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Disaggregating Democracy and the Legitimization of Functionally Fragmented Governance beyond the State

Abstract:

As the internationalization of political regulation increases, the disjunction between the levels of decision-making and decision-taking poses a growing problem in terms of democratic legitimacy. The legitimization of governance beyond the state thus became a primary focus of empirical and normative research in Global Governance. However, this research has not yet reached a broader agreement about how to best meet the challenges of legitimization in the post-national constellation. Among those who acknowledge the problem, propositions range from fully-fledged cosmopolitan democracy, via deflated legitimization standards, to a rejection of the necessity or possibility for democratic legitimization beyond the state. The latter often goes hand in hand with a normative inflation of national democracy or an attempt to put the burden of legitimization on substantive moral standards. In our paper, we propose a pragmatic way of meeting the challenges of legitimizing Global Governance without falling into the trap of a wholesale dilution, discounting or rejection of democratic legitimacy, but also avoiding utopian recipes. We do so by combining two aspects of research on democratic governance. First, research shows that one can distinguish between different dimensions of democratic legitimacy. Among these dimensions are at least: Transparency, Accountability, Justification, Deliberation and Participation. Secondly, there are arguments that one should focus on legitimization of different functional and regional subregimes rather than on finding the solution for global democracy altogether.

We argue that the functional differentiation and fragmentation of governance can be made to a democratic advantage. We will try to show that functionally different governance areas require different degrees of legitimization which corresponds to different dimensions of democratic legitimacy. If it were possible to theoretically show, that functionally different areas of governance indeed have a different demand for legitimization, which in turn could be met with a single or a specific combination of the dimensions of democratic legitimacy, we would be able to outline a pragmatic proposal for enhancing the democratic legitimacy for functionally fragmented governance arrangements beyond the state. Ultimately, the paper seeks to propose this argument as a fruitful way for further normative and empirical research on democratic Global Governance, without claiming to solve all the problems of democratic legitimacy in a single paper, nor to provide final answers to the difficulties of disaggregating democracy and functional governance areas and of relating both in the way envisioned.

We are pleased to mail the paper upon request!