (Held, 1995a: 232). Cosmopolitan law would thus start out as law pronounced by Western liberal democracies.

Two observations can be offered. First: 'Cosmopolitan democracy' is a thoroughly 'Western' discourse. Held stipulates eight 'cosmopolitan principles' which constitute the basis of his 'new internationalism': (1) the equal worth and dignity of each individual and hence the individual as the ultimate unit of moral concern; (2) active agency or individual self-determination based on self-conscious, self-reflective reasoning; (3) personal responsibility and accountability; (4) consent as the basis of non-coercive collective agreement and governance; (5) collective decision-making about public matters through voting procedures; (6) inclusiveness and subsidiarity so that all who are affected by a decision are involved in the decision-making process (*nota bene*: how to 'institutionalise' inclusiveness is the key question for cosmopolitan democrats) ; (7) avoidance of serious harm; and (8) sustainability. All of these principles are solidly 'liberal' and should not make it necessary for Western states to make any major changes in their institutional make-up – apart from globalising and universalising them. It is not too difficult to see how 'cosmopolitan democracy' may be connected up to the 'good governance' discourse in the World Bank, IMF, EU or the G8.

'Good governance' is part of a discursive field that is populated by the words 'human rights', 'democracy', 'civil society' and 'development'. All these terms are, in turn, cross-referenced to 'market economy' and 'liberalisation': 'free market' and 'free trade' (Axtmann, 2007: 79–108). These conceptual, and political, linkages are still maintained in the current re-packaging of 'good governance' and the shift from 'conditionality' to 'selectivity'. (Whereas in the past donor institutions and countries attempted to induce good governance in a recipient country by providing aid that was attached to political conditionalities, nowadays – as President Bush's Millennium Challenge Account initiative made clear – 'good governance' has been defined as a prerequisite that a recipient country must have met before it qualifies for aid assistance.)

Antony Anghie summed up the significance of the 'good governance' discourse and the policies that it justifies:

Good governance … provides the moral and intellectual foundation for the development of a set of doctrines, policies and principles, formulated and implemented by various international actors, to manage, specifically, the Third World state and Third World people. Attempts by Western states to promote 'good governance' in the Third World – and this involves far-reaching transformations, relating to promotion of democracy, free markets and the rule of law – are directed at reproducing in the Third World a set of principles and institutions which are seen as having been perfected in the West, and which the non-European world must adopt if it is to make progress and achieve stability. (Anghie, 2005: 249)

This 'good governance' discourse is manifestly a key element in the arguments sketched above that, over the last two decades or so (since 1989, in effect), there has emerged a democratic entitlement norm, with (Western, liberal-representative) democracy beginning to be seen 'as the sine qua non for validating governance'.

For a state to be considered legitimate it has become necessary to demonstrate that it rules with the consent of the governed. Clearly, what is at stake here is the question of state sovereignty as a norm in international. We may sensibly see this (allegedly emerging) norm of entitlement to democratic governance in conjunction with the other (allegedly emerging) norm of a state's responsibility to protect'.

According to the report of the International Commission on Intervention and State Sovereignty of December 2001, '[t]he defence of state sovereignty … does not include any claim of the unlimited power of the state to do what it wants to its own people.' Indeed, sovereignty, so it is argued, implies a dual responsibility: 'externally – to respect the sovereignty of other states, and internally, to respect the dignity and basic rights of all the people within the state' (1.35). The principle of sovereign equality, the norm of non-intervention and the sovereign right of self-defence must be subordinated in the last instance to the idea of sovereignty as 'responsibility to protect'.

If we see the two (allegedly emerging) norms – the norm of an entitlement to democratic governance and sovereignty as the responsibility to protect – in conjunction, then, evidently, yet another issue arises (which, however, we will not discuss here): the promotion of democracy and human rights through outside (military) intervention.

Second: the cosmopolitan democrats' endorsement of democracy at nation-state level does not involve a full embrace of the idea of 'popular sovereignty'. Andrew Linklater, for example, argues that cosmopolitan concerns and considerations ultimately override the democratically expressed will of national citizens: he advocates a 'break with the supposition that national populations have the sovereign right to withhold consent', if cosmopolitan demands 'clash with their conception of national interests' (Linklater, 1998: 192). Arguably, there is the distinct danger that an emphasis on the need for designing a cosmopolitan legal order, of which human rights are a constituent element, risks ultimately to marginalise political participation and popular will – and, *in extremis*, vaporise popular sovereignty in impersonal and decentred, yet mutually interlocking and overlapping, networks and associations of deliberation, contestation and argumentation – networks that constitute the public sphere of an Habermasian 'deliberative' democracy.

An alternative model of democracy: 'globally oriented national citizenship'

Instead of embracing Held's and Archibugi's model of 'cosmopolitan democracy', I should like to propose that we need to strengthen – if one wishes to talk in terms of political strategy – democracy within nation-states.

Arguably, a strong democratic civil society is a key prerequisite for the transnational movements and (international) non-governmental organisations mentioned above. For the most part, they are formed within national societies and depend for their success, and even frequently their very survival, on other institutions within this national political environment, such as political parties, trade unions, churches and the media. A 'global' civil society as part of a democratic structure beyond the nation-state that is built partially around the global linkages of these 'nationally' embedded 'transnational'

movements is thus inherently fragile and premised on a national environment supportive of movement politics. It is through citizen participation that such an environment must be nurtured and sustained.

Such democratic involvement and struggle at the nation-state level is all the more imperative since economic 'globalisation' is not the inevitable outcome of 'technologically' driven processes, but is manifestly a political 'project'. State policies of liberalisation, deregulation and marketisation that have been presented by national and transnational political and economic elites as a necessary and inevitable 'response' to the 'challenges' of globalisation to the nation-state have propelled globalisation forward.

If we were to pursue this line of argument, we would need to conceptualise 'global governance' as an element in the political economy of the social reproduction of capitalism. At the heart of this project of global governance lies the attempt to 'lock in' commitments to liberalisation and to 'lock out' popular-democratic and parliamentary forces from control over crucial economic, social, and ecological policies (Gill, 2003). This global governance is carried through by a transnational class: 'In addition to state managers (those embracing liberalisation), there are the new financial and transnational corporate elites combined with the managers of the newly-empowered multinational institutions like the IMF, the World Bank and the World Trade Organization' (McMichael, 1996: 32). We should also add here the organisational elites of many of the GONGOs, QUANGOs and GRINGOs which I mentioned above. However, we are not only witnessing the centralisation of power in multilateral institutions, but also the formation of counter-hegemonic forces of resistance at the global level. And when we speak of the 'democratisation' of global governance, we may usefully do so by talking about power and hegemony, the formation of transnational classes and the political economy of capitalism, rather than narrow the discussion to the question of the participation of NGOs in policy-making processes in the widest possible range of 'issue areas'. (It is evident that this 'internationalisation of the state' does indeed also 'internationalise' the struggle over the institutionalisation of democratic mechanisms for the binding allocation of goods.)

Let us return to the issue of cosmopolitanism and democracy – and my suggestion to start our considerations with the 'nation-state'. In distinction to the model of cosmopolitan democracy, I propose that we rather embrace the modest claim that individuals ought to work for global goals and that the agendas of citizens within a state increasingly ought to include global concerns. Bhikhu Parekh (2003: 12–17) has eloquently argued the case for a 'globally oriented national citizenship'. Such a type of citizenship has three important components. (1) It involves 'constantly examining the policies of one's country and ensuring that they do not damage and, within the limits of its resources, promote the interests of humankind at large'; (2) 'an active interest in the affairs of other countries'; and (3) 'an active commitment to create a just world order' (Parekh, 2003: 12–13). On the one hand, we may expect 'those who strongly identify with their community and feel a sense of responsibility for its action [to be] the most likely to feel ashamed and protest when it behaves badly'. On the other hand, accepting that 'human well-being everywhere should be matter of moral concern to us', the globally oriented citizens think it their duty 'to protest and mobilise international public opinion when governments in other parts of the world engage in genocide or ethnic cleansing, oppress their citizens or those in neighbouring countries, deny them rights, and in general damage their ability to lead the good life' (Parekh, 2003: 13).

Parekh's globally oriented citizen thus possesses the characteristics of Immanuel Kant's patriotic cosmopolitan. Kant calls patriotic that way of thinking where 'everyone in a state (its head not excepted) regards the commonwealth as the maternal womb, or the country as the paternal land, from which and on which he sprang and which he must leave behind [to his descendants] as a cherished pledge. Each regards himself authorised to protect its rights by laws of the common will but not to subject the use of it to his unconditional discretion'. In such a 'patriotic' commonwealth, the state (*civitas*) treats its subjects as citizens of the state, citizens who 'are united for giving law' (MM, 457 [6: 314]). The citizen, in turn, has the duty of civic patriotism which comes down to promoting the functioning and improvement of the republic as a just state.

Kant was adamant that national delusion [*Nationalwahn*], the illusion that one's own nation is inherently superior to others should be 'eradicated' and replaced by 'patriotism and cosmopolitanism' (Kant, 1913: 590-1, no. 1353). In another passage, Kant remarks that 'global patriotism' and 'local

patriotism' are proper to the cosmopolite, 'who in fealty to his country must have an inclination to promote the well-being of the entire world' (Vigilantius, 1997: 406 [27: 673-4]).

Kant believed that every individual should be a 'friend of human beings as such (i.e., of the whole race' (MM, 587 [6: 472]); but, in his view, such sentiments are usually not sufficient in motivating humane behaviour:

Now the benevolence present in love of all human beings is indeed the greatest in its extent, but the smallest in its degree; and when I say that I take an interest in this human being's well-being only out of my love for all human beings, the interest I take is as slight as an interest can be. I am only not indifferent with regard to him. (MM, 570-1 [6: 451])

It is more likely that people act morally in local settings. However, such engagements at the local level should be informed by the 'enlarged thinking' that arises out of the recognition of one's membership of a global community to which one belongs simply in view of the fact that one is human. The reality of our cosmopolitan existence ought to inform our actions. For Kant, therefore, local and global patriotism are, of necessity, intertwined.

If we wish to pursue the question of solidarity, which informs Kant's position, we may usefully turn to Hannah Arendt. Arendt argued that:

If the solidarity of mankind is to be based on something more solid than the justified fear of man's demonic capabilities, if the new universal neighborhood of all countries is to result in something more promising than a tremendous increase in mutual hatred and a somewhat universal irritability of everybody against everybody else, then a process of mutual understanding and progressing self-clarification on a gigantic scale must take place. (Arendt, 1968: 84)

As a first step, such mutual understanding would require that we renounce, not one's own traditions or one's national past, but 'the binding authority and universal validity which tradition and past have always claimed.' We must open ourselves up to 'limitless communication', as Karl Jaspers called it. That which we call 'intercultural dialogue' is a central aspect of 'limitless communication'. 'Limitless communication' expresses, on the one hand, the faith in the comprehensibility of all truths and, on the other, the good will to reveal and to listen as the primary condition for all human intercourse. Both elements together, subjectively, the 'will to communication' and, objectively, the fact of universal comprehensibility are the band between human beings. Arendt is adamant that '[t]he unity of mankind and its solidarity cannot consist in a universal agreement upon one religion, or one philosophy, or one form of government, but in the faith that the manifold points to a Oneness which diversity conceals and reveals at the same time' (Arendt, 1968: 89-90).

'The will to reveal and to listen' is a dialogical conversation among individuals, and groups of individuals, who show each other respect and, conscious of the need for forgiveness, listen to each other's 'voices'. Iris Marion Young developed this Arendtian perspective in her concept of 'asymmetrical reciprocity'. Young asserts that the reciprocity of equal respect and acknowledgement of one another entails an acknowledgement of an asymmetry between subjects: 'Participants in communicative interaction … meet across distance of time and space and can touch, share, overlap their interests. But each brings to the relationships a history and structured positioning that makes them different from one another, with their own shape, trajectory, and configuration of forces.' This 'plurality' demands a particular kind of communication:

We each must be open to learning about the other person's perspective, since we cannot take the other person's standpoint and imagine that perspective as our own. This implies that we have the moral humility to acknowledge that even though there may be much I do understand about the other person's perspective through her communication to me and through the constructions we have made common between us, there is also always a remainder, much that I do not understand about the other person's experience and perspective. (Young, 1997: 53)

In the 'volley of practical dialogue' of sensitive questioning, probing and tentative interpretations we gradually move to a better understanding of the 'world' that is common to many of us, lies between us, separates and connects us at the same time, presents itself in different ways to different people and becomes comprehensible to the extent that many people talk with each other about it and exchange their opinions, their perspectives, with each other. It is thus that the 'global' world comes into existence as a factual entity.

It is a key aspect of the contemporary stage of global interconnectedness that concrete societies situate themselves in the context of a world complex of societies that they conceptualise themselves as part of a global order. As a result of this global self-reflection, the criteria for social change and conduct tend to become 'matters of inter-societal, inter-continental, inter-civilizational, and inter-doctrinal interpretation and debate' (Roland Robertson). Such a situating of societies may engender strains and even discontent within societies. It heightens the significance of the problem of societal order in relation to global order and is thus likely to give rise to a large number of political-ideological, nationalist and religious movements with conflicting definitions of the location of their society in relation to the rest of the world and the global circumstance as a whole. This is likely to radicalise value conflicts both domestically and in the international arena. The Arendtian perspective invites the citizens to search for ways to make their own political community stronger democratically by re-designing their political institutions in order to allow for a genuine political experience. Hanna Fenichel Pitkin puts forward an argument that is not at all out of line with Arendt's own train of thought:

> We need to seek out, invent, and cultivate organisational modes – official and unofficial, large and small – that politicise people and encourage their participation in the active shaping of their shared public life: institutions that facilitate creative initiatives from below and encourage not just the expression of ordinary people's views, as in interactive television or public opinion polls, but widespread deliberation about public affairs that connects public policy to what really matters to people and that lets them experience themselves jointly improving the shared public conditions that limit their personal choices. (Pitkin, 1998: 260)

The citizens thus reconnected with the well-being of their 'republican' community will then be better equipped, and motivated, to develop a global commitment as citizens of the world. Or, at least, this would be the hope.

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