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VII.A Promoting Democracy and Human Rights Globally

VII.A.1 Explaining the Globalization of Democracy: Democracy and the Diffusion of Markets

Ingo Venzke

1. *Introduction: Three Dimensions of the Globalization of Democracy*

Processes of globalization have affected the conditions and possibilities of democratic governance, as well as our understanding of the very concept of democracy itself. It may be helpful to distinguish three dimensions in this regard. First, globalization and the diffusion of markets have challenged the capacities of citizens within any single state to determine their own circumstances and fate independently from others. Economic developments outpace changes in political structures of governance while many layers of interdependence constrain any individual state's room for manoeuvre. This affects democracy at the national level. Second, processes of globalization have contributed to an increasing use of international law and to the increasing authority of international institutions. This again bears on the possibilities of democratic governance, and, indeed, on the very concept of governance. Third, democracy has spread globally. In spite of all difficulties, pitfalls and drawbacks, more and more states now boast democratic forms of governance. While the precise relationship remains contested, processes of democratization coincide with processes of economic liberalization.

There are common underlying threads, or at least questions, that are visible in these developments along all three dimensions of the globalization of democracy: how do political processes respond to economic globalization? How do they take up globalization's normative challenge, and how does globalization affect the conditions for, and the very concept of, democracy? The following three sections will sketch answers to these questions. At all time this will imply both an analytical as well as normative perspective. The following discussion largely suggests that economic processes move ahead while political institutions lag behind and adapt. While this is generally correct, it should be clear that developments of political processes are also contingent on other factors, and in no way do they follow a steady pattern. The direction of causality between economic liberalization and democratization is not fixed either. Finally, both economic liberalism and the idea of democracy certainly remain contested – for both good and bad reasons.

2. *Globalization and Domestic Democratic Governance*

Processes of globalization affect the conditions of possibility of democratic governance at the level of any single state. Because the concept of democracy is so closely tied to the state, it is also in this context that challenges to and developments of the very concept of democracy find their first clear expression.

In brief, the age of enlightenment (re-)introduced into political philosophy the thought that citizens or people are the root of all legitimate authority – the kernel of democracy. While the English and French revolutions turned this thought into practice at the end of the 18th century, it remained imperfect and opposed as an idea. But the fundamental thought has remained and transitionally expressed itself in a claim to independence from outside interference (from the church, the emperor, or from any colonial power). The notion of state sovereignty translated this claim to independence into legal doctrine, but bracketed the critical question of who was sovereign internally, the ruling person or the people. With the first wave of democracy in North America and Western Europe, citizens could at last make a categorical claim to self-government. While there may be practical and legal constraints, the idea is that citizens of a democratic polity are the only and exclusive source of legitimate authority. In any single state, the argument goes, citizens form a society that provides the necessary conditions, like a certain degree of social justice and solidarity, for meaningful democratic processes. Participation in such processes has the recursive effect of reinforcing the necessary conditions for these processes themselves to be normatively meaningful. While any further account of a theory of national

democracy certainly requires more nuance and is bound to run into protracted controversies, the plain proposition is that citizens can and do claim an ultimate say with regard to the way they are governed.

Processes of globalization and the diffusion of markets have undermined, or at least challenged, this proposition. The challenges relate to the capacities of individual states, to the impact of their decisions on others and to the sociological conditions for meaningful democratic governance.

With regard to capacities, what has probably always been the case, except for the most powerful states, is now plainly evident: the decision-making of any individual state is situated in a world that is populated with other states and therefore subject to constraints. There are legal constraints as well as more fundamental structural constraints, which have widened and hardened with processes of globalization and increasing interdependence. The intensifying international repercussions of any number of domestic decisions are ever more tangible – the division between domestic and foreign policy is crumbling. Domestic regulations with regard to environmental protection or food safety are almost certain to have an impact on trade or on the investments of foreigners. Domestic regulation in such fields is certainly not impossible, nor is it in principle illegal, but it does come with strings attached. Globalization has brought with it a higher level of interdependence. At the same time, it is evident that certain policy aims, such as dealing with a wide range of global challenges, can only be pursued as part of a concerted effort. In general, the mobility of capital and factors of production contribute to collective action problems, requiring co-ordination as well as cooperation, and, in short, decrease the capacity of the citizens of any individual state to independently determine their own circumstances and fate.

The flipside is that decisions taken within any single polity have an increasingly significant effect on individuals outside that polity. It has always been the case that, for instance, one state's decision to build a dam on a river impacts on the agricultural production and industry of all downstream states. Processes of globalization have made more likely constellations in which the actions of one State impact others – for example, bad financial regulation or fiscal policy within one country can induce unemployment in another, or even cause a global crisis. From the perspective of democratic governance, at least if one considers that those who are affected by a decision should have a say in its making, this appears problematic.

A final challenge to the idea of the state as a kind of self-contained site of democratic governance relates to the sociological conditions, such as a certain degree of social justice and solidarity, that make democratic processes normatively meaningful. The impact of globalization on these conditions is controversial and differs across countries. It appears safe to say, however, that

processes of economic globalization and market liberalism have had some part in increasing disparities of wealth and income within states and, linking up with decreasing capacities of action, have tested the functioning of welfare states. While international economic liberalization suggests mutual gains for all participating states, the aggregate gains are distributed unevenly internally and usually result in losses for some. Here lies a challenge, but also the recognition that the state remains an agent of distributive justice as well as a guarantor of basic social needs.

3. *Globalization and the Democratic Justification of International Public Authority*

International institutions constrain decision-making at the domestic level. But it would be wrong to see this as inherently problematic. Some have suggested that international constraints on national democracies are *ipso facto* undemocratic. In view of the considerations outlined above, this seems unconvincing. International institutions rather offer responses to the challenges faced by domestic democratic governance. While states can use international institutions to extend the reach of their policies beyond national borders, they also agree to subject their individual exercises of authority to international rules and procedures. Furthermore, in a concerted fashion, states co-operate and coordinate with each other in order to tackle global challenges that none could deal with alone. Finally, international institutions may even improve the quality of processes of domestic governance. Rather than a curse, they are part of the cure.

With any solution there come new problems. International institutions are not only arenas in which state representatives interact, but also actors in their own right. That international institutions have agency – in the sense of possessing the qualities and attributes of independent actors – is almost inevitable. They enjoy delegated authority and can draw on their own sources of authority such as expertise, the appearance of rational administration, or appeals to moral dispositions. One element of globalization is that international institutions have become more powerful actors. The International Monetary Fund (IMF) and the World Bank (WB) serve as examples, as does the World Trade Organization (WTO). These institutions exercise international public authority – they condition states and individuals directly or indirectly in the exercise of their freedom and influence the possibilities of democratic governance at the domestic level. While they are, as argued above, part of the cure, their exercise of international public authority again requires democratic justification.

This indicates another manner in which processes of globalization influence the very concept of democracy. Suggesting that the exercise of

international public authority be democratically justified supposes that democratic legitimacy can accrue from processes that transcend national borders and go beyond any individual state. This assumption is still contested, both on principled and empirical grounds: that only a “people” can produce democratic legitimacy, and that only states can provide the social conditions necessary for meaningful democratic processes. Years of learning within the European Union, together with developments in democratic theory, strongly suggest that the conceptual link between democracy and the nation-state can be loosened; especially if one adopts an individual rather than holistic understanding of democratic legitimation that places the citizen rather than the people at its center (see, in particular, Habermas 2006). It is now a compelling view that governments in the European Council represent the voice of their respective citizens, while the European Parliament represents the voice of those same individuals as European citizens. On any account, it is now hard to deny that the European Parliament – which neither forms part of a state nor represents a European people – contributes to democratic governance in Europe. Even if, however, the conceptual challenge has been resolved, or nearly so, the empirical question concerning social preconditions for meaningful democratic processes remains – for the exercise of international public authority even more so than in the European context.

Much research remains to be done with regard to identifying problems in the exercise of public authority by international institutions. This is, after all, one of the main ambitions of global administrative law: reacting to accountability gaps in ways that also satisfy standards of democratic legitimation. One of the persistent critiques of this ambition has been that it projects democratic ideas onto the international level that are not at all shared across the board domestically. A lack of democratic governance at the domestic level attenuates international democratic justifications. This leads to a third dimension in which globalization impacts upon democracy.

4. *Globalization and the Spread of Democracy*

Apart from changing the constellation of democratic governance within any single state and influencing the emergence of international institutions, processes of globalization have been a contributing factor in the spread of democratic forms of domestic governance. At the outset of this section, it should be noted that, in spite of all difficulties and setbacks, the overall trajectory of democratic governance on the global level has been a positive one. Economic and political liberalization have been defining features of the past two decades, even although

at the moment more than 50 autocratic regimes continue to cling to power, even although civil liberties and social justice suffer in otherwise consolidated democracies, and even although populism and various forms of fundamentalism remain unrelenting foes of the democratic project. It might again be helpful to identify a number of interrelated but distinct ways in which globalization and democratization might be linked in this third dimension relating to the promotion and spread of democracy.

First of all, there is a traditionally strong argument that understands democratic governance as a function of economic development. As early as 1959, Seymour Martin Lipset argued that democracy follows economic growth and wealth. Democratic reforms come on the heels of economic change. While there might be some plausibility to this view, it has been challenged both empirically and in principle. Ever since the argument was made, processes of democratization have offered little evidence in support of it. Conversely, however, policies aimed at development promotion have testified to the importance of democratic governance structures. Armataya Sen, among others, has provided the counterpoint by arguing that democracy is conducive to economic development. Development aid should seek to create and sustain political freedom and mechanisms of self-government. The link between globalization and democratization is certainly more complex than any linear relation would suggest.

Other elements of the explanation of the spread of democracy may be summarized in terms of the main actors, the main mechanisms, and the main structural causes involved. The first of these speaks to the impact of international organizations, other governments, international non-governmental actors, and domestic constituencies in driving reform. Mechanisms at work may include coercion, competition, learning as well as emulation (Simmons *et al.* 2008), while structural causes might, apart from economic developments, include regional integration, technological improvements and demographic shifts. In what follows, I will give a brief overview of these factors.

For a long time, international institutions were reluctant to embrace democracy promotion as one of their tasks; and nor were they normally charged with such a mandate by their constituents. The Charter of the United Nations speaks of fundamental human rights, but not of democracy. The Charter is bound to the tradition of an international order based on state sovereignty which views questions of governance as part of the “internal affairs” (or “domestic jurisdiction”, Art. 2.7 UNC) of its members. The International Bank for Reconstruction and Development (IBRD) is explicitly prohibited from interfering in the political affairs of any member. Nor is the Bank to be influenced in its decisions by the political character of any member (Art. IV,

section 10, IBRD Articles of Agreement). This stance has changed remarkably since the 1990s. At that time, the World Bank (WB), the umbrella group that includes the IBRD, coined the notion of “good governance” in order to circumvent its own – rather clear – statutory limitations, thus broadening its scope of action to include issues of domestic governance in its development strategy. Both the IMF and the WB have since frequently made the provision of their services conditional upon requirements ranging from combating corruption to more controversial issues of implementing austerity, privatization, and administrative reform programmes.

For the United Nations generally, the 1991 *coup d'état* in Haiti, which ousted elected president Jean-Bertrand Aristide, provoked a series of relatively strong reactions. The General Assembly stated that, “[g]iven the importance of support from the international community for the development of democracy in Haiti”, the legitimate authority should be restored in the country. This pattern has repeated itself in other circumstances. It is both noteworthy and exemplary that the United Nations Development Program (UNDP) has since the 1990s significantly strengthened its focus on domestic political institutions as part of its development agenda, and now works towards improving democratic governance. Election monitoring has become commonplace under the auspices of the United Nations and other organizations (see § VII.A.3 “The UN Fund on Democracy and the European Instrument for Democracy and Human Rights: Causality or Convergence?” by B. Carotti). Examples of democracy promotion abound at the global level. It was also precisely in view of the reactions to the *coup* in Haiti that Thomas Frank wrote his famous article in 1992 on “The Emerging Right to Democratic Governance”.

Regional organizations have been more outspoken and demanding with regard to democratic governance. The Conference (now Organization) for Security and Cooperation in Europe was an important forerunner even during the Cold War. Membership in the European Union is now clearly conditioned on the requirement that states be democratic (see § VII.A.2 “The EU’s Enlargement Policy and the Promotion of Democracy: The Case of Turkey” by V. Volpe). The appeal of membership has contributed to transformations in East and South-East Europe, helping to consolidate democratic institutions in new member states. Even earlier, democracy began spreading through Latin America in the 1970s, facilitated by the Organization of American States (OAS) (see § V.7 “The OAS and the Inter-American Court of Human Rights: A Human Rights’ Framework for the Americas” by B. Bonafini and § VII.A.4 “The OAS: Legalizing Norms of Democracy” by G. Delledonne) whose statute provides that “representative democracy is an indispensable condition for the stability, peace and development of the region”. In 1991, the OAS called on its members to impose sanctions

against Haiti in order to isolate the illegal rulers. Similar practices can be found, albeit usually less lucid and with less bite, in other regional bodies like the African Union or the Association of South-East Asian Nations.

Some regional organizations, and the EU stands out in this regard, engage in active democracy promotion not only by way of holding out the carrot of membership, but also by other mechanisms as part of their external policy. Trade concessions and developmental aid might be linked to democratic performance; and, within the framework of the European Neighbourhood Policy, the EU works towards improving the levels of economic development and democratic governance of its eastern and southern neighbors.

Democracy promotion has generally been advanced as a goal of foreign policy. It may form part of developmental policies and has, as of late, in some instances been subsumed within broader security strategies. The “securitization” of democracy promotion is a Janus-faced development. Understanding the promotion of democracy as part of a struggle for a more secure and peaceful world may elevate its importance in the eyes of policymakers, and can improve access to much-needed resources. Striving for a “democratic peace” has of course been a lasting liberal credo. But subsuming democracy promotion under a broader security paradigm might lead to a recalibration of policy preferences in a way that can support the conclusion that less democracy is better (long-time support for ruthless dictators has been a common feature of many (democratic) states’ foreign policies). It may also tarnish democracy promotion by attaching it to obviously strategic ends. The 2003 intervention in Iraq, saturated in the rhetoric of bringing democracy to the Middle East, has probably done a disservice to democracy promotion in general.

Finally, the work of many non-governmental organizations deserves mention. The range of such bodies is enormous, encompassing relatively well-funded organizations acting globally as well as struggling grass-root projects (which might, within the context of their limited reach, be no less successful). Sometimes they focus on a particular element of good (democratic) governance, as in the case of Transparency International, for example; or they can contribute to capacity building more generally.

With regard to the possible mechanisms at work in democracy promotion, forceful military intervention, regime change by way of occupation and forms of territorial administration are among the most coercive. IMF and WB conditionality, linking unilateral development aid to good governance standards or respect for human rights, and holding up the appeal of membership in regional organizations are perhaps less incisive but nonetheless also very powerful.

In addition to such deliberate policies, the strategic preference of market participants and investors to do business and invest in countries that respect the rule of law might also account for the expansion in forms of democratic governance. Competition between states in attracting foreign investments can play a role in this. It has further been suggested that the protection of investments by way of international law and treaty-based arbitration can ensure that domestic governments are held to good administrative standards. Denials of justice or unfair and inequitable treatment are often actionable violations of investor protection rules. Conversely, it might be argued that international investment law, just like other forms of involvement of international organizations, serves not to promote but to replace democratic governance at the domestic level.

With or without training from external actors, politicians might learn what works; they may even simply be persuaded that, either for reasons of self-interest or those of public interest, they should adopt more democratic practices. Finally, market liberalization and democratization are such strong features of contemporary discourse that states might be induced to emulate such processes as they have occurred in other states.

The recent events of what has been termed the “Arab Spring” have ultimately highlighted both structural factors and the unyielding struggle of domestic constituents as additional explanatory factors in the spread of democracy (see § VII.B.4 “Does Civil Society Promote Democracy? The Arab Spring and the EU’s “New Response to a Changing Neighbourhood”” by V. Volpe). Technological and demographic developments have a lot of explanatory purchase in this context. The force of good ideas and the convictions that sustain perseverance have probably done most to spread democracy. A demand for human rights and the prospect of individual economic well-being are very strong in this regard. It is to be expected that these developments will illustrate yet another, a third, way in which the very concept of democracy itself has been influenced by the processes of globalization. To the extent that democracy spreads globally, domestic constituencies will appropriate and adopt democracy within different contexts. Such processes can function as a feedback loop, thus informing what democracy means globally.

5. *Concluding Observations*

Globalization and the diffusion of markets have unraveled the state as a self-contained site of democratic governance and have pushed democracy out of its original shell. It has had to adapt to new circumstances. I have identified three

dimensions of this development. First, from the perspective of any single state, it has become increasingly implausible to suggest that its citizens can in isolation determine their own circumstances and fate. The problems outstrip capacities in this regard. Interdependence also means that decisions in one state affect individuals in others who do not have a say in the making of those decisions. Second, international institutions offer responses to the challenges to democratic governance at the domestic level, but they have themselves come to exercise public authority, which is thus in need of democratic justification. Third, democracy has spread globally. Together with a trend towards economic liberalization, democratization is one of the defining features on the political landscape of the past two decades.

In view of the events of 1989/91, Francis Fukuyama suggested at the time that history had come to an end in the sense that any ideological struggle was now finally resolved in favor of capitalism and democracy. But transformations in East and South-East Europe as well as Asia were paralleled by increases in ethnic conflict, genocide, populism and religious fundamentalism. While reality was reluctant, ideology once again figured strongly in certain circles: economic liberalism and democratic governance were advocated as the cure to all diseases, at times with devastating outcomes. Powerful actors, governments of the political West and some international organizations implored universal truths and used them to impose their particular convictions – whether in benevolent good faith or with strategic cunning. Democracy has force as a good idea, and those who steadfastly face the barrels of authoritarian rule fuel its credentials. But the globalization of democracy and the diffusion of markets, especially when backed by powerful actors, bring looming dangers as well as promised gains.

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