

Republican Cosmopolitanism

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JAN DOBROSIELSKI, FEB 19 2013

A growing concern in today's globalizing world is that bounded political communities, traditionally understood as nation-states, are affected by the impact of non-democratic, international forces. David Held argues that the extension of liberal democracy to a cosmopolitan level provides the best solution to this problem, while Nancy Kokaz believes that a civic conception of global justice provides fairness and accountability to international institutions. However, these theories are insufficient in their explanatory power when compared to a synthesis of Phillip Pettit's and James Bohman's work. Global justice is best secured through a cosmopolitan regime of non-dominating, effective and representative states that can establish and protect universal rights of membership in a human political community.

Held succinctly describes the problem of globalization as an "asymmetry" where policy makers in international bodies impact persons who do not constitute their electorate; indeed, "the very process of governance can escape the reach of the nation-state" (Held, 21). In large part, Held attributes this to the Westphalian order and the later grafting of the UN Charter model onto this structure. In this arrangement, states are concerned with pursuing their own interests and securities, and are deprived of any systemic means of establishing accountability in matters that transcend the national sphere (Held, 22).

Held believes that the only way to address this problem is by developing a cosmopolitan democracy "from a nucleus or federation of democratic states and societies" (Held, 11). This will require the development of international democratic principles in a way that the UN Charter model has been unable to do. The resulting cosmopolitan democratic model entails a revision of physical boundaries of accountability to address issues that escape a nation-state's territorial control, while giving regulatory agencies a greater role to cope with globalizing forces (Held, 33). In concrete terms, this will require the formation of regional parliaments holding referendums without deference to geopolitical power, and which are informed by a cluster of rights developed specifically for the international sphere (Held, 34).

Kokaz disagrees with Held's analysis and sees the problems of globalization as stemming from a lack of justice in international institutions themselves. She believes that Held's imposition of state-level democratic accountability in this regard is mistaken; for her, the principles that regulate justice within states are not the same as those that must be drawn up to regulate international bodies. Her answer is to develop "a civic conception of global justice" that would be used to assess the justice of international institutions (Kokaz, 69).

Kokaz derives this civic conception within the Rawlsian framework of a society of peoples based on the law of peoples, but it is outside the scope of this paper to trace her argument in full. In essence, the civic conception differs from Held's cosmopolitan democracy in that the direct representation of persons is not required to achieve global justice. So long as peoples are fairly and equally represented, the civic conception does not demand that international institutions be democratic along the same lines that apply within democratic states (Kokaz, 85). In addition, while Kokaz's theory does not discount the possibility of a world state, it is not indispensable either (Kokaz, 94). Nevertheless, Kokaz believes that a world state would eliminate the asymmetry between social and international justice that persists in Held's cosmopolitan democratic model, and constitute an improvement to a society of peoples (Kokaz, 95).

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Pettit does not seek to supplant the Westphalian order with a cosmopolitan democracy or a world state; rather, he assumes only that states will continue in their relations with each other as they are. Notwithstanding this, global justice can still be secured through the republican ideal of non-domination. Pettit distinguishes between states on the basis of effectiveness and representativeness: those which are effective can provide basic services to their constituents, and those that are representative feature institutional arrangements that give control of the state to the people (Pettit, 71). This forms the basis of a non-dominating regime wherein effective and representative states provide protection against domination in an undominating way (Pettit, 71).

Pettit understands the negative effects of globalization as deriving from the exercise of alien control (i.e. domination) over a representative state in the international community by other states, non-domestic private bodies, or non-domestic public bodies. Like Kokaz, he does not endorse Held's argument for the extension of domestic democratic principles to the international level, but is equally quick to point out that a hegemonic state would eventually develop into the most unconstrained source of domination, however benevolent its intentions (Pettit, 80). Pettit allows that a world state – different from a hegemon in that it is not an existing state, but a newly formed entity – may be able to safeguard against domination, but he disagrees with Kokaz that this could be feasibly implemented. Whereas she believes that a world state could provide a uniquely protective forum for cultural diversity, Pettit sees this very diversity as a source of insurmountable mistrust between the world's cultures (Pettit, 81).

Pettit's view on international bodies is somewhat ambivalent. Agreeing with Kokaz and Held on the one hand, he cites them as a possible source of domination; but he later downplays their threat since "the states and peoples of the world can control international agencies quite effectively" (Pettit, 81). And although Pettit criticizes international institutions as incapable of restraining "the sort of control [states exercise] on the basis of greater economic power, wider diplomatic clout, or the enjoyment of a strategic advantage" (Pettit, 82), he also considers them as part of the remedy for the very same problem. Because international bodies "naturally generate discussion about how things should be organized globally" (Pettit, 82), they create forums for deliberation that establish a culture of international law. This allows for a republican mechanism to take effect as weak states forge military alliances for mutual protection against the dominating tendencies of stronger states and corporate agencies (Pettit, 84).

Interestingly, Pettit echoes Rawls when he develops this framework into a regime of effective and representative states that treat directly with each other while looking to serve the members of non-effective, non-representative states (Pettit, 77).[1] This almost directly mirrors Rawls' conception of a society of well-ordered peoples with duties towards burdened or outlaw peoples. And where Kokaz finds justice through equal and fair representation among a society of peoples or a world state, Pettit argues along similar lines that global justice via non-domination could be secured by a regime of effective and representative states. However, his conditions are more attainable than Kokaz's, as he argues for mere non-domination while Kokaz maintains that fair and equal representation in international institutions must be realized. It is also worth noting that neither hold direct representation to be necessary, and while Kokaz assumes that a society of peoples must be non-dominant, Pettit argues that goodwill alone is insufficient; mutual respect can only be based on power (Pettit, 86).

Bohman also criticizes Held's liberal cosmopolitan argument of extending democratic self-determination and the rights of citizenship from the national to the international context as asymmetrical and problematic. Moreover, Bohman specifies that it is the very attempt to extend self-determination and citizenship to the international sphere, where such concepts may not apply, that creates the "indefinite conditions" which are responsible for the problems of globalization (Bohman, 342). Because these forces impose non-individuated, cooperative schemes regardless of consent, Bohman sees this as a kind of growing international tyranny. To counter this, he argues not for cosmopolitan democracy to protect against non-democratic authorities, but rather that the cosmopolitan community must be republican in aspect and value freedom as non-domination above all else (Bohman, 336). Once this is in place and international cooperation against domination is secured, the creation of any other scheme becomes possible (Bohman, 342).

Bohman uses international laws and human rights claims as the basis for fleshing out his argument. These laws, which exist to protect persons regardless of political affiliation, are themselves a political community based on a common humanity (Bohman, 341). This is why cosmopolitan republicanism stresses that membership in a political

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community is essential for granting “a political space of non-domination that is the ultimate basis for checking arbitrary authority” (Bohman, 343). Human rights laws and violations, distinguished as they are “not by their horrifying nature ... but because they denote humanity as the relevant community beyond any particular community” (Bohman, 345), establish political membership in the human community and the consequent irrevocable right to non-domination. It is that aspect which compels cooperation with the aim of securing freedom from domination, and not liberal principles of self-determination (Bohman, 346).

Bohman’s treatment of the issue of globalization is not only astute in its articulation, but severely contests Held’s argument for a cosmopolitan democracy, especially since such measures would only result in the perpetuation of tyrannical cooperative schemes. Kokaz touches on this when she points to the asymmetry inherent in liberal cosmopolitanism and highlights the necessity of ensuring justice and fairness in evaluating international institutions, but she does not articulate the depth of the issue as Bohman does. Her argument for a civic conception of justice is well-founded, but remains so only in reference to ideal theory within Rawls’ framework. While she does provide a partial answer, ultimately the civic conception of justice is unsatisfying and remains subject to the oppressive influence of globalizing forces.

Pettit’s account of a non-dominating regime of effective and representative states is more convincing than the utopian ideal which Kokaz offers. Pettit does advocate international institutions as part of the solution to globalization, but not before assuring non-domination as the maxim of his model, aligning him squarely with Bohman’s republican cosmopolitanism. Bohman’s argument suffers from a vagueness in the form that the accountability of the cosmopolitan republican order should take, stating only that it would need to be “buttressed by juridical accountability in the forms of laws recognizing dominating transgressions, and political accountability allowing those dominated to make an appeal to the human community” (Bohman, 345). However, Pettit provides a *realpolitik* model that can be used to implement just the kind of accountability Bohman hints at, while benefitting from the rigorous theoretical justifications that Bohman provides and which are lacking in Pettit’s own analysis.

While Held’s liberal cosmopolitan model seems innately attractive at first, it has no answer to the challenge that Bohman presents. Similarly, Kokaz’s civic conception of justice shows promise, but is unable to field a feasible and convincing alternative to the very system that propagates the negative forces she is trying to combat. It is through Pettit’s non-dominating regime of effective and representative states, informed by and responding to Bohman’s fundamental human political community, that a cosmopolitan sphere can best address the problem of global justice.

Works Cited

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[1] Pettit cites terrorism, world health, environmentalism, and illegal immigration as “commitments that give normative reasons for rectifying the problems of non-effective or non-representative states” (Pettit, 88).

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