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GLOBAL DEMOCRACY AND HUMAN RIGHTS

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ABSTRACT

The emergence of cross-border communities and transnational associations requires new ways of thinking about the norms involved in democracy in a globalized world. Given the significance of human rights fulfillment, including social and economic rights, I develop the scope of democratization in



transnational contexts common activities and impact on basic human rights.

KEYWORDS :Global Democracy , Human Rights ,cross-border communities and transnational associations.

INTRODUCTION:

Over the past dozen years or so democratic theorists and

activists have become increasingly worried about globalization's adverse effects on democracy. Their concerns include: (1) democratic deficits, or the lack of democratic control over existing intergovernmental and supranational governance structures such as the International Monetary Fund (IMF) or the European Union (EU); (2) democratic disjunctures, or the disparities in scope between such global political problems as climate change, economic development, and international terrorism, on the one hand, and instantiations of democratic authority in existing, state-level political institutions, on the other; and (3) democratic asymmetries, or the widening inequalities among states whereby the wealthiest and most powerful dominate international interactions. Where it is not rejected altogether, global democracy is often thought of in either/or terms: either it entails the implementation of full-scale world government or else it should be limited to innovations within the existing system of nation-states and international organizations for example, loose federations of nation-states at regional levels or new international institutions such as a Global People's Assembly at the United Nations (Falk and Strauss 2000). This characterization of the options, however, omits a distinctive feature of contemporary globalization, namely, the emergence of cross-border communities and transnational associations, which I suggest require new ways of thinking about the norms involved in democracy in a globalized world. I have developed such a framework in *Globalizing Democracy and Human Rights* (Gould 2004),

which also gives a major role to human rights fulfillment, including social and economic rights as much as civil and political ones. This sort of framework can help to harmonize the claims of existing political communities or associations (including new cross-border ones) with the increased democratic scope needed to give input on the part of distant others into decisions that crucially affect them.

GLOBAL DEMOCRACY AND HUMAN RIGHTS:

Modern democracy is animated by two fundamental principles, freedom and equality. What precisely they mean and require, however, is the subject of much debate. Democracy is an “essentially contested concept,” a widely used idea whose proper definition and realization are deeply disputed. Some minimalist theorists have argued that democracy only requires periodic elite competition for votes. Others focus on the institutional arrangements elections, representation, party competition, and so on that typify the system. Still others stress popular deliberation or other forms of participation in all levels of public decision-making, envisioning a broader and more demanding account of democracy. This disagreement extends to global democracy, whose various proponents envision it, as we have seen, in significantly different forms. Rather than adopt one particular conception of global democracy and show its connection with human rights, I want to argue that human rights are a necessary component of any plausible account of global democracy. By reconceiving the challenge that globalization poses for democracy, it is possible to show the essential role of human rights in meeting that challenge.

Many critics dismiss the project of transnational or global democracy on the grounds that it is either impossible, given the current state system, or else undesirable, since it would entail a single government for everyone. It is pointed out that we lack a global demos and a strong global public sphere, both of which are thought to be required for democracy (based on our experience in nation-states). In fact, I think that these criticisms are well taken, but I would deny the hasty conclusion that we can make no sense of viable transnational democracy. I would suggest that if we remain with the current interpretation of political communities as sovereign nation-states, then globalizing democracy is probably impossible. And if we take it to mean a world government, then it is undesirable, for the reasons discussed below. Moreover, these critics are also correct that there is no global demos, in which everyone can participate equally as a citizen in a single world polity, and no effective global public sphere. But I think that it is faulty to seek such a global demos and globalized public sphere, and that it is an impoverished view of transnational democracy that would see it as entailing a world government replacing all smaller forms of associations. In fact, I would suggest that the emerging multiplicity of transnational public spheres and their overlapping nature might actually make possible a richer, and potentially more democratic, form of transnational association.

One common feature of modern democratic theories is that they take for granted that the state is the natural container of and vehicle for politics. This Westphalian conception of the state reflects an assumption of symmetry among citizens, power, and policy that typifies the familiar model of democracy as a system of elections of “rule by the people.” The ubiquity of the Westphalian model along with a strong desire to operationalize democracy as a dependent or an independent variable has meant that, other important disagreements notwithstanding, the academic literature overwhelmingly treats democracy as a system of collective self-rule realized through elections and representative government. Crucial to this model is the state’s supremacy within its particular territory, which allows it to create and maintain democratic conditions; the notions of citizenship (a status of full membership in this exclusive political community) and civil society (a sphere of voluntary action, communication, and cooperation parallel to the state) round out this familiar model.

Globalization shatters this supposed symmetry, severely compromising the idealized Westphalian model. Politics now extends across borders, making it fundamentally unclear what

“democracy” of this sort might mean. As we have seen, deficits, disjunctures, and asymmetries illustrate the inadequacy of state-based models of democracy in the context of globalization. The challenge of globalization has mainly been viewed as a problem of extending the existing democratic model (cosmopolitan democracy) or of finding ways to compensate for its absence (discursive democracy). But these models cannot easily be replicated transnationally or globally: their legitimacy and even their democratic character are linked normatively and empirically to the (notional) sovereign state.

My alternative approach begins by returning to democracy’s core principles and key functions. There is little question among democratic theorists that freedom and equality at minimum require institutionalized avenues and robust constraints on the exercise of power for meaningful political agency. Constraints on power ensure the autonomy and integrity of persons. Meaningful political agency provides opportunities for groups and individuals to deliberate, influence, and contest political outcomes and processes, enabling them to shape the terms of their collective interactions and enterprises and to hold government to account. The various components of the Westphalian model elections, citizenship, civil society, and representative institutions are one way of achieving these aims, but not the only one. They are best seen as mechanisms for achieving general democratic aims in the specific theoretical and political context of the sovereign state.

The question, then, is how human rights can help constrain power and enable agency globally. Human rights provide a language into which the specific functions of state-based democracy can be translated. As with any good translation, the original meaning remains unchanged although it is expressed in wholly different terms. The point of translation is to make the original meaningful in a new context; it is needed here because the framework of state institutions and practices that make familiar models of democracy comprehensible and meaningful at the domestic level is absent globally. The global context is defined by multiple and overlapping networks of governance; the absence of a supreme political authority, a comprehensive political framework, and institutions; and the ongoing centrality of already constituted (democratic) political communities.

Human rights are necessary for achieving democracy in such a context for four reasons. First, they attach to persons rather than to particular jurisdictions; that is, they apply regardless of who violates them or where the violations occur. Second, they are globally recognized as standards of legitimacy binding not only on states but also on IGOs, TNCs, and the like. Third, and related, human rights do not require a comprehensive political framework for their implementation; their protection is compatible with the multiplicity of governance including democratic state government characteristic of global politics. Finally, human rights articulate aims rather than mechanisms.

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