

Global Democracy Without Global Justice? Why a Procedural Account is Flawed

Klaus Dingwerth, Universität Bremen*

Paper prepared for presentation at the ECPR Standing Group on International Relations' 7th Pan-European Conference on International Relations, Section 34: Democratic Governance and International Institutions, Stockholm, 9-11 September 2010.

ABSTRACT: Global democracy is now widely recognized as an important field of academic study and political activism – and democracy itself has increasingly become an empirical standard against which the performance of international institutions is evaluated by different audiences. Yet what is empirically called for in the name of global democracy often deviates from what a reasonable normative standard would demand. While scholarship and activism mainly stresses the need for institutional reforms of existing organizations – for instance the abolishment of the veto power for the permanent members of the UN Security Council – a reasonable normative standard would require us to focus on the structural preconditions that make democratic governance possible in the first place. While many of these preconditions are valuable on their own terms, their realization is also an essential element of democratic governance on a global scale. Taking global democracy seriously thus requires us to refocus the debate on issues such as access to education and health and the guarantee of minimal levels of subsistence. In short, it requires us to no longer talk about global democracy as if it had nothing to do with global justice.

1 Introduction

In the introduction to the recently published Oxford Handbook of International Relations, Christian Reus-Smit and Duncan Snidal hold that International Relations is a practical discourse that revolves around the question 'How should we act?'.¹ Many of the most interesting questions in our research, they argue, are to be located in 'the difficult terrain between normative and empirical inquiry'.² The title of this contribution builds on this view. It can be read in a normative as well as in an empirical way. A normative reading refers to the norms that should ideally guide global governance. It raises questions like 'Is democracy an appropriate normative standard for the evaluation of global governance?', 'If so, what does it demand?' and 'How does it relate to other normative standards such as justice, peace or human rights?'. In an empirical reading, 'normative foundations of global governance' points to the norms that actually guide the conduct of global governance. The phrase would thus give rise to questions such as 'Does a norm of democratic governance exist in relation to the conduct of world affairs?', 'When, why and how did it emerge?' and 'How does it affect the practice of global governance?'.³

If we accept the idea that the most interesting research questions on global governance are located in 'the difficult terrain between normative and empirical inquiry', then both readings are relevant. I therefore address both sets of questions in this contribution. Focusing on the issue of democratic global governance, my argument is essentially that we are witnessing a

* Contact: Klaus Dingwerth, Universität Bremen, FB8, Institut für Interkulturelle und Internationale Studien, PO Box 330440, 28334 Bremen, Germany, E-Mail: klaus.dingwerth@iniis.uni-bremen.de.

¹ I would like to thank Anne van Aaken, Thorsten Benner, Magdalena Bexell, Sara Calm, Daniele Caramani, James Davis, Catia Gregoratti, Tine Hanrieder, Christer Jönsson, Dirk Lehmkuhl, Christina Müller, Anders Uhlin, Michael Wahman and Bernhard Zangl for giving me the opportunity to present the core arguments of this paper at various places and for commenting on earlier versions of this paper.

² Christian Reus-Smit and Duncan Snidal, 'Re-Uniting Ethics and Social Science: The Oxford Handbook of International Relations', *Ethics & International Affairs* Vol. 22 (2008), No. 3, pp. 261-271, here at p. 269. See also Christian Reus-Smit and Duncan Snidal, *Between Utopia and Reality: The Practical Discourses of International Relations*. In *Oxford Handbook of International Relations* (Oxford: Oxford University Press, 2008), pp. 3-37

(quasi-)democratization of global governance at the institutional level. Yet this democratization remains superficial since the social preconditions for it to actually make a difference are not only lacking, but also rarely addressed by remains global democracy scholars and activists alike. What a normative reading of democracy demands thus diverges significantly from what global democracy scholars and activists are actually demanding.

2 Democracy as a Normative Standard

Conventional strategies to justify democracy commonly build either on the notions of personal autonomy and the intrinsic equality of all persons, or they justify democracy as a means to achieve other desirable ends like freedom, welfare or human development. Yet these justifications are confronted with a range of challenges when we seek to apply them to governance beyond the state. While the global democracy literature tends to take the desirability of democratising global governance for granted, these challenges are nevertheless important. In particular, they force us to specify our notion of global democracy as a (potentially) universal normative standard.

So what are the main challenges? In short, the notion that democracy is valuable because it respects the equal value of all persons and hence personal autonomy is faced with two challenges. First, the ‘fact of pluralism’ – the existence of many different comprehensive moral doctrines – may simply render it impossible to justify global democracy on the basis of first principles shared by all. For some doctrines, personal autonomy may not be an unquestioned overarching value. Second, communitarian philosophy alerts us to the intuition that we may value democratic structures mainly as a result of our experience with existing structures that govern the communities we live in. This poses a challenge to the globalization of democracy, for while we may consider everyone in our own community as equal ‘in some important sense’³, we may not be ready to give equal consideration to the interests of persons at the other end of the globe whom we do not share a common life world with and about the lives of whom we know little at best.⁴ Communitarians have thus maintained that the obligations we have to our fellow national citizens differ from the obligations we have to the citizens of other states. If we accept this view, our moral obligations to citizens beyond our own (national) communities may be limited to the respect for the most fundamental human rights or to duties of charity.⁵ The applicability of more far-reaching standards of democratic governance would, in turn, remain limited to the domestic level.

An alternative strategy might be to justify democracy on the ground that it promotes other valuable goods such as freedom, welfare or ‘human development’. Robert Dahl subscribes to such a view in his *Democracy and its Critics* when he argues that democracy tends to produce the best feasible system ‘taken all around’.⁶ Even though evidence supports a link between democracy and well-being at the domestic level, it however offers little help in justifying the call for transnational democracy. Since domestic and international political structures differ vastly—take, for instance, the absence of government or the absence of a collective identity beyond the state—most of the arguments that have been made for the domestic level cannot easily be transferred to the transnational level. And since we lack the experience with more democratic structures at the transnational level, we are unable to predict whether or not a ‘more democratic’ world political system – for instance a ‘more

³ John Locke, *The Second Treatise of Government* (Indianapolis and New York: The Liberal Arts Press, 1952 [1690]), p. 31.

⁴ This intuitive rejection of the idea of transnational democracy is captured in the following critique by Friedrich Kratochwil that ‘Other than in real life, where the unity of a group must be generated and maintained through power and persuasion and for practical solutions, the universalist discourse creates the illusion that specific rights and duties are no longer derived from political associations but can instead be directly inferred from universally valid principles’; see Friedrich Kratochwil, *Vergeßt Kant! Reflexionen zur Debatte über Ethik und internationale Politik*. In *Politische Philosophie der Internationalen Beziehungen*, edited by Christine Chwasczka and Wolfgang Kersting (Frankfurt/Main: Suhrkamp, 1998), pp. 96-149, here at p. 105 (my translation).

⁵ David Miller, *National Responsibility and Global Justice* (Oxford: Oxford University Press, 2007).

⁶ Robert Dahl, *Democracy and its Critics* (New Haven: Yale University Press, 1989), p. 84.

democratic' UN Security Council or world trade regime – would enhance welfare or development at a global scale.

Considering these challenges, it seems surprising that the call for global democracy is so often taken for granted and that relatively little thought is given to its justification. On the other hand, taking the challenges seriously does not necessarily force us to give up democracy as a normative standard. We may still offer a pragmatic justification that is broadly in line with John Rawls's idea of an 'overlapping consensus' of reasonable comprehensive moral doctrines and builds on Richard Rorty's ideas about the 'priority of democracy to philosophy'. In an essay with that title, Rorty questions the usefulness of philosophy in justifying the institutions of liberal democracy. More precisely, he argues that

It is not evident that [democratic institutions] are to be measured by anything more specific than the moral intuitions of the particular historical community that has created these institutions. The idea that moral and political controversies should always be 'brought back to first principles' is reasonable if it means merely that we should seek common ground in the hope of attaining agreement. But it is misleading if it is taken as the claim that there is a natural order of premises from which moral and political conclusions are to be inferred.⁷

This does not necessarily imply that a call for more democratic structures of global governance is meaningless from an ethical point of view. Instead, by referring to 'the moral intuitions of the particular historical community', Rorty emphasises that 'we' — referring in particular to educated liberals within Western industrialised societies — attach a very high value to ideas of personal autonomy, intrinsic equality, and, more broadly, 'democracy'.⁸ Taking the contingent historical foundations of democracy seriously, we might not be able to portray the project of democratisation as mandated by rational moral reasoning. But we will be able to enter into dialogue with more sceptical observers and portray democracy as an option that deserves some credit. Normatively speaking, democracy would then be valuable as long as we can plausibly assume that it will be possible to generate a broad empirical consensus on its desirability.⁹

On a conceptual level, taking Rorty's position as a starting point has one major implication. It requires us to identify an 'overlapping consensus' of different conceptions of democratic governance beyond the state rather than to filter out the one 'correct' version of democratic theory. The question thus is not so much whether Jürgen Habermas' or John Dryzek's version of 'deliberative democracy' is theoretically more sophisticated, but rather what their notions of democracy have in common. For if 'we' as adherents of (global) democracy cannot even subscribe to a common core, how could we possibly persuade the sceptics?

My own reading of different strands of (global) democratic theory is that such a commonly shared core of democratic governance would most likely consist of three dimensions of democratic governance, namely inclusiveness, democratic control and discursive quality. A global decision-making process would thus deserve the label 'democratic' if it allows affected

⁷ Richard Rorty, *The Priority of Democracy to Philosophy*. In *Objectivity, Relativism and Truth: Philosophical Papers (Vol. 1)* (Cambridge: Cambridge University Press, 1991) p. 190. On the notion of an overlapping consensus, see John Rawls, *The Idea of an Overlapping Consensus*, *Oxford Journal of Legal Studies* Vol. 7 (1987), No. 1, pp. 1-25.

⁸ Empirical research on the support for democracy however suggests that this support is by no means limited to the abovementioned educated liberals within Western industrialised societies; see e.g. Anirudh Krishna (ed.) *Poverty, Participation, and Democracy: A Global Perspective* (Cambridge: Cambridge University Press, 2008).

⁹ Some may doubt that such a consensus is possible in the first place, indicating that empirical evidence points — at best — to a European, North American and possibly also Latin American consensus while great powers such as China, Russia and also India as well as several smaller members of the G77 do not seem to make strong arguments in favour of global democracy or any of the democratic values associated with it. From the perspective taken here, the mere possibility of attaining consensus would, however, be sufficient. While I admit that there remains much theoretical and empirical work to be done to include non-Western perspectives in the global democracy discourse — and some initiatives such as *Building Global Democracy* have actually begun to engage in a more truly global dialogue — I do not see any a priori reasons to exclude the possibility of attaining consensus on the value of democracy or of individual democratic values. I am grateful to Thorsten Benner for asking me to clarify this argument.

communities to adequately participate in the decision-making process; if the decision-making process is sufficiently transparent and the rule-makers can be held accountable by the rule-takers; and if decision-making is institutionally tied to deliberative arenas that allow for the sincere exchange of arguments among adherents to different social discourses that relate to the issue of decision-making.¹⁰

When activists or scholars call the democratic quality of an international institution such as the WTO into question, they thus imply that one or more of the three conditions of democratic governance are not met in practice. They may hold that the WTO is insufficiently inclusive (e.g. because small developing countries do not participate effectively in negotiations); they may hold that it is insufficiently transparent (e.g. because important negotiations are held informally in the 'Green Room') and accountable (e.g. because national parliaments are unable to hold delegates to account); and/or they may hold that the WTO provides for insufficient discursive quality – for instance because the exchange of bargaining chips prevails over the exchange of arguments, or because the domain of acceptable arguments is limited to those that value trade liberalization as the foundational principle of the regime. From a normative point of view, what is a sufficient level of inclusiveness, control or discursive quality will always depend on the context of decision-making. 'How much' democracy is required thus differs from case to case – depending, most generally, on how deeply a decision affects the lives of individuals and communities.¹¹

In short, the discussion in this section can be summarized in three claims:

- Democracy can be a reasonable normative standard for international and transnational politics – but the critiques of its various foundations will need to be taken more seriously. Basing one's argument on a more pragmatic foundation, it seems useful to conceptually limit the term to a common core that many conceptions of democracy beyond the state can subscribe to. If my reading of the literature is correct, this common core consists of three conceptual dimensions, namely inclusiveness, democratic control and discursive quality.
- For the sake of clarity, any claims about the 'democratic deficit' of world politics should thus be made in relation to a specific conceptual dimensions. In other words, those who invoke a 'democratic deficit' should be asked to clarify whether they deem an international decision-making process as insufficiently inclusive, as insufficiently transparent and accountable and/or as insufficiently deliberative.
- The disaggregation of democratic governance hints at the possibility that there may be trade-offs between individual dimensions, for instance when enhancing transparency comes at the cost of reducing the sincerity of deliberations. Moreover, there may also be extra-democratic normative trade-offs when enhancing a particular democratic value conflicts with other desirable ends such as peace, justice, human rights or welfare.

3 Democracy as an Empirical Standard

Ought implies can. A normative standard should thus also be able to become an empirical standard. Looking first at IR as an academic discipline and then at recent developments in international and transnational governance, I argue that there is an emerging norm of global democratic governance. This norm stresses the importance of inclusive, transparent, accountable and deliberative international institutions and thus broadly corresponds to the normative standard discussed in the previous section. In terms of global democratization, we should assume that these are good news.

¹⁰ For a more complete elaboration of this argument, see Klaus Dingwerth, *The New Transnationalism: Transnational Governance and Democratic Legitimacy* (Basingstoke: Palgrave, 2007), chapter 2.

¹¹ In addition, a normative conception of democracy will need to take other values such as peace or justice into account. This is relevant, for instance, in calls for reforming the UN Security Council where non-democratic features of decision-making such as permanent seats with a right to veto substantive decisions is commonly justified in terms of a greater ability to maintain peace and prevent conflict among nuclear powers.

3.1 Academic Discourse

Over the past decade, global democratic governance has established itself as a field of study that combines disciplines such as International Relations, Political Philosophy and International Law. Research centres and research programmes on global democracy have been or are about to be launched at universities in Australia, Belgium, Sweden, Switzerland, and the UK – and probably in many other places, too.¹² As the new field of study is essentially based on the assumption that global governance should become more democratic, it is fair to assume that a norm of democratic governance has emerged within academia. Research in the field usually focuses on two areas. First, it engages political theory and political philosophy in an effort to clarify whether and how we can adopt the idea of democratic governance to the specific context of world politics; the aim of this strand is to better understand what democracy can reasonably mean in a global political context. Second, the more empirically oriented literature focuses on an evaluation of existing international institutions in the light of democratic values and explores how these institutions can be rendered more democratic. The second strand is most relevant for this contribution. It includes a vast literature on the European Union and its alleged ‘democratic deficit’, but increasingly also on global political institutions such as the World Trade Organisation or the United Nations. An examination of the literature on democracy and international institutions reveals a relatively strong focus on institutional reforms. Reform proposals commonly include the reforms of voting schemes – e.g. in the UN Security Council – and greater access for non-governmental organizations to enhance the inclusiveness of international institutions on the one hand; and an enhanced role for national parliaments or international parliamentary bodies to strengthen accountability on the other hand.¹³ The focus on institutional aspects of decision-making is exemplified in Thomas Zweifel’s *International Organizations and Democracy: Accountability, Politics and Power*. Being one of the few comparative analyses of the democratic performance of international organizations to date, Zweifel’s book evaluates international organizations in terms of seven criteria, all of which refer to purely institutional aspects of decision-making in international organizations. Yet Zweifel’s focus on procedural questions is not unique, but fairly characteristic for the broader academic literature on global democracy.¹⁴

This is relevant because the academic discourse on global democracy becomes politically powerful in several respects. First, there is a revolving door effect. Academics occasionally become practitioners, consult international organisations or engage in international political activities. John Ruggie’s role as Special Representative of the UN Secretary-General on Human Rights and Transnational Corporations and as the intellectual mastermind behind the Global Compact is an example of this direct link between academia and the UN.¹⁵ Partially as a result, academic and political discourses are not always neatly separated. The UN Vision Project on Global Public Policy Networks, for instance, was partially funded by the United Nations Foundation and resulted in the report *Critical Choices: The UN, Networks,*

¹² The Australian National University in Canberra hosts a research programme on ‘Deliberative Democracy and Global Governance’ (<http://deliberativedemocracy.anu.edu.au/index.html>); in Sweden, the University of Lund and the University of Stockholm jointly host a multi-faceted research programme called ‘Transdemos’ (<http://www.transdemos.se>); in Switzerland, the University of St. Gallen has recently established a research unit on ‘Global Democratic Governance’ (<http://www.gdg.unisg.ch>); in Belgium, the Leuven Centre for Global Governance Studies is about to set up a ‘7-year research programme on Global Governance and Democratic Government (...) which aims at the construction of a new paradigm for democratic global governance’ (<http://www.ggs.kuleuven.be/>); in the UK and elsewhere, Jan Aart Scholte and colleagues are engaged in an academic and political programme labelled ‘Building Global Democracy’ (<http://www.buildingglobaldemocracy.org>) (all sites last accessed 6 August 2010).

¹³ Cf. Klaus Dingwerth, Michael Blauberger and Christian Schneider, *Postnationale Demokratie: Eine Einführung am Beispiel von EU, WTO und UNO* (Wiesbaden: VS Verlag, 2010).

¹⁴ The criteria are appointment, participation, transparency, reason-giving, overrule, monitoring and independence. See Thomas Zweifel, *International Organizations and Democracy: Accountability, Politics and Power* (Boulder, CO: Lynne Rienner, 2005), chapter 1.

¹⁵ Cf. Catia Gregoratti, *The UN Global Compact: A Critical Appraisal*, unpublished PhD manuscript (Manchester: University of Manchester, 2009), pp. 60-65 and 164-165.

and the Future of Global Governance.¹⁶ The report draws on a variety of academic discourses and at the same inspired an entire new field of academic study, namely the now well-established research area on the effectiveness and legitimacy of transnational public-private partnerships. Despite its academic clout and credentials, it was however written with a clear political agenda in mind – namely to promote a greater openness of the UN for a variety of stakeholder groups. In addition, having moved back and forth between academia on the one hand and diplomacy and international bureaucracies on the other hand, the biographies of both co-authors of *Critical Choices* are also illustrative of the abovementioned revolving door effect.

More directly in the field of global democratic governance, two further examples are noteworthy. One is the Building Global Democracy Programme. Initiated by academic scholars, it explicitly seeks to bridge the gap between scholarship and political practice:¹⁷

The Building Global Democracy programme throughout interlinks knowledge and action, researchers and practitioners, intellectual labours and political struggles. The programme and its projects are conceived as a process of mutual learning between academic and policy circles. BGD activities always involve collaborations amongst civil society associations, official agencies and scholarly institutions. Programme outputs address academic and lay audiences simultaneously. Correspondents on the programme database are drawn roughly 50/50 from research and practitioner quarters.

The second example is the campaign for a UN Parliamentary Assembly in which activists draw on the works of scholars such as David Held (*Democracy and the Global Order*), Otfried Höffe (*Democracy in an Age of Globalization*) or Richard Falk (*Towards Global Parliament*).¹⁸ This points to an important indirect link between scholarship and political practice that lies in the legitimatory function that academic research has in political communication. Being able to show that one's own claims coincide with the views and findings of publicly recognized experts enhances the status of an argument with most audiences. As a result, the academic discourse on the 'democratic deficit' of international politics matters practically; it builds on, but also serves to feed existing public perceptions of international organizations. Given this impact, it also matters how the democratic deficit is described in the academic literature and what kinds of cures scholars invent for the deficits they identify. As the literature on the EU, the WTO and the UN illustrates, it is fair to assume that the empirically-minded strand of the global democracy literature shares two core features: First, a general understanding that governance beyond the state should be democratized;¹⁹ and second, that the best way to do so is through institutional reforms, including reforms of voting schemes, the abolishment of non-transparent informal negotiations or a stronger role for parliaments and parliamentary assemblies.

3.2 International Governance

Beyond academia, a norm of democratic governance has also emerged in international governance itself. This norm can be traced not only in calls for democratic reforms of international organisations, but also in the latter's verbal and practical responses to such calls. Like the academic discourses, its main focus lies on procedural or institutional aspects of democratic governance.

¹⁶ Wolfgang H. Reinicke and Francis Deng, with Jan-Martin Witte, Thorsten Benner, Beth Whitaker and John Gershman, *Critical Choices: The UN, Networks and the Future of Global Governance* (Ottawa: IDRC, 2000).

¹⁷ See *Building Global Democracy: Our Approach*, available online at URL <http://www.buildingglobaldemocracy.org/content/our-approach> (last accessed 6 August 2010). The initiative is, however, notable in that it does not share the exclusive focus on procedural questions, but also includes a cross-cultural dialogue on the meaning of democracy as well as research on structural prerequisites for global democracy.

¹⁸ Andreas Bummel, 2010: *Internationale Demokratie Entwickeln*, Strategy Paper of the Committee for a Democratic United Nations. 2nd edition. Berlin: KDUN; available online at URL: http://www.kdun.org/resources/2010strategy_de.pdf (last accessed 6 August 2010).

¹⁹ For notable exceptions, see Robert A. Dahl, *Can International Organizations Be Democratic? A Skeptic's View*. In *Democracy's Edges*, edited by Ian Shapiro and Casiano Hacker-Cordón (Cambridge: Cambridge University Press, 1999), 19-36; and Andrew Moravcsik, *Is There a 'Democratic Deficit' in World Politics? A Framework for Analysis, Government and Opposition Vol. 39* (2004), No. 2, pp. 336-363; see also below: section 4.2.

Calls for Democratization. Calls for democratic reforms of international institutions are by no means limited to debates among academics, but also show up on the political agenda. The campaign for a United Nations Parliamentary Assembly is a case in point. The campaign draws support from civil society organizations, from national parliamentarians and from former as well as current diplomats, judges and other state officials. For instance, the Argentinean Senate has formally positioned itself in favour of a UNPA, and some 600 parliamentarians worldwide have signed the campaign appeal. The chair of the Green Party in Germany, Claudia Roth, commented that 'a global parliament would be well suited to make the United Nations more democratic and more transparent'; and former UN Secretary General Boutros Boutros-Ghali has recently held that 'the world needs a parliament'.²⁰

Besides the UNPA campaign, the Global Accountability Report issued by the One World Trust has also received significant attention. Claiming to assess 'the world's most powerful organisations' in terms of transparency, participation, evaluation, and complaint and response mechanisms, the three reports issued between 2006 and 2008 have triggered responses from many of the 90 organizations assessed by the report authors, as well as from stakeholders of these organizations.²¹

These and other calls for democratization have been described in the literature as a 'politicization of international institutions'. This politicization, it is argued, results from the – actual as well as perceived – growing impacts which decisions of international institutions exert on national societies. As a result of those impacts, international institutions are said to be increasingly confronted with normative claims related to their decision-making procedures and politics. Where such claims are frustrated, the dynamics of politicization unfold and, in turn, often lead international institutions to respond with enhancing access to their decision-making processes and increasing the transparency of their procedures.²²

Rhetoric of international organisations. In response to public demands for democratic reforms, at least the 'big' and publicly visible international organizations such as the UN, EU, WTO, IMF, and World Bank have thus devised public communication strategies in which they link their own activities to democratic values such as inclusiveness, transparency or accountability. What is important here is that international organizations targeted by global democracy activists rarely deny the validity of the claim that they should be organized democratically. Rather than seeking to convince their critics that democracy is the wrong standard to evaluate the performance of an international organization, their communication strategies are geared towards demonstrating that their organization is in fact organized in a much more democratic way than the critics seem to assume. The claim that international organizations should be democratic is thus largely taken for granted by both speakers and target actors.

An analysis of relative change in the normative terms invoked in UN General Assembly Resolutions similarly suggests that international organizations tend to apply democratic values to evaluate their own performance. Resolutions adopted between 1996 and 2005 thus increasingly make references to inclusiveness, transparency and accountability while other

²⁰ 'Senate of Argentina Declares Support for Creation of UN Parliamentary Assembly', available online at URL: <http://en.unpacampaign.org/news/322.php>; 'Law-Makers Step Up Efforts for UN Parliamentary Assembly', 23 October 2009, available online at URL: <http://en.unpacampaign.org/news/430.php>; 'Greens support campaign for a Global Parliament', available online at URL: <http://en.unpacampaign.org/news/511.php> (all articles last accessed 24 August 2010); Boutros Boutros-Ghali, 'Die Welt braucht ein Parlament', *Die Zeit*, 9 June 2009.

²¹ Cf. One World Trust, 'Global Accountability Report', available online at URL: <http://www.oneworldtrust.org/>; for a critical stakeholder response see for instance NGO Forum on ADB, 'We Distrust One World Trusts Findings: NGO Forum on ADB Statement on the 2007 Global Accountability Report', available online at URL: http://www.forum-adb.org/BACKUP/News/We_Distrust_One_World_Trust%27s_Findings.htm (last accessed 24 August 2010).

²² Matthias Ecker-Ehrhardt and Michael Zürn, *Die Politisierung internationaler Institutionen*, *Aus Politik und Zeitgeschichte* 20-21 (2007), pp. 23-30. As the UNPA campaign and the Global Accountability Report, the broader politicization movement observed by the authors mainly focuses on procedural aspects of international decision-making. In relation to the substance, the authors merely include the selectivity of international institutions as a normative deficit that receives attention by interested publics. As the most prominent example for selectivity that is perceived as problematic, the authors point to UN Security Council decisions about humanitarian intervention; see *ibid.*: 28.

normative concepts such as sovereignty and non-intervention or human rights are invoked with decreasing frequency.²³ The resolutions 'call upon the United Nations system to strengthen accountability in the field of humanitarian assistance', attest to 'the urgent need to establish an equitable, transparent and democratic international system in which poor people and countries have a more effective voice' or mention the 'the need for the process of selection of the Secretary-General to be inclusive of all Member States and made more transparent'.²⁴

Practical steps. Beyond rhetoric, international organisations have also taken a number of steps to actually render their decision-making more inclusive, transparent, accountable and/or deliberative. Thus, the European Commission has not only published a White Paper on Governance in which it envisages ways to better involve European citizens in its policy-making; moreover, but EU member states have also significantly extended the competences of the European Parliament throughout the last decades and are experimenting with deliberative procedures in the so-called Open Method of Coordination (OMC). The WTO has improved its relations with civil society organizations and expanded the range of information it makes available to the public. As a result, the once criticized transparency policies of the WTO are now lauded by some as a role model for other international organizations.²⁵ Similar developments are reported for other international organizations such as the Asian Development Bank.²⁶ And finally, member states of the UN continue to discuss institutional reforms that would broaden membership in the UN Security Council and they have tightened their oversight over the UN Secretariat to ensure greater accountability.

A broad range of studies suggest that these illustrations are part of a more general trend in the practice of international organizations. They argue that international organizations not only talk about democratic values, but that they have also actually become more inclusive, more transparent, more accountable, and – at least partially – more deliberative.²⁷ While a number of researchers are currently engaged in efforts to explain this phenomenon, what is

²³ The analysis compares the frequency normative terms invoked in the two five-year periods 1996-2000 and 2001-2005. The results reveal a strong increase for accountability/transparency (+63 per cent) and a moderate increase for inclusiveness/participation (+18 per cent) as well as justice/fairness (+20.5 per cent); the results are relatively stable for effectiveness/efficiency (+5.5 per cent) and show a decrease for sovereignty/non-intervention (-20.4 per cent) and human rights (-22.4 per cent). Absolute numbers are in the range of several thousand for human rights and several hundred for all other concepts. The analysis is based on a collaborative effort with Christina Müller, University of Bremen.

²⁴ 'Strengthening of the coordination of emergency humanitarian assistance of the United Nations, (A/RES/51/194, 10 February 1997); 'Globalization and its impact on the full enjoyment of all human rights' (A/RES/59/184, 20 December 2004); 'Revitalization of the General Assembly' (A/RES/60/286, 9 October 2006).

²⁵ See for instance Jens Steffek and Claudia Kissling: *Civil Society Participation in International Governance: The UN and the WTO Compared*, TranState Working Paper No. 42 (Bremen: Universität Bremen, 2006).

²⁶ Anders Uhlin, *Civil Society Strategies to Democratize International Organizations: The Case of the Asian Development Bank*. Paper prepared for presentation at the ECPR Standing Group on International Relations' 7th Pan-European Conference on International Relations, Section34: Democratic Governance and International Institutions, Stockholm, 9-11 September 2010.

²⁷ All three sets of values are stressed by the literature on the development of a global administrative law; see Nico Krisch and Benedict Kingsbury (eds), *Global Governance and Global Administrative Law in the International Legal Order*, special issue of the *European Journal of International Law* Vol. 17 (2006), No. 1. On enhanced inclusiveness, see also Jens Steffek and Patrizia Nanz, 'Emergent Patterns of Civil Society Participation in Global and European Governance.' In *Civil Society Participation in European and Global Governance: A Cure for the Democratic Deficit?*, edited by Jens Steffek, Claudia Kissling and Patrizia Nanz (Basingstoke: Palgrave Macmillan, 2008), 1-29 and Volker Rittberger, Carmen Huckel, Lothar Rieth, and Melanie Zimmer, 'Inclusive Global Institutions for a Global Political Economy.' In *Authority in the Global Political Economy*, edited by Volker Rittberger and Martin Nettesheim (Basingstoke: Palgrave, 2008), pp. 13-54. On transparency and accountability, see also Alexandru Grigoreescu, *Transparency of Intergovernmental Organizations: The Roles of Member States, International Bureaucracies and Nongovernmental Organizations*, *International Studies Quarterly* Vol. 51 (2007) No. 3, pp. 625-648 and Id., 'The Spread of Bureaucratic Accountability', Paper presented at the 49th Annual Convention of the International Studies Association, San Francisco, CA, 26-29 March 2008. On deliberation, see also Nicole Deitelhoff, *Überzeugung in ter Politik: Grundzüge einer Diskurstheorie internationalen Regierens* (Frankfurt/Main: Suhrkamp, 2006), and Thomas Gehring and Michael A. Kerler, 'Neue Entscheidungsverfahren in der Weltbank: Wie institutionelle Strukturen zu gutem Regieren führen' *Zeitschrift für Internationale Beziehungen* Vol. 14, No. 2, pp. 217-251.

most interesting in relation to this contribution is whether the changes in the practice of global governance respond to changes in the normative foundations of global governance. Or stated differently: Are they the result of an emerging norm of democratic governance beyond the state? As indicated above, preliminary evidence suggests that such is the case.

3.3 Transnational Governance

An emerging norm of democratic governance can also be discerned in transnational governance – i.e. in transboundary rule-making schemes that are operated not by governments, but by non-governmental organizations. In relation to both rhetoric and actual practice, transnational governance organizations thus make strong efforts to portray themselves as a more democratic and more efficient alternative to their bureaucratic and cumbersome intergovernmental counterparts.²⁸ The Forest Stewardship Council (FSC), for instance, is governed by its members; it has an open membership policy; and it has introduced a system of weighted voting that grants equal voting rights to its environmental, economic and social chambers on the one hand, and to the Northern and Southern members of each chamber on the other hand. Other transnational governance organisations have stakeholder assemblies or base their decisions on regional consultations with affected communities. And most transnational governance organizations make a large amount of information available to the public and actively seek public comments on important draft decisions.

The reasons why transnational governance organizations adopt ‘democratic’ or ‘quasi-democratic’ organizational designs are manifold. In some cases, their members may hold deep convictions that such a way of organizing themselves is most appropriate. This was, for instance, the case when environmental groups gathered to found the FSC in 1992. In other cases, the reasons may be instrumental as when relevant audiences demand transparency or when organizations fear difficulties in securing compliance if they are perceived as less ‘democratic’. And in again other cases, the reason may simply be uncertainty about which organizational model is best – and in situations of uncertainty, it is often reasonable to do what most others are doing.

At least in some issues areas, we can however observe that a norm of democratic governance has emerged in relation to transnational governance. In sustainability governance, a standard model of transnational rule-making that includes broadly democratic norms can thus be discerned. A comparison of 13 organizations in this field concludes that the adoption of similar governance models – models that are relatively costly in terms of money, time and autonomy – occurs at least partially in response to a norm that specifies what it means to be a good standard-setter on sustainability issues. This norm becomes manifest in the creation of a meta-organization called the International Social and Environmental Accreditation and Labelling (ISEAL) Alliance. In this organization, eight transnational rule-making organizations join forces to establish a code of conduct for appropriate transnational rule-making – a code that, once more, includes elements of inclusiveness, transparency, accountability and deliberation.²⁹

Among other things, the ISEAL Code of Good Practice for Setting Social and Environmental Standards thus requires that

standard-setting organisations shall ensure that participation in standards consultation is open to all interested parties and that participation and decision-making reflects a balance of interests among interested parties in the subject matter and in the geographic scope to which the standard applies;

²⁸ Cf. Dingwerth, *The New Transnationalism* (supra note 10).

²⁹ Cf. Klaus Dingwerth and Philipp Pattberg, ‘World Politics and Organizational Fields: The Case of Transnational Sustainability Governance’, *European Journal of International Relations* 15 (4), 707-743. Methodologically, it is difficult to differentiate between horizontal causal effects – i.e., mimesis within a particular organizational field – and hierarchical causal effects associated with broader social norms (for the latter explanation, see e.g. Steven Bernstein and Benjamin Cashore, ‘Can Non-State Global Governance be Legitimate?’ *Regulation and Governance* Vo. 1 (2007), No. 4, pp. 347-371). Yet while the broader norms might have influence the emergence of the organizational model, a process analysis suggests that horizontal dynamics play an important role in accounting for organizational homogeneity.

Moreover, standard-setting processes shall 'strive for consensus on the content of the standard among a balance of interested parties' and 'take into account all comments and input received during the period for commenting'. The specification of this latter requirement informs that taking a comment into account means 'that it is considered in the revision of the standard and a justification given if the issue area that the comment addresses is not to be incorporated'.³⁰

Beyond sustainability politics, democratic values such as inclusiveness, transparency, accountability or deliberation also play a role in other issue areas.³¹ The International Accounting Standards Board (IASB) for instance specifies its rules and procedures in a Due Process Handbook that – at least rhetorically – emphasizes transparency, accountability, consultation and responsiveness.³² The organization prides itself on having 'the best developed external stakeholder engagement capabilities amongst 30 of the world's most powerful global organisations' and being 'a high performer in (...) transparency' – two assessments that are based on the 2007 Global Accountability Report issued by the One World Trust.³³ In its self-portrayal, the organization informs that 'in fulfilling its standard-setting duties the IASB follows a thorough, open and transparent due process of which the publication of consultative documents, such as discussion papers and exposure drafts, for public comment is an important component'; moreover, all board meetings are publicly accessible through webcasts and the organization engages 'with stakeholders around the world, including investors, analysts, regulators, business leaders, accounting standard-setters and the accountancy profession'.³⁴

* * *

In conclusion, organizations that establish transboundary rules and standards are – whether increasingly or not remains to be examined more systematically – confronted with the normative claim that their decision-making structures should adhere to democratic standards. The targets of such claims rarely deny the validity of the claim itself and thereby attest to the existence of a social norm that ties the legitimacy of at least a wide range of transboundary governance organizations to their democratic credentials. From the normative point of view elaborated in section 2, this seems desirable. Yet, as the following section argues, the empirical norm of global democratic governance focuses almost exclusively on the procedural or institutional side of democracy and neglects the structural preconditions for democratic governance. As a result, the democratization that may result from the empirical norm change remains superficial at best.

4 The Gap Between the 'Normative Norm' and the 'Empirical Norm'

So far, so good, we might conclude. Norms change slowly, so let us simply support the existing shift and wait a few years – and world politics will eventually become 'more democratic'. Unfortunately, such a development is unlikely. The reason is that, at a deeper

³⁰ ISEAL Alliance, ISEAL Code of Good Practice for Setting Social and Environmental Standards v5.0 (June 2010) (London: ISEAL Alliance), sections 5.5.1, 5.9.1 and 5.8.1.

³¹ In some areas like labour rights, anti-corruption or security, transnational governance schemes however focus more strongly on legitimating their activities in terms of outputs. In labour rights, this relates to compliance with internationally accepted labour standards – including for instance the prohibition of child labour; in initiatives such as Publish What You Pay, the Extractive Industries Transparency Initiative or the Kimberley Process Certification Scheme, it relates to compliance with standards that are assumed to promote widely accepted and hence politically less contested common goods.

³² International Accounting Standards Committee Foundation, Due Process Handbook for the IASB (London: IASC Foundation, 2008).

³³ 'IASB tops global ranking for stakeholder participation'. Press release of 1 December 2007, available online at URL: <http://www.ifrs.org/News/Press+Releases/IASB+tops+global+rankings+for+stakeholder+participation+--+Identified+as+high+performer+for+transpare.htm> (last accessed 25 August 2010).

³⁴ 'About the IFRS Foundation and the IASB', available online at URL: <http://www.ifrs.org/The+organisation/IASCF+and+IASB.htm> (last accessed 25 August 2010). Interestingly, the list of stakeholder groups does not include trade unions; see also James Perry and Andreas Nölke, 'The Political Economy of International Accounting Standards', *Review of International Political Economy* Vol. 13 (2006), No. 4, pp. 559-586.

level, what we should demand diverges significantly from what we do demand in the name of global democracy. Let me briefly elaborate this final argument.

When I discussed, in section 2, what a normative conception of democracy could possibly demand from governance beyond the state, I only proposed to disaggregate the concept of democracy, but did not say much about what the individual dimensions of democratic governance actually demand. So what does inclusiveness, democratic control or discursive quality mean? And what are the structural preconditions for them to be realized?

Let us look at transparency for a moment. Spelled out in a little more detail, transparency can be conceptualised as 'the extent to which individuals who may be significantly affected by a decision are able to learn about the decision-making process, including its existence, subject matter, structure and current status'.³⁵ The ability to learn about a decision-making process – say the current round of WTO negotiations – implies that decision-makers make information about that process available in a timely manner. And this is, in fact, what 'global democracy' activists are demanding and what international organizations are doing in response to these demands. So far, so good. But the ability to learn about the decision-making process also requires that those to whom information is made available can do something with that information – that they can understand it, evaluate it in terms of their own interests and act upon it if necessary. If they cannot, transparency is one-sided and largely meaningless. Now, with illiteracy rates in some parts of the world exceeding 80 per cent, with Internet access virtually unavailable in others, and with language skills, economic knowledge and political education distributed extremely unevenly across the globe, realizing transparency in a meaningful normative sense is indeed a far-fetched dream. And what is more, hardly any of the global democracy activists are working to turn this particular dream into reality.

The same holds true for inclusiveness and discursive quality. While these concepts demand that representatives of affected communities can meaningfully participate in negotiations and deliberations, global democracy activists are usually satisfied if international institutions expand the level of access for members of civil society. Yet studies of international negotiations – for instance on world trade or climate change – consistently show that the real issue is not access for civil society, but rather the hugely unequal capacities of governments to represent their constituencies in negotiations.

In the case of the Kyoto Protocol's Clean Development Mechanism (CDM), developing countries for instance not only encountered difficulties in analyzing their own CDM potentials, and lacked trust in external studies – two factors that by themselves inhibited many developing countries from taking a strong position. In addition, they also suffered from the absence of private sector involvement and from a lack of awareness at the domestic level. Although climate change is likely to have significant impacts on developing countries, it is thus rarely perceived as a priority by domestic audiences – not least because what will be in 2050 is not, and cannot be, a primary concern for most citizens of these countries. Because of the absence of domestic debate, developing countries have frequently entered negotiations with a 'hollow mandate'. In contrast to most industrialized countries, they have pursued a rather defensive negotiation strategy that put themselves at a disadvantage.³⁶

While both the 'normative' and the 'empirical' standard of democratic global governance focus on similar democratic values – namely inclusiveness, transparency, accountability and deliberation – there are thus important differences between the two. Most importantly, the empirical standard demands reforms in the institutional design of international organizations whereas the normative standard would need to ask for measures that address the deeper level of structural preconditions for realizing democracy at a world scale. These differences are in kind rather than in degree. Democracy as a normative standard does not

³⁵ Dingwerth, *The New Transnationalism* (supra note 10), p. 44.

³⁶ Cf. Pamela S. Chasek, 'NGOs and State Capacity in International Environmental Negotiations: The Experience of the Earth Negotiations Bulletin', *Review of European Community and International Environmental Law* Vol. 10 (2001), No. 2, pp. 168-176; Gunnar Sjöstedt and Bertram I. Spector, 'Conclusion.' In *International Environmental Negotiation*, edited by Gunnar Sjöstedt (London: Sage Publications, 1993), pp. 291-314; Joyeeta Gupta, *The Climate Change Convention and Developing Countries: From Conflict to Consensus?* (Dordrecht: Kluwer Academic Publishers, 1997); Frost, Peter G. H., *Zimbabwe and the United Nations Framework Convention on Climate Change* (London: Overseas Development Institute, 2001).

demand more of the same, but rather something else than democracy as an empirical standard.

4.1 Structural Conditions for Realizing Global Democratic Potentials: Subsistence, Health and Education

In terms of the normative standard, three areas stand out for their immediate relevance for the democratic process. All three areas do not yet figure prominently on the agendas of global democracy scholarship and activism. Yet they will need to become central if we take global democracy seriously.

First of all, democracy requires a minimal level of subsistence. Without the guarantee of subsistence rights, decisions about the future course of political activity – and most notably decisions that have a longer time horizon – are almost certain to be taken by those who can afford to take part in political life and to think about what alternative political decisions may imply in terms of their own interests in a more distant future. The claim for subsistence rights is morally convincing on its own terms and hence does not require a reference to democracy to deserve our support.³⁷ At the same time, subsistence rights do constitute an important structural prerequisite for democracy for those whose need to secure their mere survival will often be unable engage in political activities. Taking global democracy seriously thus implies taking subsistence rights seriously.

Second, and related, we need to start thinking about health as an integral element of global democracy. Health is a precondition for participating in political life – or, in David Held's words, 'the condition of all agency and of the pursuit of autonomy'.³⁸ As such, and just like subsistence, health-related rights can be thought of as normatively justified on their own terms. At the same time, they are pivotal to any meaningful conception of democracy since a society in which the members of some groups face a much greater risk at falling and remaining seriously ill than the members of other groups will have difficulties to establish effective democratic procedures. The simple reason is that individuals with chronic diseases will often be unable to participate in political decision-making processes. As a result regional disparities in health risks and access to healthcare matter for democracy. And at a global scale, it is evident that both health risks and access to healthcare are distributed extremely unevenly. A good indicator for the health gap between the First and Third World is the WHO's estimated age standardized death rate. According to WHO data for 2004, this rate is about ten times higher for Zimbabwe (3,561 per 100.000) than for Japan (361 per 100.000) if we take all causes and both sexes into account. Restricting the list of death causes to communicable diseases, maternal, perinatal and nutritional conditions – i.e. to those causes that many Western industrialized countries have acquired the ability and resources to control – the gap between the best performer (New Zealand, 14.7) and worst performer (Zimbabwe, 2,597) rises to factor 176.³⁹ Recent improvements in global access to safe drinking water attest to the possibility of achieving important improvements in relation to health rights.⁴⁰ As a result, realizing global democracy in a normatively meaningful way requires us to invest in mitigating the health risks and improving access to health care for the worst off.

Third, we need to think more thoroughly about what global democracy demands in terms of education. As a recent collection of studies demonstrates, education – rather than wealth – is a key determinant of political participation. 'In countries of Africa, Latin America, and South Asia', Anirudh Krishna maintains in the introductory chapter to the volume, 'poor people (...)

³⁷ See generally – and hence also for the other areas discussed in this section – Amartya K. Sen, *Development as Freedom* (Oxford: Oxford University Press, 2008); see also Martha Nussbaum, *Women and Human Development: The Capabilities Approach* (Cambridge: Cambridge University Press, 2000) and Martha Nussbaum, *Frontiers of Justice: Disability, Nationality, Species* (Cambridge, MA: Harvard University Press, 2006).

³⁸ David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance* (Oxford: Polity Press, 1995), p. 194.

³⁹ WHO Global InfoBase Online, available online at <https://apps.who.int/infobase/Comparisons.aspx> (last accessed 28 August 2010).

⁴⁰ WHO and UNICEF Joint Monitoring Programme (JMP), *Progress on Sanitation and Drinking-Water – 2010 Update Report* (Geneva: WHO and UNICEF, 2010).

participate in democratic activities no less (and sometimes more) than other citizens.⁴¹ In contrast to conventional wisdom, this observation holds for a range of different engagements, 'including campaigning, contacting, protesting, and other time- and resource-intensive forms'.⁴² Yet while disparities in terms of wealth do not seem to affect participation levels, differences in education levels do. The empirical studies collected in the volume thus consistently show that those who are more educated participate more often in democratic activities.⁴³ Literacy and primary education are particularly relevant in this regard, and the contributors to the collection are optimistic in relation to both:

The illiterate peasant is increasingly becoming a thing of the past. Education among the poor of developing countries is much higher for the younger generation compared with their mothers and fathers and especially with their grandmothers and grandfathers. And this acquisition of the ability to read and write gives to these younger generations of poorer people a greater ability than their forebears to negotiate and make sense of the written world, a world in which both contemporary states and markets operate. Previously mostly impenetrable by poor people, democracy is now better understood by them, and they can be better engaged with it.⁴⁴

At the same time, the levels of literacy and education remain low in a number of countries and hence systematically exclude a significant proportion of the global population from participating in those democratic institutions that exist at different levels, ranging from local to global political decision-making. Adult literacy rates for the year 2008 are thus below 50 per cent in six Sub-Saharan African countries (Gambia, Benin, Sierra Leone, Guinea, Ehtiopia and Chad), below 60 per cent in two large South-Asian countries (Pakistan, Bangladesh) as well as two Arab states (Mauretania and Morocco).⁴⁵ Moreover, youth adult (15-24 years) rates are higher than adult rates for several countries, suggesting that educational progress is not simply achieved as a result of generational change. According to the Education for All Global Monitoring Report 2010 commissioned by UNESCO, illiteracy remains 'the most neglected of all education goals, with about 759 million adults lacking literacy skills today'. Moreover, primary education has faced a setback in several developing countries as a result of the global financial crisis, thus partially thwarting earlier efforts at ensuring 'education for all'. In addition, aid commitments to basic education are reported to have fallen by 22 per cent in 2007. In sum, the Global Monitoring Report concludes that 72 million children were out of school in 2007 and that 'in twenty-six countries, 20% or more of young adults have fewer than two years of schooling and, in some countries, including Burkina Faso and Somalia, the share is 50% or more'.⁴⁶

As a result, a major and very simple conclusion that Krishna and Booth draw for national democratization can be extended to global democratization:

Those who wish to promote democracy would wisely invest in promoting education. Reducing illiteracy, by enhancing information and promoting self-esteem, will encourage (...) more democratic actions among mass publics. Such a strategy would most likely strengthen democracy more directly and efficaciously than the myriad approaches now in vogue.⁴⁷

⁴¹ Anirudh Krishna, 'Introduction: Poor People and Democracy.' In *Poverty, Participation and Democracy: A Global Perspective*, edited by Anirudh Krishna (Cambridge: Cambridge University Press), p. 9.

⁴² *Ibid.*, p. 10.

⁴³ *Ibid.*, p. 13.

⁴⁴ *Ibid.*, p. 15.

⁴⁵ UNESCO Institute for Statistics, *Global Rankings: Adult Literacy Rate (total)*, available online at URL: http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=125&IF_Language=eng&BR_Fact=LTRAT&BR_Region=40540 (last accessed 30 August 2010).

⁴⁶ *Education for All, Global Monitoring Report 2010: Reaching the Marginalized* (Oxford: Oxford University Press), p. 1.

⁴⁷ Anirudh Krishna and John A. Booth, *Conclusion: Implications for Policy and Research*. In *Poverty, Participation and Democracy: A Global Perspective*, edited by Anirudh Krishna (Cambridge: Cambridge University Press), p. 149.

4.2 The Argument in the Light of Previous Critiques of the Global Democracy Discourse

All this is, of course, not entirely novel – but it suggests that the academic discourse on global democracy has largely overlooked a key area of concern. As a critique of the contemporary discourse about global democracy, my argument thus partially resonates with earlier critiques; as a contribution that emphasizes the structural preconditions for global democracy, it resonates with David Held's foundational work on a 'democratic public law' as well as with contributions to the comparative democratization literature. Before concluding I therefore situate my own argument in relation to these literatures.

Critiques of global democracy. Andrew Moravcsik presents a powerful critique of the claim that world politics suffers from a 'democratic deficit'. This claim, he holds, is based on the comparison of real-world institutions to ideal democratic theories – a comparison in the light of which many national political institutions that we would commonly classify as democratic would not look all too democratic either. It is both reasonable and necessary, Moravcsik argues, to anchor our democratic measures in ideal theory. But when applied, the measures must be 'calibrated'. In short, any evaluation must take into account whether the institutional arrangements we examine are 'the best that are feasible under "real-world" circumstances'. Building on this calibration, his central argument is the following:

Where international organizations perform about as well as the existing, generally legitimate, national systems they (partially) supplant, they should receive the benefit of the doubt. If we adopt these reasonable normative and empirical criteria for evaluating democracy, moreover, it is unclear that international institutions lack democratic legitimacy, as most analysts assume. Some international organizations may suffer from a 'democratic deficit', but it is by no means obvious that many do – and to demonstrate the contrary requires more and different empirical analysis than has heretofore been conducted.⁴⁸

My own argument resonates with this argument in one important respect. Like Moravcsik's argument, it is based on the observation that a significant share of the global democracy literature focuses on 'democratic deficits' that are at best minor deficits. From the viewpoint of ideal democratic theory, informal Green Room negotiations in the World Trade Organization may be less desirable than live webcasts of all WTO meetings. But in practice, it will simply be impossible to prevent those who have an interest in informal pre-negotiations to engage in such negotiations. This reality is well-known from domestic policy-making but does not prevent us from accepting the Swiss, German or Swedish political system as democratic. And the implications of this reality are also captured in Moravcsik's argument that 'in the real world, democratic politics cannot be pushed beyond the point where powerful, potentially self-sufficient groups prefer withdrawal from collective action'.⁴⁹ In short, I tend to agree with Moravcsik that there is no – or only a minor – democratic deficit where most global democracy scholars seem to see one. In contrast to Moravcsik, I however do not conclude that there is no democratic deficit at all. Quite to the contrary, there is one – but in a different place than assumed by most scholars – and it is very significant, too. It does not lie in the fact that the WTO holds informal Green Room meetings – and this is also why live webcasts of WTO meetings would not make any difference at all – but rather in the fact that a significant share of the global population cannot adequately make use of the existing (quasi-)democratic procedures in international organizations because its members lack the structural preconditions for doing so.⁵⁰

⁴⁸ Moravcsik, *Is There a Democratic Deficit in World Politics?* (supra note 19), p. 337, italics in the original.

⁴⁹ *Ibid.*, p. 346.

⁵⁰ Moravcsik comes close to acknowledging this problem when he maintains that 'in the real world, individual citizens suffer from a limited and unequal ability to devote time and energy to learning about and engaging in politics. In the real world, citizens remain "rationally ignorant" or non-participatory with regard to most issues, most of the time. Applied democratic theory must work with individuals as they truly are – inattentive, inexpert, uncertain about the future and unequal – not as one might wish them to be' (*ibid.*, p. 344). Yet he seems to conclude that, as a result of these limitations, citizens in democracies tend to delegate particular types of decisions to either political institutions or independent expert bodies. This is certainly true, but overlooks the size of the information gap between First and Third World citizens in global politics. I would argue that, in global politics, the solution to the problem that 'individual citizens suffer from a limited and

A second powerful critique of the global democracy literature is Robert Dahl's claim that 'an international organization is not and probably cannot be a democracy'. Conceiving of democracy as 'a system of popular control over governmental policies and decisions', Dahl argues that 'international systems will lie below any reasonable threshold of democracy'. The reason he gives for his pessimistic view is that delegation in international organizations is too extensive – too remote from citizens – as to allow for popular control in any meaningful way. Even in established democratic countries, Dahl maintains, citizens have difficulties 'to exercise effective control over many key decisions on foreign policy', and these difficulties will be exacerbated in international decision-making systems that lack the democratic culture that characterizes many national democracies. In conclusion, labelling international systems as 'democratic' would stretch the normative concept of democracy too far. Accordingly, Dahl warns that we should 'be wary of ceding the legitimacy of democracy to non-democratic systems' and treat international organizations as 'bureaucratic bargaining systems' rather than as democracies. Dahl acknowledges that international organizations may nonetheless be desirable – for instance because they promote peace or human rights or realize mutual welfare gains. But their gains in terms of these values will need to be weighed against the 'costs to democracy' they imply.⁵¹

My argument relates to Dahl's account in as much as both share the notion that, since democracy is a normative concept, we should 'be wary of ceding the legitimacy of democracy to non-democratic systems'. Here, there is not even a fundamental disagreement with the global democracy literature – in fact, withholding such a legitimacy is what the 'democratic deficit' discourse is about in the first place. Yet while many adherents to that discourse would be inclined to 'cede the legitimacy of democracy' to international organizations such as the WTO or the UN if only the latter abolished the Green Room negotiations, allowed for greater access for NGOs, made more of their documents available online or established a parliamentary assembly, my own perspective would remain sceptical until the more fundamental inequalities in the ability to access existing (quasi-)democratic procedures are effectively addressed.⁵² In contrast to Dahl, it would however not deny the very possibility that international decision-making systems can cross a reasonable democratic threshold.

Democratic Public Law. Beyond the critiques of global democracy discourse, there is also a crucial overlap with one of the foundational works of the latter, namely with David Held's *Democracy and the Global Order* in which Held sketches the contours of a 'democratic public law'.⁵³ Beyond civil and political rights, this democratic public law also includes health rights, social and economic rights, cultural and pacific rights. 'If any of these bundles of rights is absent from the democratic process', Held maintains, 'it will be one-sided, incomplete and distorted'. Robust primary political rights – as for instance a right to information or the right to form an association with observer status at an international organization – are insufficient because 'unless other rights clusters are recognized there will be significant areas in which large numbers of citizens (...) will not be able to take advantage of these equally in practice'.⁵⁴ Held is cautious to note that democracy should be conceived not as an 'all-or-nothing affair',

unequal ability to devote time and energy to learning about and engaging in politics' cannot exclusively rely on creating institutions. From a normative point of view, part of the solution will instead lie in investing in weaker citizens' abilities to 'learn about and engage in politics'.

⁵¹ Dahl, *Can International Organizations Be Democratic?* (supra note 19), pp. 19-21, 23 and 33-34.

⁵² Dahl would remain unwilling to ascribe democratic qualities even in this latter case. As Moravcsik, he uses the European Union as the empirical reference point for his argument, so that the inequalities that motivate this contribution do not play a central role for his argument. Yet I do not see any a priori reasons that would justify the claim that the political system of India can be democratic, while the political system of the European Union cannot. Even Dahl's own stance becomes somewhat ambiguous towards the end of his contribution, when he argues that 'if we judge that important human needs require an international organization, despite its costs to democracy, we should not only subject its undemocratic aspects to scrutiny and criticism but also try to develop proposals for greater democratization and insist that they be adopted' (ibid., p. 34, emphasis added). This suggests that while international organizations will not pass 'any reasonable threshold of democracy', they can nonetheless be 'democratized'. Again, my understanding would be that, at the global level, such a democratization would need to start with enabling the weaker members of world society 'to learn about and engage in politics'.

⁵³ Held, *Democracy and the Global Order* (supra note 38), pp. 190-201.

⁵⁴ Ibid., p. 190-1.

but rather as a 'continuum across which particular rights within clusters will be more or less enforced, and different clusters will be more or less entrenched'. In relation to international organizations, it should however be evident that the 'democratic deficit' is at least as significant – and I would tend to argue: much more significant – in relation to the social, economic and health clusters than in relation to civil and political rights laid down in the constitutional arrangements of international organizations. Yet Held's focus on different clusters of rights has not figured prominently in either the reception of his book or the body of literature that has subsequently built a whole field of study on that book.⁵⁵

Finally, while all this seems to suggest that we should replace our primary concern with redesigning democratic institutions with a focus on establishing the structural preconditions that allow citizens to make use of those institutions that are already in place, the comparative democratization literature shows that institutions do matter – even though, once more, in a different way than envisaged in the mainstream global democracy debate. In terms of institutions, it is thus not so much the veto power in the UN Security Council or the absence of a world parliament that matter most, but rather the (absolute as well as relative) weakness of mediating institutions in developing countries. In the words of Krishna and Booth,

Political parties, local governments, NGOs, and other civil society organizations (...) are often weak to virtually nonexistent, especially in rural areas of developing countries, where large parts of the poorer populations reside. Under such circumstances, citizens are considerably handicapped in terms of access and information. (...) In poorer countries, converting subjects into citizens requires building – and making widely known and easily accessible – institutional links in the middle, which can facilitate information and promote accountability between citizens and public officials.⁵⁶

Taking into account how social democratic parties enabled the working class to participate in Western democracies, Krishna and Booth thus hold that 'contextually appropriate institutional solutions, at lower and middle levels of the organizational chart of democracy, are urgently required.' Yet, they continue, 'unfortunately, institutional questions are not frequently investigated at these levels'.⁵⁷ In pointing to this weakness, the authors refer to the study of democracy in developing countries, but their conclusion seems as relevant in relation to global democracy.

5 Conclusions: Global Democracy without Global Justice?

The aim of this contribution is to expose some of the weaknesses of contemporary scholarship and activism in relation to global democratic governance. Its main argument can be summarized in four steps:

First, it is often taken for granted that a democratization of world politics is desirable. Yet as section 2 has illustrated, most justifications for the call for global democracy face severe challenges. A pragmatic justification that disaggregates the concept of 'democracy' and emphasizes the democratic values of inclusiveness, transparency, accountability and deliberation offers a possible solution. But it depends on the possibility of attaining an overlapping consensus with non-Western perceptions of what constitutes a good (international) political order – and, as some critics maintain, it may not be obvious that all societies, let alone all governments, would wish to subscribe to such a consensus.⁵⁸ And even if they did, democratic values would remain one set of values among others. Proposals for institutional reforms that aim at democratization – for instance the proposal to abolish the veto power of the permanent members of the UN Security Council – will therefore always

⁵⁵ For a partial exception, see Andrew Linklater, *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era* (Cambridge: Polity Press, 1998).

⁵⁶ Krishna and Booth, Conclusion (supra note 47), p. 152 and 154.

⁵⁷ Ibid., p. 154.

⁵⁸ This points to a further shortcoming of the global democracy debate that lies in the fact that, in contrast to the comparative democratization literature, it rarely specifies what a (desirable) democratic transition might possibly look like, but rather focuses on desirable endpoints such as the establishment of a world parliament or other institutional solutions. I am grateful to Michael Wahman for pointing me to this deficit.

need to take into account the implications for other normative goods such as peace, justice, human rights or welfare.

Second, scholars and activists alike should be wary of concluding all too quickly that the changes they observe in international organizations – including broadening access of NGOs, making more internal documents available and creating deliberative forums within international organizations – amount to a democratization. As I have sought to illustrate in section 4, it will not make a big difference for most of those affected by a decision of the WTO if the WTO makes twenty additional documents available on the World Wide Web before the General Council takes its decision. The reason is simple – if you are unable to read, unable to access the Internet or unable to make sense of what the consequences of a decision may be for your own community, then both the right to information and the right to participate or hold your representative to account are purely symbolic. As a result, investing in democratization of world politics will not primarily amount to changing the rules and procedures of international organizations, but rather to investing in subsistence, health and education.

Third, and related, the comparative democratization literature suggests that institutional reforms do remain a necessary component of global democratization. Yet they are not primarily required at the international level itself – i.e. in relation to the UN, WTO, World Bank and others – but rather in relation to ‘middle level institutions’, in particular ‘in rural areas of developing countries, where large parts of the poorer populations reside’. Identifying which kinds of institutions work in which contexts and sensitizing Western publics for the need to strengthen these institutions rather than a world parliament will help to democratize world politics would be key areas of work for scholars and activists that seek to promote democracy at the global level.

Finally, the observation that normative democratic theory and democratic activism diverge in their proposals for democratizing world politics is itself interesting. It challenges the view that, ‘in modern societies, empirical belief in the legitimacy of an institution closely depends on the normative validity of a political order’.⁵⁹ If that was the case, then global democracy activists would not primarily seek to abolish the veto power of the permanent members of the UN Security Council – a power that might very well be justified in terms of the normative good of peace. Nor would the informal Green Room negotiations in the WTO be among their primary targets. Nor would the establishment of a world parliament rank on top of the democratization agenda. Instead, global democracy activists would ask for measures to enhance the living conditions and education of the weaker members of world society so that they, too, may meaningfully participate in global governance. Approaching this latter goal would require that citizens actually demand more democratic global structures from their governments.

Broadly, there are two different explanations for the divergence of the normative and empirical standard. The first explanation refers to the fact that, as a result of our own experience with national democracies in Europe or North America, we have become so accustomed to the fact that the most basic structural preconditions for making use of democratic institutions are fulfilled that we simply generalize our own experiences when thinking and talking about ‘global governance’.⁶⁰ Since illiteracy is not a major problem in Swiss, German or Swedish democracy, we simply do not make a connection between literacy and democracy anymore. Such generalizations of a very particular experience is evident for instance in arguments that address the democratic legitimacy of global governance, but primarily draw on empirical evidence from European governance.⁶¹ If this explanation is correct, the solution would be relatively simple. It would lie in the acknowledgement that what is true for European politics is not true for global politics and that, therefore, a ‘level-

⁵⁹ Michael Zürn, *Global Governance and Legitimacy Problems*, *Government and Opposition* Vol. 39 (2004), No. 2, p. 261.

⁶⁰ Dieter Senghaas, *Die Konstitution der Welt: Eine Analyse in friedenspolitischer Absicht*, *Leviathan* Vol. 31 (2003), No. 1, pp. 117-152.

⁶¹ See for instance Dahl, *Can International Organizations Be Democratic?* (supra note 19) or Moravcsik, *Is There a Democratic Deficit in World Politics?* (supra note 19).

playing field' would need to be established before institutional reforms can actually make a difference. In terms of the structural preconditions for democratic governance, we would thus need to acknowledge that global governance is more akin to domestic governance in India than to governance in the European Union.

The second explanation is more pessimistic in that it holds that calling for measures to truly enhance the participatory capabilities of citizens in the 'Global South' would be a particular challenge for citizens in the 'Global North'. It is true that we often support the lofty goals and rhetoric of democratic global governance. Yet when it comes to realizing this lofty goal, we are also the ones who will lose some of the privileges we currently enjoy. As a result, we can expect ourselves to be a major obstacle in any effort to truly democratise global governance.⁶² The gap between the normative and the empirical standard of democratic global governance would then be interpreted as a result of our incompatible desires to be 'good global citizens' (or to maintain or moral self-perceptions), but not to pay a high price. Calling for symbolic changes – the implementation of which, as some have argued, might even serve our own interests rather than those of the globally weak⁶³ – may thus be hypocritical, but it does fulfil the function of bringing our moral identities and our interests together, even though only superficially and in a potentially precarious way. What we could and should do to address this hypocrisy would then be further questions in 'the difficult terrain between the normative and the empirical' – a terrain that indeed provides a promising agenda for future research on global governance.

⁶² See also Alexander Wendt, 'A Comment on Held's Cosmopolitanism', In *Democracy's Edges*, edited by Ian Shapiro and Casiano Hacker-Cordón (Cambridge: Cambridge University Press, 1999), 127-133.

⁶³ Jörg Friedrichs, 'Global Governance as the Hegemonic Project of Transatlantic Civil Society', In *Criticizing Global Governance*, edited by Markus Lederer and Philipp S. Müller (Basingstoke: Palgrave Macmillan, 2005), pp. 45-68.