

# Cosmopolitan Democracy and its Critics: A Review

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The victory of Western liberal states ending the Cold War inspired the hope that international relations could be guided by the ideals of democracy and the rule of law. In the early 1990s, a group of thinkers developed the political project of cosmopolitan democracy with the aim of providing intellectual arguments in favour of an expansion of democracy, both within states and at the global level. While some significant successes have been achieved in terms of democratization within states, much less has been attained in democratizing the global system. The aim of this review article is twofold — on the one hand, to reassert the basic concepts of cosmopolitan democracy; on the other, to address the criticisms coming from Realist, Marxist, Communitarian and Multicultural perspectives.

KEY WORDS ♦ democratic deficit ♦ democratic peace ♦ democratization ♦ global governance ♦ global movements ♦ globalization of democracy ♦ rule of law

## *Introduction*

The victory of the West over the Soviet system led many optimists to believe that the gates to democracy as the dominant form of global government had opened. Indeed, under the pressure of people's movements, many countries in the East as well as in the South embraced democratic constitutions, and in spite of the countless contradictions in these nascent democracies, self-government has thus slowly expanded and consolidated. But an additional and equally important development that should have attended the victory of liberal states has not — the expansion of democracy also as a mode of global governance.

It was natural to assume that globalization — a word disliked by many but whose use cannot be avoided — would affect not only production, finance,

technology, media and fashion, but also the international political system, leading also to a globalization of democracy. The notion of ‘globalizing democracy’ might be understood simply as a phenomenon affecting the internal regimes of the various states, but it could also be taken as a new way of understanding and regulating worldwide political relations, and once the nuclear threat had been removed, many thinkers urged Western states to progressively apply their principles of the rule of law and shared participation also within the field of international affairs. This was the basic idea behind cosmopolitan democracy — to globalize democracy while, at the same time, democratizing globalization (in an increasingly vast literature, see Archibugi and Held, 1995; Held, 1995, 1997, 2002; Falk, 1995, 1998; McGrew, 1997, 2002; Archibugi and Koehler, 1997; Archibugi et al., 1998; Habermas, 1998, 2001; Kaldor, 1999; Linklater, 1998; Dryzek, 1999; Thompson, 1999; Holden, 2000; Franceschet, 2003; Archibugi, 2003; Morrison, 2003b).

The governments of leading Western liberal states have not responded to these appeals. With the sole exception of the International Criminal Court, no major institutional reform has occurred since the end of the Cold War. Moreover, war has continued to be deployed as a mechanism for tackling controversies, international law has been unrelentingly violated, and economic aid to developing countries has been decreased, rather than increased. Significant sections of public opinion in the North have railed against their governments’ foreign policies, but when censured for their behaviour beyond borders, Western governments have justified their actions on the ground of a dangerous syllogism — ‘having been elected democratically, we cannot be guilty of crimes’. These governments might indeed have been elected democratically and have respected the rule of law *at home*, but can the same be maintained when considering their behaviour on foreign matters?

Dangerous double standards mark even the intellectual debate on democracy. The most tenacious defenders of democracy *within* states often become sceptics, even cynics, when confronted with the hypothesis of a global democracy. Dahrendorf (2001, 9) hastily settled the issue by declaring that to propose a global democracy is equal to ‘barking at the moon’, while Dahl (1999: 21) more elegantly concluded that ‘the international system will lie below any reasonable threshold of democracy’. Nonetheless, cosmopolitan democracy continues to take upon itself the risks that attend to proposing the implementation of a democratic society *within*, *among* and *beyond* states. The aim of this article is twofold — to reassert the basic guiding principles of cosmopolitan democracy, and to survey and address the main critical response it has received.

### *Seven Assumptions for Cosmopolitan Democracy*

The logic grounding the pursuit of cosmopolitan democracy depends on a number of assumptions, to be examined here in turn:

- Democracy is to be conceptualized as a process, rather than as a set of norms and procedures.
- A feuding system of states hampers democracy within states.
- Democracy within states favours peace, but does not necessarily produce a virtuous foreign policy.
- Global democracy is not just the achievement of democracy within each state.
- Globalization erodes states' political autonomy and thereby curtails the efficacy of state-based democracy.
- The stakeholders' communities in a relevant and growing number of specific issues do not necessarily coincide with states' territorial borders.
- Globalization engenders new social movements engaged with issues that affect other individuals and communities, even when these are geographically and culturally very distant from their own political community.

#### *Democracy is to be Conceptualized as a Process Rather Than as a Set of Norms and Procedures*

Democracy cannot be understood in static terms. This is easily seen in that those states with the most grounded democratic traditions are increasingly putting democracy to the test in uncharted waters. For example, the number of rights-holders in the most developed democracies is on the rise — minorities, immigrants, future generations, even animals, have now been granted a particular set of rights. Procedures for decision-making are once again under dispute, as indicated by the debate over deliberative democracy (Bohman, 1998; Habermas, 1998; Dryzek, 2000), while the problem of aggregation of political preferences, initially raised by Condorcet, is once again at the centre of the debate. On the one hand, it has been stressed that democracy cannot be expressed solely in terms of the majority principle (see, for example, Beetham, 1999: Ch. 1). On the other hand, it is often proposed that consideration should not simply be given to the arithmetical sum of individual preferences, but also to how different individuals are affected by a given decision.

Never before has the debate within democratic theory been so vigorous as during the last decade of the 20th century — the same decade that also witnessed the supposed victory of democracy. What conclusions could we possibly draw from all of this? First of all, the understanding that the process

of democracy is *unfinished* and far from having reached its conclusion (Dunn, 1992). Generalizing this statement, democracy should be seen as an *endless* process, such that we lack the ability to predict today the direction in which future generations will push the forms of contestation, participation and management. Such assumptions place democracy not only in an historical context, but also within the historical evolution specific to each political community. The way in which political systems are effectively assessed becomes therefore decisive — each and every democratic system can be evaluated more effectively on the basis of a scale relative to its own development, rather than through a simplistic democracy/non-democracy dichotomy. This would imply that, in order to evaluate the political system of a state, it becomes necessary to take into account both the level of, and the path to, democracy (see Beetham, 1994; Beetham et al., 2002; UNDP, 2002).

*A Feuding System of States Hampers Democracy Within States*

The absence of a peaceful international climate has the effect of blocking dissent, of modifying opposition and of inhibiting freedom within states. Citizens' rights are limited and, in order to satisfy the need for security, civil and political freedoms are therefore damaged. This is anything but new. Back in the 16th century, Erasmus noted that 'I am loth to suspect here what only too often, alas!, has turned out to hold true: that the rumour of war with the Turks had been trumped up with the aim of mulcting the Christian population, so that being burned and crushed in all possible ways might have been all the more servile towards the tyranny of all kind of princes' (Erasmus, 1536: 347–8). In the 18th century, Jean-Jacques Rousseau elucidated the connection between internal/external by reminding that war, or its menace, was nothing more than a method employed by tyrants as a means to control their subjects — 'war and conquest without and the encroachment of despotism within give each other mutual support . . . Aggressive princes wage war at least as much on their subjects as on their enemies, and the conquering nation is left no better off than the conquered' (1756: 91). These observations took on a new meaning during the Cold War — in the East the foreign menace was employed as a tool to inhibit democracy, while in the West to limit its potential (Kaldor, 1990). At the same time, leadership — democratic no less than autocratic — fuelled the confrontation as an instrument to maintain internal dominion.

The Cold War is over, but the need to find scapegoats has not ceased. Extremists — even in democratic states — still reinforce power by fuelling the flames of international conflict. The development of democracy has therefore been constrained both by the lack of favourable external condi-

tions and the lack of willingness to create them. Even today, the dangers of terrorism have led to an imposed limitation on civil rights in many states. It is, therefore, undoubtedly significant that the recent project of the International Institute for Democracy and Electoral Assistance (see Beetham et al., 2002) evaluates the level of democracy within a state, possibly for the first time, also on the grounds of how citizens appraise their government's foreign policy and of the overall international political environment — thus recognizing that an international order founded both on peace and the rule of law proves a necessary condition for the progression of democracy within states.

*Democracy Within States Favours Peace, But Does Not Necessarily Produce a Virtuous Foreign Policy*

The presence of democratic institutions hinders the ability of governments to engage in insane wars that put the life and the welfare of their citizens at risk. A noble liberal tradition has pointed out that autocrats are most prone to conflicts, whereas governments held to account by their public are inclined to contain conflict. Jeremy Bentham (1786–89) maintained that in order to diminish the chances of engaging in war, it is necessary to abolish the practice of secrecy within the Foreign Office and allow citizens to confirm that foreign policies are in line with their interests. James Madison (1792) believed that in order to prevent conflict from taking place, governments should be subject to the will of the people. Immanuel Kant (1795: 100) held that if a state adopted a republican constitution, the chances of going to war would be few and far between since, 'if the approval of citizens were required on the issue of whether or not to go at war, there would be nothing more natural if these [the citizens] — once having acknowledged their responsibility for any calamities caused by the war — were to give the matter a considerable amount of thought before engaging in such a wicked game'.

The debate that has flourished over the hypothesis that 'democracies do not fight each other' (Doyle, 1983; Russett, 1993; Russett and Oneal, 2001) suggests a connection, causal and precise, binding states' internal systems to peace at the international level. According to a syllogism that is never made explicit, the persistence of war is ascribable to the presence of non-democratic states. Consequently, one can guarantee a peaceful community at the international level by acting solely upon the internal political systems of states. Yet, democratic states do not necessarily apply to their foreign policy those same principles and values upon which their internal system is built. Already Thucydides narrates with disenchanting realism how citizens of the Athenian *polis* voted with enthusiasm, 'amongst a pile of other

fascinating nonsense' (Book VI, 8; see also 1 and 24 in the same book) in favour of the campaign against Sicily, despite the fact they were totally oblivious to both the island's location and its size. The analogies between Athens' foreign policy and the United States' are many (see Gilbert, 1999: Ch. 4).

Of course, Realist theorists would not expect a regime's democratic stamp to necessarily imply a more virtuous foreign policy, and cosmopolitan democracy accepts this lesson from the Realists regarding the absence of necessary consistency between domestic and foreign policies. However, it points to two hidden virtues of democratic regimes that may make it possible for them to bridge the 'real' and the 'ideal' elements of their foreign policies. The first of these two virtues is the interest of states in generating and participating in international organizations (Russett and Oneal, 2001) and in favouring trans-national associations. The second virtue is the tendency of states to nourish a greater respect for rules when these are shared among communities that recognize each other as analogous (Kratochwil, 1989; Hurd, 1999).

*Global Democracy is Not Just the Achievement of Democracy Within Each State*

It is certainly encouraging that there are as many as 120 states with elected governments in the contemporary world. Comparing this figure with the 41 democratic states in 1974 and the 76 in 1990 indicates how much democratic — albeit often in imperfect forms — has expanded worldwide. A thinker as influential as Larry Diamond (2002) has predicted that within a generation democratic governments could rule all states of the world. Diamond and the group of scholars around the *Journal of Democracy* have developed a very fruitful agenda to explore the conditions that favour and hamper the development and consolidation of democracy. However, they have ignored the parallel agenda addressed by cosmopolitan democracy, namely the democratization of the international system as well as of its individual member states.

Although the attainment of democracy within more states may well strengthen the international rule of law, as well as reduce the conditions that can lead to war, I do not consider it a sufficient condition upon which to base the democratic reform of international relations (see Franceschet, 2000, for a comparison between democratic peace and cosmopolitan democracy). An increasing number of democratic states will certainly ease the struggle for global democracy, but will not automatically provide it. Global democracy, which cannot be understood solely in terms of an 'absence of war', requires the extension of democracy also to the global level. To that end, it also

becomes crucial to identify the legitimate tools that democratic states could use to expand democracy in autocratic states — to use undemocratic means is clearly contradictory to a democratic end.

*Globalisation Erodes States' Political Autonomy and Thereby Curtails the Efficacy of State-based Democracy*

It would be hard to imagine nowadays a state's political community with a totally autonomous and independent fate. Each state's political choices are bound to a set of obligations (as for example those determined by agreements undersigned between states). Even more important are the de facto connections that bind a given community to policies that have been drafted elsewhere (see, after Held, 1995; the flourishing debate on the matter — Cerny, 1999; Clark, 1999; Goodhart, 2001; Keohane, 2003). While the traditional internal/external dichotomy assumes the existence of a defined separation between the two dimensions, they appear progressively connected, as has been highlighted by the literature on international regimes (Rosenau, 1997). The areas in which a state's political community can make decisions autonomously are decreasing, which leads us to the question — via what kind of structures will the various political communities be able to deliberate in a democratic fashion on matters that are of common interest?

*Stakeholders' Communities Don't Necessarily Correspond to National Borders*

We can identify two sets of interests that supersede states' borders. On the one hand, there are the matters that involve all inhabitants of the planet. Many environmental problems are authentically global, since they influence the destiny of individuals irrespective of their nationality (Gleeson and Low, 2001). But there are also cross-border issues relevant to more restricted communities. The management of a lake surrounded by five different states, the existence of a religious or linguistic community with members scattered in remote areas of the world, the dependence of workers in more than one state on the strategic choices of the same multinational firm, the ethical choice of a specialized professional society; are all issues which cannot be addressed democratically within a state's political community. In most cases, such 'overlapping communities of fate' (Held, 1995: 136) lack the means necessary to influence those political choices that affect their destiny. Governments have put in place specific IGOs, but these are dominated by government officials rather than by stakeholders, and this makes these institutions inclined to favour policies that privilege states', rather than stakeholders', interests. Even in cases where all governments are elected, the

political process on these matters does not follow the democratic principle, according to which everyone affected is able to take part in the decision-making.

Take the striking example of the nuclear experiments conducted by the French government in 1996 on the island of Mururoa in the South Pacific — the decision to undertake the experiments was based on the procedures of a state with a long-standing democratic tradition. Yet, the primary stakeholders' community was manifestly different from the political community, since the French public was not exposed to possible nuclear radiation but was receiving the (supposed) advantage in terms of national security and/or nuclear energy. The French public would certainly have had a different reaction if those same experiments had been conducted around Paris. By contrast, the environmental disadvantages were experienced exclusively by the communities living in the South Pacific. The Mururoa case is certainly one of the most outstanding, but the cases in which a state's political community diverges from those whose interests are most affected are increasing.

The role of stakeholders in a democratic community has long been recognized — democratic theory attempts to take into account not only the sum of each individual preference, but also how strongly each individual is invested in a specific choice. In a similar fashion, a significant part of contemporary democratic theory, inspired by Rousseau, is committed to the analysis of the process concerning the *formation* of preferences rather than its *aggregation* (Young, 2000: 23). This is just one of the many fields in which the theory and practice of democracy are developing, but it is one still being neglected at the international level (see Bohman, 1999). Can the issues affecting stakeholders not allied to a single state continue to be overlooked within a democratic order?

### *Global Participation*

It is not only a common interest that brings populations closer together. Even Kant (1795: 107) noted that 'in reference to the association of the world's populations one has progressively come to such an indication, that the violation of a right in any one point of the Earth, is adverted in all of its points'. Together with the violation of human rights, concern about natural catastrophes, conditions of extreme poverty and environmental risks also increasingly unite this planet's various populations. Human beings are capable of a solidarity that often extends beyond the perimeters of their state. Surveys on the political identity of the Earth's inhabitants have shown that 15% already claim that their principal identity is regional/global, against 38% who claim it is national, and 47% who claim it is local (Norris, 2000; for

a discussion, see Marchetti, 2004). If we take these data *prima facie*, it emerges that only a minority of the world's population primarily identify with those institutions that depend upon the Weberian monopoly of legitimized use of force. The emergence of multiple identities could lead also to multiple layers of governance. If to this we were to add the increasing global identity among young people and among those with a higher cultural status, it becomes legitimate to ask — what results will these surveys yield in 10, 50 or 100 years time?

This feeling of belonging to the planet expresses itself also through the formation of an increasing number of non-governmental organizations (NGOs) and global movements (Glasius et al., 2001, 2002, 2003; Pianta, 2003). As pointed out by Falk (1995) and Habermas (2001), there is an emergent international public sphere (its connection with cosmopolitan democracy is explored in Koehler, 1998; Dryzek, 1999; Cochran, 2002). Although there is a tendency to exaggerate the extent to which citizens participate in matters that do not directly affect their political community (Brown, 2000), the feeling of belonging to a planetary community and taking public action for the global commonwealth is nevertheless growing. It has been observed that the necessity of realizing political association among various populations is not solely an instrumental answer to the pressures of globalization (Saward, 2000: 33), but also answers this growing feeling of belonging to a planetary community. It is a fact that globalization strengthens the need for the coordination of interstate politics, but it should be remembered that even if it were possible to re-establish the autonomous conditions of each state, the empathy of individuals for planetary issues would continue to flourish.

### *The Structure of Cosmopolitan Democracy*

These issues are both old and new. Old, because they belong to that journey to democracy yet to be accomplished; they are issues which re-emerge periodically in theory as much as in practice. New, because the worldwide economic, social and cultural transformations are exerting pressure upon the cradle of democracy — from the *polis* to the nation-state (Morrison, 2003a). It is not the first time that democracy has had to undergo a transformation in order to survive (Held, 1997). When the American colonists began planning a participatory system based on universal suffrage for all adult white males within a geographical area larger than that encompassed by any other democratic system previously organized — either by the Greek polis or Italian Renaissance-republics — the word 'democracy' was studiously avoided. 'Democracy' would have evoked 'direct' democracy, which would have been impracticable under such conditions. Tom Paine (1794: 173)

defined direct democracy as ‘simple’, while the authors of the *Federalist* preferred the word ‘republic’ for the express reason that ‘in a democracy the people meet and exercise the government in person; in a republic, they assemble and administer it by the representatives and agents’ (Hamilton et al., 1788, No. 14). However tractable, throughout its history democracy has nonetheless held on to certain values — the juridical equality of citizens, the majority principle, government’s duty to act in the interest of everyone, the need for majorities to be transitory and not perpetual, the idea that decision-making must be the outcome of a public confrontation between divergent positions. The crucial question for the global age becomes — how can democracy preserve its core values and yet adapt to new circumstances and issues?

The best way to conceptualize cosmopolitan democracy is to view it in terms of its different levels of governance. These levels are not bound so much to a hierarchical relationship, as much as to a set of functional relations. I indicate five paradigmatic dimensions — local, state-wide, interstate, regional and global. These levels correspond to what Michael Mann (1997) defines as the networks of socio-spatial social interaction. The assumption of the universal value of democracy demands, I believe, testing how its norms can be applied to each of these levels. At the end of this exercise it will be possible to distinguish similarities and differences between the present state-based democracies and a potential global democratic system.

#### *The Local Level*

It is difficult to imagine a national democracy without a local network of democratic institutions, associations and movements. Today, however, local dimensions are not alien to the global dimension. Since states are seldom eager to devolve competencies on issues specific to inter-local but trans-border institutions, the players involved are often forced to extend their activities beyond their assigned jurisdictions. Thus, intergovernmental and non-governmental organizations designed to bring together communities and local bodies that do not belong to the same state are growing significantly (see Alger, 2003). Cosmopolitan democracy supports this strengthening, where needed and possible, of the structure of local government, even when this demands crossing the borders of more than one state (these issues are explored in Seatrobe and Anderson, 2002).

#### *The State Level*

To date, less than half of the world’s states have not yet adopted a political system that corresponds to the contemporary understanding of democracy

(UNDP, 2002). Although the ideal of democracy has converted even yesterday's opponents, its affirmation worldwide is still far from being obtained. New democracies are in constant danger, facing a daily struggle for consolidation, and not even the citizens of the most advanced democratic systems are fully satisfied with their regimes (for an assessment of national democracies, see, among others, Shapiro and Haker-Cordón, 1999; and Carter and Stokes, 2002). Looking at the issue of the expansion of democracy from a state level to a global system, I see each of the existing (incomplete) democratic states as much a laboratory of cosmopolitan democracy, as an agent. For example, states are now called upon to grant rights to individuals — such as refugees and immigrants — who traditionally had been denied them. Granting rights to foreigners equal to those enjoyed by a state's nationals is still a long way away (see Rubio-Marin, 2000), but this issue highlights how democratic states are currently being confronted with the dilemma of who to consider as their own citizens — those who are born in a specific community? Those who live and pay taxes? Those who would simply like to be citizens of a particular democratic community?

Even within a particular community, the rights of various groups and citizens are becoming differentiated. One of the most relevant developments of modern citizenship theory concerns the acknowledgement of specific rights for communities with particular religious, cultural and ethnic identities. A democratic state, we are told, is not exclusively based on a notion of equality, but also on the acknowledgement of diversity — even on making the most of diversity (Young, 1990; Kymlicka, 1995). Yet, acknowledging the diversity within a given political community causes its boundaries to weaken. Why should we consider as members of our community individuals who may speak a language, profess a religion and have a cultural background different from our own, but hold the same passport, while considering individuals who share a greater affinity with us, but who have a different nationality than our own as members of a foreign community? In order to find good reasons to be cosmopolitans, we do not necessarily have to cross state borders; it is enough to look at our schools and hospitals.

Along with its internal dimension, a state is also characterized by being a member of the international community. What is it then, that distinguishes a democratic member from an undemocratic member? John Rawls (1999) has attempted to determine what the foreign policy of a liberal state should be by formulating a set of precepts such a state should observe unilaterally. While for the most part I take Rawls's precepts here as guidelines for a democratic foreign policy, not once does he call upon the need for states to comply with interstate agreements. Rawls leaves to states — as did the pre-United Nations vision of international law — the right to autonomously dictate their own norms and rules. I feel that a liberal state must distinguish

itself not only by the substance of its foreign policy, but also by the willingness to follow shared procedures. A good citizen of the international community (Linklater, 1992) is thus distinguished for actively respecting shared norms as well as for producing them.

### *The Interstate Level*

The presence of intergovernmental organizations (IGOs) is an indicator of the willingness to expand at the interstate level a number of democratic principles (formal equality between member states, public accountability, rule of law) but, at the same time, it is also an expression of the difficulties involved in achieving this. It is not necessary to be a partisan of democracy, nor of its cosmopolitan dimension, to support the work of IGOs; it is their duty to facilitate the work of states — be they democratic or autocratic — at least as much as to limit their sovereignty. Although statist, functionalist and federalist thinkers may hold different views concerning the future function and development of IGOs, they are all equally in favour of them.

Could we consider IGOs democratic institutions? And, if not (as argued by Dahl, 1999), could they ever become so? The charge of a democratic deficit is more and more often raised not only with respect to the European Union (EU), but also other organizations, starting from the United Nations. For instance, on the occasion of its 50th anniversary, and again at the turn of the millennium, it was recommended that the power, transparency, legitimacy and democratic accountability of the UN be increased (see, for instance, Commission for Global Governance, 1995). But let us consider the application at the global level of one of the key principles of democracy, namely the majority principle. It is unclear how its introduction would increase democracy within the UN since membership criteria do not require a state to be democratic (the issue is discussed in Falk, 1995; Bienen et al., 1998). A democratic state can in general have sound motivations for hesitating before accepting a majority principle when many of the representatives in these IGOs have not been elected, and even more so if the organization's competencies are extended to matters that touch upon internal issues. Even if the membership of IGOs were to include democratic states only, as is the case of the EU, there would be no guarantee that the decision-making process would respect the preferences of the majority of stakeholders. Most IGOs are based on the formal equality of their member states, and this in turn guarantees each state the right to one vote, independent of its population, political and military power, and involvement in the decisions to be taken. In the UN General Assembly, those member states whose total number of inhabitants represents just 5% of the planet's entire population have a majority in the Assembly. Would it then be a more

democratic system were the weight of each state's vote proportional to its population? In such a case, six states (China, India, the United States, Indonesia, Brazil and Russia) that represent more than half of the world's population would have a stable majority. IGOs thus illustrate how the majority principle is difficult to apply at the interstate level (see Beetham, 1999: Ch. 1).

Nevertheless, the majority principle cannot be ignored. Clearly, the veto power held by the five permanent members of the UN Security Council goes against all traditional principles of democracy. Within the International Monetary Fund (IMF) and the World Bank, the voting rights of member states are undemocratically measured on the basis of financial contributions. Within the G7 and G8 summits, admittedly not formally IGOs due to the absence of a charter, a few governments make decisions that have consequences for the entire planet. And the world's main contemporary military alliance, NATO — almost entirely composed by democratic states — has on several occasions been more of an obstacle than a facilitator of democratic relations among states.

Moreover, the participation of the affected individuals in decision-making processes within IGOs, if not altogether absent, is often simply limited to a decorative function. With the exception of the EU, which has an elected parliament, no other IGO envisages a participatory role in the decision-making process for the citizens of its constituent members. Dahl (1999) is indeed right in pointing out the many difficulties that IGOs encounter in their attempts to reach a decision-making process that satisfies the conditions of democracy. However, this should not deter IGOs from seeking democratic solutions, but rather should be taken as an incentive for IGOs to place this issue at the core of their agenda. The number of projects and campaigns enacted for the reform and democratization of the UN and other IGOs are numerous (for a review see Patomaki and Teivainen, 2002a). They require taking a stand on political, rather than theoretical, grounds. Where, then, should partisans of democracy stand when what is demanded is the abolition of the veto power within the UN Security Council, a more powerful voice for those states with lower quotas within the IMF and an increased level of transparency within the World Trade Organization (WTO)?

### *The Regional Level*

Problematic issues that slip through at the state level can also be dealt with at the regional level. In many cases the regional level might emerge as the most appropriate level of governance. The most striking historical example of this has been the EU. What began with six states has slowly, but more or

less continuously, developed into a widening and deepening Union of States, which as it has grown has been able to strengthen the democratic system of its member states. The presence of a parliament elected through universal suffrage, coupled with the ability to bring together first six, then 15 and now 27 states, distinguishes Europe from any other regional organization. But the EU is not alone: in this last decade an increase in and intensification of regional organizations has occurred almost everywhere, with a particular focus on trade agreements (Telò, 2001).

Moreover, regional networks and organizations can also become important promoters of stability in areas where individual constituents are far less familiar with democracy. I think about the areas where states have proven incapable, on one side, of preserving the exclusive use of legitimized force within their borders and, on the other, of keeping peaceful relationships with their neighbours. Take for instance the case of the Great Lakes Region in central Africa — the formation of states has been superimposed upon more traditional communities such as the village, the extended family and the ethnic group. Because of the continuing strength of these complex and customary allegiances, many of the conflicts within this region could be better managed through an organization that operates at a regional level and that includes both state representatives and representatives of the various local communities. This is not to say that we should expect from a hypothetical regional organization of central Africa democratic institutions as sophisticated as those in the EU. Still, such a regional organization could be helpful in managing critical issues such as endemic conflicts between rival ethnic groups. Others have applied cosmopolitan democracy as a model for regional unions such as Mercosur (see Patomaki and Teivainen, 2002b).

### *The Global Level*

It is undoubtedly bold to think that global decisions could also be part of a democratic process, given that within the realms of armaments, financial flows and even trade, any form of public governance has proven extremely difficult (for an analysis of global governance, see Rosenau, 1997; Keohane, 2001; Held and McGrew, 2002; Koenig-Archibugi, 2002; Patomaki, 2003). However, the proposition of democratic global governance may, in practice, be less bold than it initially appears. For the past decade or so, non-governmental players have benefited from the ability to make their voice heard at various UN summits, as well as within such agencies as the IMF and the WTO. This leads one to assume that IGOs might have self-adjusting devices that will allow them to become increasingly accountable and representative (see Paris, 2003). Still, NGOs have, to date, been limited to a mere advocacy role deprived of any decision-making power (Brown,

2000). But a level of governance that goes beyond the state's scope is gradually imposing itself politically (Koehler, 1998; Bohman, 1999; Cochran, 2002). The UN and other international organizations, in spite of their inter-governmental character, have for the most part gone beyond their original mandate and opened their floor to non-governmental players.

The call for a global level of governance is strong in many areas — financial flows, immigration, environmental concerns, human rights, development aid (see Coleman and Porter, 2000; Held and McGrew, 2002). Each one of these specific regimes has its own rules, lobbies and control devices (for an attempt to map the levels of global governance, see Koenig-Archibugi, 2002; a convincing list of criteria for a democratic governance is provided in Wolf, 1999: 353). It is not surprising therefore that, in each one of these regimes, one can find initiatives and campaigns that push for a greater accountability and democratization (the vast literature on the subject is reviewed in Holden, 2000; Edwards and Gaventa, 2001; Patomaki and Teivainen, 2002a; Glasius et al., 2002). These initiatives correspond to Cochran's pragmatic bottom-up approach (Cochran, 2002). Although often proceeding independently from each other, these initiatives aim at a greater democratization — every day it is possible to act concretely for the pursuit of an increased transparency, control and accountability of global governance. Cosmopolitan democracy simply offers a working frame within which the diversity of areas which citizens and global movements are working on can be connected.

During the G8 summit in Genoa in July 2001, protesters displayed banners with the slogan 'You G8, we 6 billion'. Similar statements could be heard in Seattle, Porto Alegre and Florence. These protesters were expressing the spirit of many groups and global movements concerned with environmental issues, human rights and economic inequalities. They believed — and rightly so — that such issues are often neglected within the formal expression of politics. Nevertheless, heads of state could — rightly — respond to these accusations by replying, 'We got elected, who elected you?' There is always the risk that global movements, even when pursuing good causes, speak on behalf of humanity even if without a mandate, as in the case of the bizarre Prussian Jacobean Anacharsis Cloots, self-proclaimed 'orator of the human race'. As noted by Wendt (1999: 129), the *demos* is not necessarily prepared to support a global democracy. Only with the construction of dedicated political institutions is it possible to test how many of the issues advocated by social movements are supported by the majority of the population of the earth. At the same time, the very existence of these institutions would raise awareness of the possibility of addressing global issues through joint political action. A cardinal institution of democratic *governance* is therefore a world parliament. This is an ancient and utopian

proposition which has repeatedly re-emerged (see Archibugi, 1993; Heater, 1996; Falk and Strauss, 2001) and which should today be at the core of global movements' campaigns.

*The Relation Between the Various Levels of Governance*

As both the levels and institutions of governance are on the increase, the question arises — how can the competencies among these different bodies be shared? Is there a risk of creating a new division of tasks, where each body claims sovereignty but actually lacks it? Could new conflicts originate from the existence of institutions endowed with overlapping competencies, over which each may well claim sovereignty?

The key issue here is of course sovereignty, the foundation of the international law system since Restoration (Brown, 2002: 4). Sovereignty served the purpose of defining the state competences and to make it clear what were the state borders. Ideally, the concept of cosmopolitan democracy belongs to that school of thought that from Kelsen (1920) onwards has regarded sovereignty as a dogma to overcome. The belief that a political or institutional body should be exempted from justifying its actions is incompatible with the essence of democracy. Each political player, whether a tyrant or a 'sovereign' people, must come to terms with other actors when competencies overlap. From an historical point of view, the concept of sovereignty has been the artificial creation of an 'organized hypocrisy' (Krasner, 1999), and in very few instances has it succeeded in limiting a state's extra-territorial interests. Nevertheless, we must face up to the challenge of finding an effective replacement, since the formal claim of sovereignty is still needed today to curb the dominance of the strong over the weak.

I suggest replacing, within states as much as between states, the concept of sovereignty with that of constitutionalism (Ferrajoli, 1995). The content of this proposal is similar to the idea of the vertical dispersion of sovereignty, as suggested by Pogge (1992: 61), and to the cosmopolitan model of sovereignty proposed by Held (2002: 23). However, I hold that the use of the concept 'sovereignty' itself ought to be removed. Conflicts concerning the issue of competence arising as a result of the different levels of governance, must be solved within the domain of a global constitutionalism, and referred to jurisdictional bodies, which in turn must act upon the basis of an explicit constitutional mandate, as Kelsen (1944) had already advocated.

To think that conflicts could be solved on a global level by means of constitutional and juridical procedures, rather than by means of force, is certainly visionary. But it rests on the assumption that norms can be

respected even in the absence of a coercive power of last resort (Kratochwil, 1989, Hurd, 1999; Scheuerman, 2002). The project of a cosmopolitan democracy is thus identified with a much broader ambition — that of turning international politics from the realm of *antagonism* into the realm of *agonism* (competitive spirit; see Bobbio, 1995; Mouffe, 2000). This process has gradually affirmed itself within democratic states, and it is common practice that different institutions engage in disputes over their competencies. Reaching the same result on a global level would mean taking a decisive step towards a more progressive level of civilization.

### *The Critics of Cosmopolitan Democracy*

More than a decade after its first presentation, the idea of cosmopolitan democracy continues to be discussed within the domain of political theory. It is encouraging to see many thinkers, including young ones, sharing and developing these ideas originally advanced by a sparse group of scholars. Of course, criticism has not been spared, and it is to these that the rest of this article is dedicated.

#### *Realist Critics*

The disenchanted Realists remind us that the world's mechanisms are very different from how cosmopolitan democracy's dreamers imagine them to be. They argue that the principal elements regulating international relations are, ultimately, force and interest. Thus, every effort to tame international politics through institutions and public participation is pure utopia (Zolo, 1997; Hawthorn, 2000; Chandler, 2003). I do not disagree with attributing importance to force and interest, but it is excessive not only to consider them as the sole force moving politics, but also as being immutable. Even from a Realist perspective it would be wrong to think that the interests of all actors involved in international politics are opposed to democratic management of the decision-making process. A more accurate picture is that of opposing interests in tension with each other. Thus at the moment, there is on the one side the influence exerted over the decision-making process by a few centres of power (a few governments, military groups, large enterprises); and on the other side the demands of wider interest groups to increase their role at the decision-making table. Whether peripheral states, global movements or national industries, these latter groups are not necessarily pure at heart. They follow an agenda which is de facto anti-hegemonic because their own interests happen to be opposed to those of centralized power. To support these interests is not a matter of theory, but rather of political choice.

Some Realists, however, reject not just the feasibility of the cosmopolitan project but also its desirability. These critiques are often confused; doubtless because a risk is perceived that the cosmopolitan project could, in the frame of contemporary political reality, be used in other directions. It is certainly relevant that Zolo, in order to construct his critique of cosmopolitan democracy, must continuously force the position taken by his antagonists. In *Cosmopolis*, he often criticizes the prospect of a global government, but none of the authors he cites — Bobbio, Falk, Habermas, Held — ever argued in its defence (on the other hand, the inevitability of world government is discussed in Wendt, 2003). These scholars limited their support to an increase in the rule of law and integration within global politics; they never argued in favour of the global concentration of coercive power. Cosmopolitan democracy is not to be identified with the project of a global government — which is necessarily reliant upon the concentration of forces in one sole institution — on the contrary, it is a project that invokes voluntary and revocable alliances between governmental and meta-governmental institutions, where the availability of coercive power, *in ultima ratio*, is shared between players and subjected to juridical control.

It would be useful to carry out an experiment to verify how often a Realist's critique of cosmopolitan democracy could also apply to state democracy. If the Realist approach were to be applied coherently, democracy could not exist as a political system. Despite all of its imperfections, democracy does exist, and this has been made possible due, in part, to the thinkers and movements — all visionary! — who have supported and fought for its cause far before it could ever become possible.

### *American Hegemony*

Today's world is dominated by a hegemonic bloc where a single state, the United States, is endowed with extraordinary powers and the mandate to defend very narrow economic interests (Chandler, 2001; Gower, 2001). This hegemon goes so far as to resort to military power in order to penetrate economic and political activity. Critics have described how many international organizations — such as the International Monetary Fund, the World Trade Organization and NATO — also serve the purpose of maintaining and preserving the interests of this new hegemonic bloc. Basing observation on real-world conditions, these critics argue that a project that aims to empower global institutions to coordinate and monitor national policies leads de facto to a decrease in the independence of the various states and, ultimately, reinforces the ideology of the current hegemonic power. Authors such as Zolo, Gower and Chandler have noted how those same years that witnessed audacious projects for UN reform and the democratiza-

tion of global governance, also witnessed the significant military engagement of Western states. In the lead up to their use of force, these states employed a rhetoric dangerously resembling those discourses that long for a global order founded on the values of lawfulness and democracy.

I have already argued that the amount of power concentrated within the hands of the United States is excessive, and that its domestic democracy is no guarantee for the wise or lawful application of such power. However, the key is to find a strategy that can effectively oppose this hegemonic bloc. Contrary to Zolo, Gowen, Chandler et al., I dispute the ability of the old sovereignty dogma to provide a satisfactory alternative to US hegemony, or to any hegemony, for that matter. Until this moment, the appeal to sovereignty has served the purpose of aiding governments in abusing their citizens, rather than offering weaker states protection from the greed of the strongest states. The strengthening of international institutions, especially if inspired by the values of democracy, would most probably produce the desired effect of obliging the United States and its allies to engage in a foreign policy much more in line with their own constitutions. Barricading ourselves behind the notion of sovereignty merely for the sake of counterbalancing America's hegemony may cause us to forget the millions of people who are subjected every day to oppression from their own governments. The recent conflict in Iraq seems to reinforce this point. On the one hand, the lack of international consensus and legitimacy did not constrain two democratic states, the USA and the UK, from waging war against international law. On the other hand, the international community lacked non-coercive instruments to protest against the violation of human rights by the Iraqi government since it had the status of representing a 'sovereign' state. The cosmopolitan perspective would, on the contrary, have urged the international community to take other actions, such as smart sanctions, to oppose and ultimately remove the Iraqi government.

#### *The Marxist Critique I (Karl)*

It is often said that the hegemonic power of the US and its closest allies is a consequence of the present international economic system (Gower, 2001). Since cosmopolitan democracy focuses on the institutional aspects of the international order, on the superstructure, and does not give pride of place to economic dynamics, it is criticized for discounting the crucial centres of power. From a Marxist perspective, international democracy taken solely as an institutional project would be impossible (Görg and Hirsch, 1998), as the transformation of global politics can only be brought about by a new

economic regime. But it is not easy to establish well-defined links of cause and effect between politics and economics. Many economic interests are indeed more than satisfied with the present mechanisms of control and have no interest in increasing democratic management over the flows of capital or international trade. However, there are many other interests, maybe more widespread, that are pushing for greater accountability. The financial speculation that is of advantage to some groups is an obstacle to others, and many economic powers are now looking forward to altering the current structure of international finance. Some of the most interesting proposals on how to limit the damage caused by financial globalization come from George Soros (2002) himself; if we do not want to write this off as a case of schizophrenia, we must infer that there is no such thing as univocal interests.

Other Marxists argue that the project of cosmopolitan democracy suffers from an improper use of the term ‘cosmopolitanism’. Brennan (2001: 76) maintains that to talk about ‘internationalism’ would be much more suited. Of course, what really matter are concepts, not words. Nevertheless, I maintain that it is more precise to qualify this project as ‘cosmopolitan democracy’ rather than as ‘international democracy’. The term ‘international’, coined by the Abbot of Saint-Pierre and Jeremy Bentham, recalls a type of organization that is characterized by two levels of representation — first, the existence of governments within states, and second the creation of an ‘international’ community based on governments (Anderson, 2002). Adopting the notion of ‘cosmopolitanism’ instead allows for the introduction of a third level of governance, one that requires a more active participation of individuals in global political matters (Carter, 2001; Dower and Williams, 2002; Heater, 2002). Citizens should therefore play a twofold role — that of citizens of the state, and that of citizens of the world.

Nevertheless, Gilbert (1999) and Brennan (2001) evoke the internationalism of other glorious traditions — traditions that share the spirit of cosmopolitan democracy: the international workers’ associations and the peace congresses of the 19th and early 20th centuries. The famous slogan ‘Proletarians of the world, unite!’ heralded the essence of this spirit. Within this perspective, ‘internationalism’ is no longer used to refer to representatives of the state. Internationalism refers rather to the political players within the state who are in conflict with their governments because the latter are believed to be the expression of the antagonist class, the bourgeoisie. The Marxist view maintains that the strength of common interest uniting proletarians in different states is such that conflicts between proletariat states would be solved much more effectively than conflicts between bourgeois states. This Marxist definition of ‘internationalism’ was built upon the belief

that the defeat of the ruling class by the proletariat would result in the cessation of all conflicts between organized groups, since proletarian communities would never nurse the desire to subjugate any other (workers') community. Consequently, there would be no need to organize an international political system that could mediate conflicts, as there wouldn't be any. Sovereignty would simply dissolve together with its holder, the bourgeois state.

Marxist analysis maintains the existence of a permanent conflict of interests between rival social classes; interests that — now more than in the past — are in conflict not only *within* states, but also *between* states. The creation of a global citizenship will not put an end to these conflicts of interest, but that is not the ambition inspiring it. Its goal is simply to find institutional *loci* where these conflicts of interest could possibly be addressed and managed. If the prolonged civil war in Sierra Leone were somehow linked to the diamond trade, and the traders from Anvers, Moscow or New York were thought to play an effective role in promoting the instigation of the hostilities, what kind of institutional channels might prove effective in resolving the issue? Policies that are decided within international institutions — such as the certification of the diamonds' origin — offer the possibility of mitigating the conflict. In other words, global institutions should offer effective channels for mending conflicts.

What needs to be revised is the political programme — not the spirit — of proletarian internationalism. Cosmopolitan democracy suggests the creation of institutions and representative channels not limited to a specific social class, but open to all individuals. Its aim is not to overcome social classes, but an objective more modest but equally ambitious — offering channels of direct representation to all people at the global level, regardless of their social status. This implies basing decision-making on global issues on the preferences of a majority, rather than on those of a single class. In this vein, Ulrich Beck (1999: 18) invoked, 'Citizens of the world, unite!'

Trans-national campaigns have already succeeded in influencing the choices of political decision-makers — take the decision of the UK government to follow environmentally friendly procedures for the disposal of the Brent Spar (Prins and Sellwood, 1998); the institution of the International Criminal Court (Glasius, 2002); the decision of some multi-nationals to recede from their profit-making interests and allow for the free diffusion of the AIDS drug (Seckinelgin, 2002), or even military interventions to protect human rights (Kaldor, 2001). An international public sphere (Koehler, 1998; Cochran, 2002) is moving towards public action, and some partial but nevertheless significant results have been achieved (Pianta, 2003).

*The Marxist Critique II (Groucho)*

Groucho Marx once said, 'I don't want to belong to any club that will accept me as a member.' Groucho thus anticipated what has become one of the most frequent criticisms of the EU — 'If the EU were to apply for membership in the EU, it would not qualify because of the inadequate democratic content of its constitution' (for a convincing answer to this claim, see Zürn, 2002: 183). Many scholars refer to this criticism to argue the inability of the EU to ever become a democratic institution (for in-depth discussions of the case of the EU see, Pogge, 1997; Beetham and Lord, 1998; Schmitter, 2000; Bellamy and Castiglione, 2000; Zürn, 2000; Moravcsik, 2002). Since the EU is actually the most democratic of all present international organizations, this argument supports the position that it is difficult, if not impossible, to extend democracy beyond the state system. Robert Dahl (2001: 38) has produced a list of criteria for the evaluation of democracy within a state. By applying these criteria to global democracy, he shows that they cannot be met and therefore, he argues, global democracy is impossible.

International organizations, the EU included, are far less democratic than many of their member states, but I do not believe that they can be judged according to the same criteria that apply to states. In my view, it is more a question of evaluating the ability of different mechanisms to increase democratic participation, particularly at a time when many complain about the lack of control over the decisions taken by the executive. Dahl does not appear to be hostile to the idea of international organizations, nor does he deny the usefulness of increasing their transparency and accountability. What he considers improper is the use of the word 'democracy'. However, if one shares the view that decisions over issues that cross national borders are to be taken within appropriate institutions (i.e. international institutions), and that these should respond at least to the criteria of transparency and accountability, one will observe that the discrepancies between positions are mainly an issue of terminology. It would perhaps prove far more useful to argue about possible courses of action, rather than word choice. I wonder to what extent a thinker like Dahl would object to a substantial reform of the various international organizations, such as the creation of a parliamentary assembly within the United Nations (see Falk and Strauss, 2001) or a compulsory jurisdiction of the International Court of Justice (Archibugi, 1993). We must therefore avoid finding ourselves in a situation in which good is an enemy of better. Faced with the difficulty of constructing an international level of democracy on a state-like model, we often neglect the possibility of pushing for a greater legitimacy of the decision-making process, even in those areas where it would be feasible to do so.

*The Dangers of a Global Technocracy*

There is always the fear that a level of governance that is beyond the state may ultimately deprive states of their hard-won democratic content by concentrating competencies and power in sites far from public control. Thaa (2001: 519), among others, has this concern — ‘Global civil society cannot provide a realm of political equality and deprives the idea of citizenship of its political content.’ Small communities with high levels of participation — communities also tenaciously and generously committed to global issues — are often those who most object to membership in international organizations. Switzerland, homeland of Rousseau, country of origin of the Red Cross, seat of the League of Nations and of many other UN agencies, became a formal member of the UN only in 2002, and still maintains its independence from the EU despite being entirely surrounded by it. The Norwegians have twice voted against joining the EU, while both the Swedes and the Danes have refused to replace their currency with the Euro. Since in the matter of democracy these communities have more to teach than to learn, their preferences should be taken seriously. The most convincing explanation has come from Wolf (1999: 343), when he points out governments’ propensity to use their obligations towards international organizations to limit the sovereignty of their citizens. There is a widespread concern that international organizations might become the Trojan horse enabling technocrats to prevail over democratic control.

In Europe, the parameters of Maastricht have become the religion that has forced states to resort to restrictive economic policies. The directives of the International Monetary Fund have forced particular political choices upon many developing countries and have sometimes even thwarted the possibility of deepening democratization. I share the worries related to the ability of international organizations even to limit the political autonomy of a state, but does the refusal of international integration sustain these political communities at a higher degree of autonomy? Take the examples of three neighbouring states — Finland, Sweden and Norway. The first of these is fully integrated within the EU; the second is an EU member, although it has decided not to introduce the Euro; the third has chosen to opt out. Could we thus conclude that Norway benefits from a greater degree of autonomy than Finland? Finland has the capacity to express its concerns within institutions at the European level. Norway does not. So, at present, the autonomy of Norway appears to be more at risk than the autonomy of Finland. To integrate within supranational democratic organizations helps preserve states’ democracy far more than it obstructs it. To refuse to extend democratic decision-making beyond the state’s territory not only leaves decisions within no-man’s land, but it also jeopardizes democracy within the

state. It may therefore be preferable to go the opposite way and push for more accountability and transparency within the international organizations, introducing within each one different mechanisms of control and public participation (Pogge, 1997; Zürn, 2000).

*The Communitarian/Multiculturalist Objection*

Communitarian and multiculturalist thinkers have criticized cosmopolitan democracy for its inability to respect the identity of political communities (Kymlicka, 1999; Calhoun, 2003). These authors have gone as far as maintaining that a political system is either democratic or cosmopolitan, arguing that a democracy cannot be cosmopolitan, and a cosmopolitan system cannot be democratic. Kymlicka encourages democratic states to assume responsibility also for issues such as immigration, financial flows, multi-ethnic communities, minority rights. At the same time, he urges states to provide a positive contribution to global society, for example by strengthening internationally the protection of human rights and development aid. To exonerate, with an eye to an indefinite global order, the state from these responsibilities may result in an underlapping of responsibilities between the state political system — which although insufficient is nevertheless extensible — and a global system that does not yet exist.

Kymlicka's concerns are understandable. He is not denying the need for global responsibility, but he believes that this kind of responsibility may be better managed through existing state institutions, rather than through institutions founded on a global citizenry still in its infancy. I have argued earlier that the state is an important component of the project of cosmopolitan democracy, and that the most advanced states could become important experiments of cosmopolitanism. However, when Kymlicka (1999: 121) maintains that 'democratic politics is politics in the vernacular', he appears to be oblivious to the fact that far too many aspects of our daily lives escape the vernacular dimension, at the state level as much as at the global level. What is the vernacular political dimension of China or India? Or even of tiny Switzerland? What part of the population is excluded from vernacular politics in countries such as the United States or Canada?

The absence of a vernacular dimension to politics is an issue that is confined not only to a developing global democracy, but also to the democracy within states. Kymlicka's argument is valid for any form of multicultural community or multilingual democracy. Therefore, either democratic politics is reduced to an exclusively tribal dimension, leaving all other issues to be dealt with non-democratically, or we invent a democratic political dimension that is also meta-vernacular. Many state parliaments, at the moment of being institutionalized, have suffered the effects of the lack

of a common language. Today the issue has shifted to other locations, such as the United Nations General Assembly and the European Parliament. Undoubtedly, this will be a problem in the event of the creation of global institutions. Yet, to date, democracy has been quite ductile in allowing these transformations to occur, and I have faith in its ability to be so also in the future.

### *Searching for the Global Demos*

It is often argued that a cosmopolitan democracy would not be democratic because of the lack of a global *demos* (Thaa, 2001; Axtmann, 2002; Calhoun, 2003; Morgan, 2003; Urbinati, 2003). The issue is also discussed with the opposite effect, in Zürn, 2000; and Habermas, 2001). I share the view that it is premature to talk about a global *demos*, and I agree that the notion of a global civil society has often been exaggerated (Brown, 2000); minorities and élites are still the primary participants in discussions relative to global politics. I also share the belief that democracy cannot exist without a *demos*. However, there is no agreed set of criteria as how to judge what makes a multitude of people a *demos*. Calhoun (2003) has noted how solidarity does not necessarily respect state boundaries, and this forces us to try to understand which elements bring individuals together. Peoples can be interpreted as the inhabitants of a village, of a city, of a country; but also as ethnic groups, members of religious movements, and even fans of a football team. In many functional areas as well, there are different *demos* who are not always clearly associated to states' borders. If communities of fate de facto overlap, it is regressive to anchor in a static manner a political community to a geographically delimited 'population'.

However, I also believe that the *demos* is not antecedent and independent from institutions. In some institutional contexts, sharing common institutions has given birth to a *demos*. We face a unique American *demos* today because over two centuries ago there were colonists who fought for the United States of America despite the diversity of religious beliefs and background. Had there not been that subjective choice, the political geography of the United States could be very different, with a larger number of states, each one proud of its own identity, just as there are very different identities in the United States and Canada. To think that the *demos* is independent from institutions is equal to thinking that the *demos* could ever be independent from history.

Others, though, still consider cosmopolitanism to be elitist (Brennan, 2001; Calhoun, 2003; Urbinati, 2003). According to Collins Cobuild English dictionary's definition, 'Cosmopolitan is someone who has had a lot of contact with people and things from many different countries and as a

result is very open to different ideas and ways of doing things'; this seems to describe better the elites than the *demos*. However, already in the philosophy of history of the Enlightenment (Kant, Herder, Condorcet, Paine) a view of cosmopolitanism emerged that was not to be understood exclusively in terms of the privileges of a few, but rather as representing the aim to which the entirety of humanity should aspire (Waldron, 2000). To marry the cosmopolitan ideal to the notion of democracy allows for this destiny to become explicit. This demands a sense of responsibility that requires not only the making of citizens *of* the world, but also *for* the world.

### *The Rule of Law and Democracy*

Other critics, including Dahrendorf (2001), Urbinati (2003), Morgan (2003) and Scheuerman (2002), have stressed the difference between democracy and the rule of law, remarking that beyond the state, the search should be for a generalized rule of law rather than of democracy. The modern notion of democracy includes the rule of law as well as the majority principle (see for instance the essay, 'On the Internal Relation between the Rule of Law and Democracy', in Habermas, 1998). I welcome, however, the suggestion of considering these two aspects separately in the transposition of democracy from the state to the global scale. As already argued by Kelsen, the strengthening of citizens' participation in global politics necessarily requires a more stringent adherence to the rule of law than currently practised (see for instance, Archibugi, 1993; Held, 1995; Falk, 1998). It is, however, known that the rule of law above the state is only respected when states themselves are keen to abide by it, and too often democratic states are no keener to do so than autocratic states.

It is not surprising that in the absence of sanctions international norms are abided by less than national ones. Nor is it difficult for state representatives to declare that international norms lack democratic legitimization. It is therefore necessary to strengthen the rule of law in its legislative aspects as much as in its juridical components. The institutions that promote and apply it — be it the UN General Assembly or the International Court of Justice — can only benefit from a greater democratic legitimacy. In the absence of such legitimacy, the rule of law risks remaining, as too often happens today, mere moral rhetoric. Conversely, juridical bodies not legitimized by a democratic mandate risk turning into a new juridical aristocracy (this risk, in the context of ad hoc courts for crimes carried out in the ex-Yugoslavia and Rwanda, has been remarked upon by Chandler, 2001; and Zolo, 2001).

It is not by coincidence that Dahrendorf's damning critique of global democracy was soon followed by a robust criticism of democracy in general, even at the state level. Dahrendorf suggests attributing greater weight to

those institutions on which the *demos* exerts less influence, such as those institutions whose membership is perpetual. As examples of bodies which should be given increased powers, he offers the American Supreme Court and the House of Lords (he spares us the Cardinals' Assembly), where the appointment of members is for life, and that are therefore removed from popular control. Clearly, the object of his polemic is democracy itself as much as its potential global dimension. Dahrendorf's critique goes back to Plato's custodians and is therefore antithetical to those of Dahl and Kymlicka.

Nevertheless, we can take from the remarks of Dahrendorf, Morgan, Scheuerman and Urbinati, the idea that at the global level the rule of law can precede democracy; after all, this was the spirit of Kelsen (1944) and of many projects in the judicial pacifism stream (see Clark and Sohn, 1966; Falk and Black, 1969). Within the development of liberal states, it has often been the case that courts have preceded the formation of parliament. Before a clear separation between the executive, legislative and judicial powers, courts helped to generate norms shared by the members of the community. The examples that are of main interest to us are those that witnessed courts operating in the absence of powers of enforcement, and even against the executive power (Ferrajoli, 2001). Although international laws and tribunals are devoid of enforcing powers, they still serve a decisive function in forcing major players to assume more virtuous behaviour (Kratochwil, 1989).

One might object that a global rule of law will gain in importance the more states there are that respect the rule of law at home. I do not deny that, but it is not sufficient for the reason explained in the first part of this article — the United States and other Western states, among the early promoters of the United Nations, have on several occasions openly breached international agreements and obstructed the course of the law by making use of force. The violation of international norms would likely prove more difficult if the global rule of law and the institutions in charge of its enforcement were to be ratified by all citizens of the world, including those of Western states.

### *Global Ethics and Cosmopolitan Democracy*

Another debate that has bloomed recently, especially among philosophers, has focused on the ethics of interstate and global affairs (see Pogge, 2001; for a review, see Caney, 2001). This literature has the merit of having discussed the unequal distribution of resources, income and wealth across countries. The policy agenda that emerged from this debate shares much with the idea of cosmopolitan democracy, although the similarities and differences have not yet been fully explored. Assuming that there is a

rationale for international redistribution of income and resources, can it occur without dedicated and common institutions? If we look at what has happened within nations, we note that the welfare state was not developed as a result of the compassion of the upper classes, but as the consequence of social struggles that resulted in the recognition of the equal political rights of individuals. Only once the workers had gained political rights did it become possible to bargain social and economic rights. Today, a similar issue is forcing itself on the international scene — establishing the responsibility of richer (and democratic) countries towards poorer (often non-democratic) countries means identifying institutional channels (possibly democratic ones) that will connect the two constituencies. So long as richer states can unilaterally decide how much of their national income to devolve to development aid, this will continue to be limited and highly contingent. It is indeed alarming that, following the fall of the Berlin Wall, development aid by democratic states has experienced a substantial reduction, while income inequalities within and among countries have increased (see World Bank, 2003: 26 and 58, respectively).

### *Concluding Remarks*

Although lengthy, this review article has been able to discuss only some of the elements raised within the debate surrounding the project of cosmopolitan democracy. The issues of cosmopolitan citizenship (see Hutchings and Dannreuther, 1999; Carter, 2001; Dower and Williams, 2002; Heater, 2002), of an emerging global civil society (Glasius et al., 2001, 2002, 2003; Kaldor, 2003; Keane, 2003; Pianta, 2003) and of sovereignty (Brown, 2002) have simply been mentioned, while they deserve far more exhaustive discussion. Urbinati (2003) has noted how for the most part, proponents of cosmopolitan democracy are Europeans. This should not come as a surprise, considering that in Europe we are experiencing first hand integration between states founded upon consensus and, in contrast to many other unions of states, in the absence of a foreign menace. In her well-informed survey on post-national democracy, Sbragia (2003) has in fact considered the European dimension only. However, cosmopolitan democracy also exhibits substantial differences from the European experiment, and it is not possible to generalize the European case to the rest of the world. Quite clearly the homogeneity internal to EU members, present and future, is much greater than among UN members. Moreover, the ambition of cosmopolitan democracy is also to include transitionally non-democratic states, on the assumption that integration will act as a strong stimulus to their internal democratization. A significant number of scholars who have

contributed to the idea of cosmopolitan democracy originate from those states that are themselves examples of cosmopolitanism, such as Nordic countries, Canada and Australia. What is significant, however, is the scarcity of US authors, with the exception of Richard Falk and his collaborators. To date, American thinkers have placed more weight on the issue of global governance than on the issue of institutional reform in the democratic sense.

The criticisms of the idea of a cosmopolitan democracy have been far too benevolent and constructive for such an ambitious project. It has often been difficult to separate the critical remarks from what appear to be welcome clarifications, improvements, developments and extensions of the original idea. I believe that the cosmopolitan democracy project is still in its infancy, and I do hope that it will be further developed both in theory and in practice.

The first issue I recognize as crucial is to rethink the concept of democracy at all levels, from the local to the global. Many of the standard assumptions of received democratic theory, and in particular the idea that a distinct and autonomous political community can be singled out, do not apply any longer to the contemporary world. Renewed account should therefore be taken of the basic values, principles and procedures of democracy. Democratic theory is founded on the equality of participation, although this basic concept has been applied more and more flexibly in order to balance the rights of the citizens with those of the stakeholders. Once it is accepted that the boundaries of political communities are no longer exclusively associated with territorial states, the problem acquires a growing relevance.

Second, the importance of norms and rules in international affairs needs to be more directly investigated. It is widely accepted that the 'anarchical' society is not that 'anarchic' and that it obeys some explicit and tacit rules. Carrots and sticks continue to be important, but unless reputation is also factored in, it will be impossible to explain the behaviour of international players. Which sorts of norms, or soft law, are more likely to influence the decisions of states and of international organizations?

Third, the theoretical perspective of cosmopolitan democracy needs to be more boldly integrated into a realistic transformation of society. An increasing number of campaigns have recently developed around very specific and relevant objectives, such as those organized by the new global movements (see, for example, Edwards and Gaventa, 2001; Prokosch and Raymond, 2002). On 15 February 2003, millions of people participated in public demonstrations of global disapproval of the war in Iraq. The following day, the *New York Times* referred to these global protesters as the new superpower opposed to the US government. There is an increasing

recognition of the political role of international public opinion, optimistically labelled by the American peace thinker William Ladd 'the Queen of the world', and this in turn needs to be backed with a more solid theoretical background. It is to be hoped that the next generation of studies concerning the prospect of a cosmopolitan democracy will attempt to combine theoretical matters to more practical aspects (examples include Patomaki and Teivainen, 2002a; Coleman and Porter, 2000). In particular, I would welcome campaigns that pursue realistic and limited objectives, but with a view to the desirable long-term world order.

I do not expect to see the creation of a global democratic system as a result of a unique and massive transformation; quite the opposite. It is more feasible to take little steps forward yielding tangible results. Cosmopolitan democracy — its most eminent ancestors represented by the philosophy of history of the Enlightenment — suggests a journey along which humanity could be brought closer together and whose final destination we can only guess (see Waldron, 2000). But I wish to point out that each step towards a cosmopolitan democracy is in itself a desirable objective. For the first time in history, states with democratic regimes are concentrating an amount of economic, technological, military, ideological and political resources sufficient to ensure control over the entire world. Despite this, military force once again rules international politics. Cosmopolitan democracy will be nothing more than a miserable consolation if it proves incapable of restraining the consolidation of this increasingly hegemonic power.

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