

Rechtsphilosophische Schriften

Herausgegeben von Kurt Seelmann,
Stefan Smid, Ulrich Steinvorth

Band 17



PETER LANG

Frankfurt am Main · Berlin · Bern · Bruxelles · New York · Oxford · Wien

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Freiheit ohne Recht?

Zur Metamorphose von Politik und Recht



PETER LANG

Internationaler Verlag der Wissenschaften

Bibliografische Information der Deutschen Nationalbibliothek
Die Deutsche Nationalbibliothek verzeichnet diese Publikation in
der Deutschen Nationalbibliografie; detaillierte bibliografische
Daten sind im Internet über <http://dnb.d-nb.de> abrufbar.

Umschlaggestaltung:
© Atelier Platen, Friedberg

Die vorliegende Arbeit wurde von
Prof. Dr. Ulrich Steinvorth zur Aufnahme
in die Reihe empfohlen.

Gedruckt auf alterungsbeständigem,
säurefreiem Papier.

ISSN 0945-1838
ISBN 978-3-631-57859-9

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Internationaler Verlag der Wissenschaften
Frankfurt am Main 2012
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Does Globalization Threaten Democracy?¹

Pavo Barišić

With the last cut in world history occurring in 1989 and throughout the destruction of communist dictatorships and Soviet World Empire, a new stage in the planetary process of *globalization* began in which most countries in the world labelled themselves as – *democratic states*, ‘ruled by the people’. The increasing trend of 40 in 1972 up to the current estimated 123 democratic countries of the 192 states registered in the United Nations may continue in the future. Speculation of various theories such as Francis Fukuyama’s *The End of History and the Last Man* (1992)² that liberal democratic nation states were the universal standard form of human society has been disproved through the globalization process which flattened the boundaries and led liberal democracies over the state borders to a supranational world society. Transformation to global democracy threatens the fundamental principles of the former liberal nation state democracy.

The modern process of globalization was in fact conceived at the beginning of the New Age with Columbus’ revelation of Western India in 1492 and Magellan’s expedition which set sail from Sevilla in 1519 and returned to the same port three years later after proving that the Earth was indeed a round *Globe*. The past five centuries of connecting and netting the great watery spheroid Globe by way of trade and warfare, technology and industry, science and communications, satellites and Internet, global concerns and international organizations showed only a different form, face and a reverse side of globalization.

Since the eighties and early nineties of the 20th century, following the pulling down of the world’s bipolar structure, the unifying process of a single world market and world society has been strongly accelerating. Thus the term ‘globalization’ itself has been significantly used in economical, philosophical, and sociological discussions as a notion that refers to the economical, cultural and po-

1 This article was first published in the journal *Synthesis philosophica* 23/2 (2008), pp. 297-304.

2 In the famous book *The End of History and the Last Man* (1992), Francis Fukuyama claims that the development of the western liberal democracy may designate the final phase of mankind’s political evolution and the end of history: “What we may be witnessing is not just the end of the Cold War or the passing of a particular period of post-war history, but the end of history as such: that is, the end point of mankind’s ideological evolution and the universalization of Western liberal democracy as the final form of human government.”

litical integration of the national economies and processes into the global market and new world order.

After the founding of the first modern representative democracy in America in 1776, the previous political epoch was symbolically delimited by two significant democratic revolutions – the French in 1789 and the ‘Velvet’ revolution 1989. This era was dominated by the model of the national state and building of the representative, constitutional, social, and liberal democracy under its frame. For this epoch, Huntington introduced his well known distinction of *three waves of democratization*:

1. The transition from a non-democratic to a democratic form of government – 1828–1926;
2. A gradual renewal of democratic regimes in Japan and in the Middle Europe (West Germany, Austria, Italy) – 1943–63;
3. The foundation of democracy in Southern Europe (notably the Mediterranean Area: Spain, Portugal, Greece), South America (Argentina, Uruguay, Bolivia) – 1974–89.³

After the fall of the Berlin wall, democratization spread to Middle and Eastern Europe countries where the model of liberal democracy grew to a global form of government. Aside from that, in the contemporary epoch of globalization, the frame of the national is overstepped and the supranational and global area is opened. Democracy has been designated as the ‘last form of government’.

However, some people are afraid that the globalization process would diminish the area of authentic political acting and transform the public landscape. Democracy is not only a distinctive set of political institutions or a social and economic order but firstly a specific process of making collective and binding decisions with equal and free citizens in the center. As well, the question “Is the nature of democracy compatible with the global trend of society?” must be observed. Proponents of democratic globalization, such as David Held⁴ claimed that it was necessary to create democratic global institutions. Their final goal

3 See Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, p. 16, University of Oklahoma Press, Norman 1993.

4 British political theorist David Held from the London School of Economics is one of the leading authors and key figures in the development of the modern cosmopolitanism and globalization. He’s written several works on that topic e.g. *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance* (1995), *Cosmopolitan Democracy: An Agenda for a New World Order* (with Daniel Archibugi) (1995), *Global Transformations: Politics, Economics and Culture*, co-author (1999), *Globalization/Anti-Globalization*, co-author (2002), *Cosmopolitanism: A Defence* (2003), *Global Covenant: The Social Democratic Alternative to the Washington Consensus* (2004).

was the establishment of a democratic world government with world services for citizens.

It is my opinion that globalization destroys the institutional anchors of the previous democracy with the destruction of the fundamental marks of the national state:

- Sovereignty as an absolute power of decision making;
- Territorial government;
- State people and nation.

Furthermore, globalization points out the role of the citizen as a world citizen in a new horizon. This is a utopian idea attempting to establish a global democratic government. However, it is not Utopia to see the world order with the most democratic elements allowing for the world citizen to participate at numerous levels in the process of global democratic decisions making – from local, provincial, regional and national to supranational and global levels as well.

The 1990's illustrated the increased crisis of citizenship in the world through the loss of democratic civic values and participation, a decline of the sense of political efficacy, and shift from interest on public good to privatized life and prosperity which is an important influence on the democratic participation of citizens in politics. The fundamental connection between modern democracy and market economy had advantages for both in the era of nation states. However, with the increase of financial power as the only authoritative truth acting on global market and netting, the area of authentic political acting and justice rational regulation of public needs and institutions was reduced.

Three Fundamental Transformations of Democracy

Democracy originated from the 'polis' or town republic and is a symbol of government in the small political community where citizens regard one another as political equals. Ancient Athenian democracy, which lasted nearly two centuries between 507 and 321 B. C. E. is a prime example of citizen participation or participatory direct democracy with developed institutions needed by citizens in order to govern themselves. Robert A. Dahl calls the step from the idea and practice of rule by the few (oligarchy/aristocracy) or by a single person (tyranny/monarchy) to the idea and practice of rule by the many (democracy/polity) in the city-state among the Greeks (Aristotle) the "first democratic transformation".⁵

The step from the polis democracy to the national state democracy was the result of change from the direct participation to the representative democracy.

5 Robert A. Dahl, *Democracy and Its Critics*, p. 1, Yale University Press, New Haven & London 1989.

The so called second democratic transformation led to a radically new set of political institutions to represent the political will of the equal citizens. The representative democracy is a system which combines democracy at local levels with a popularly elected parliament at the top level and secures the consent of free citizens through election. Basic political institutions are representatives elected in national parliament and popularly chosen local governments that are subordinate to the national government.

The system of modern representative democracy originates from Great Britain, Scandinavia, Switzerland, and areas mainly north of the Mediterranean. Modern democracy was perfected in North America with a system of checks and balances among the country's major social forces and the separation of powers within the government. Developed from the American Founding Fathers under the influence of ideas from Charles Montesquieu and John Locke, the American democratic republic became in due course something of a model for many other republics.

The third transformation from the national to the supranational and global politics requires new essential changes of the being of democracy. Development of liberal democracy in the national states was connected with the grounding of human rights and freedoms and the shift in scale from the small, more intimate, and more participatory city-state to the bigger, more representative democratic governments. Today, the question of which changes democracy needs to pass by en route to the supranational creations and world market, global society and world republic is a key issue: from the complexity in the democratic social order and cultural diversity to the difficulty of achieving an adequate level of citizen competence for a global democracy. How can today's society in the conditions of global market establish democratic rule at large scale and still retain the advantages and possibilities of small scale democracy?

Critical views on the effects of globalization firstly observe the shortcomings in the justice social distribution of goods between the states and areas of the world. There also comes to light the crisis of the social wellbeing state which was a status symbol of societies particularly in the Western European states developed after the second world war. The merciless pressure of the global market weakened the assurance of social security which was the product of state activity. Wellbeing social state divided social goods on the principles of non-market distributive justice. New forms of injustice appeared in the global market under the label of commutative justice.

Philosophical Roots of Globalization and Democracy

On the horizon of the philosophical idea of the universal mind, the globalization process has been developing through millennia. Minerva's owl of western metaphysics started its flight from the coast of the Mediterranean Sea in Eastern Asia and over Athens and Rome, and alongside it, Christianity spread globally. It was the aim of Heraclitus, later Anaxagoras to talk about the world order which was to be the same for all. Plato's and Aristotle's ideas had conquered and unified the spiritual global spheres long before the start of globalization's process of economic and financial market, machine technology and/or computer and global information netting. The word 'World Citizen' first appeared in the cynical philosophical school. Asked where he came from, Diogenes from Synope answered that he was a 'cosmopolites' – *citizen of the world*.

Parallel to the process of universal thinking and the citizen of the world, the idea of democracy was established, practiced, debated, supported, attacked and ignored for more than twenty-five hundred years. At the peak of the creation of national states politics in 18th and 19th centuries, Immanuel Kant and Georg Wilhelm Friedrich Hegel, two noted philosophers, endeavoured to offer their views on the founding of the 'World Society' and 'World History'. Kant, regarded as one of the most influential philosophers in the history of Western philosophy and the last major philosopher of the Enlightenment explained the means to the status of "World Civility" as a "Natural Purpose". His opinion was that the status of "World Civility" could be developed through the origin presumptions of the human genus. He declared the perfect citizen uniting into the World Society as an act of Providence and the purpose of history. Therefore he proposed the founding of a "World Republic" as a guarantee for world peace and global free trade.

Hegel exposed the necessity of developing world history to the state of global freedom. However, unlike Kant, he wasn't inclined to the idea of a universal world civil community. He accepted the idea of cosmopolitanism and tried to confirm and legitimize world citizenship through national state life and not opposite them. Hegel viewed the whole history under the aspect of universal world process which evolved on the principles of freedom, mind and law. Hegel's metaphysical realism confirms that until national sovereignty continued, there couldn't be a judge ('pretor') between the states. It is possible only to talk about one kind of arbitrator or mediator between the sovereign wills. In Hegel's categories, *globalization* is the product of the widening of civil society over political borders.

Globalization and Democracy

In the contemporary process of globalization, we can observe the collision of forces which show marks of both philosophical approaches. There is a tendency to a peaceable world republic of united people through an international law, human rights, and international institutions similar to the United Nations. It is very interesting when you consider the idea of the founding of the *League* or *Concert of Democracies* with “more than 100 democracies”,⁶ which deems the new ‘global system’ as a means to protect human rights, enforce peace, and achieve global prosperity. This idea can be seen as a continuation of Kant’s League of People with universal republican state forms.

Conversely, we can see clashes and conflicts of sovereign wills in the global economical and political world market in the way Hegel described it. It is remarkable that democracies do not fight wars with one another. Robert A. Dahl claimed that “of thirty-four international wars between 1945 and 1989, none occurred among democratic countries”.⁷ But democratic countries fight wars with non-democratic countries and interfere sometimes in the political life of other countries. For my part, this is an incorrect means to spread democracy in the world by way of tanks and air forces. Thus, did Athens with its war ships under the frame *Demokratia*. Alexis de Tocqueville dedicated a big part of his *Democracy in America* to prove that it is not possible to transplant the model of democracy to the areas where there weren’t sufficient legal and moral circumstances and factors in civic tradition. For world democracy, it is necessary to

6 The ‘concert of democracies’ or ‘League of Democracies’ is “one of the most talked about concepts for the American foreign policy community”. This idea was put forth by Democrats and more notably, by prominent Republican presidential candidate John McCain. The philosophical basis is Kant’s idea of ‘perpetual peace’ with the argument that democratic governments are less likely to go to wars – particularly with fellow democracies rather than autocratic regimes. The assumption is that “a grouping of about 100 democratic nations would be able to protect human rights, enforce peace, and achieve prosperity around the globe – and even possibly influence nations under dictatorial rule to move toward democratization – and more importantly, circumvent the power of authoritarian states like China and Russia in the United Nations Security Council”. The belief is that the ‘League of Democracies’ could respond to global humanitarian crisis. In the past decade, the idea of the league of democracies had been promoted mostly by Democrats, “including such figures as President Obama’s foreign policy adviser, Anthony Lake, and Ivo Daalder, of the Clinton Administration”. Stephen Schlesinger, “Can Democracies be Organized?”, 11/06/2008 (MaximsNews Network).

7 Robert A. Dahl, *On Democracy*, p. 57, Yale University Press, New Haven & London 1998.

make appropriate world democratic institutions which respect different cultural and national heritages and develop citizens to carry democratic ideals.

Globalization threatens liberal nation state democracy at its core. The idea of a liberal representative democracy is connected with territory and borders. The definition of a modern state is based on the notion of an organisation or political association which has effective sovereignty over a specific geographic area. Max Weber⁸ laced definition of state up to the 'monopoly on the legitimate use of physical force within a given territory'. Globalization loosens the border frames and shifts the main emphasis from state territory to global institutions and processes. Therefore, global democracy should shift the stress again on the citizen and find the way to establish democracy as a process of making collective and binding decisions through the free will of equal citizens.

Last but not least, globalization can favour and harm democracy. Wild and uncontrolled globalization threatens democracy and may bring again mankind into the natural status of *bellum omnium contra omnes*. Therefore it is important to bring the process of globalization into the frame of democratic ideals and justice to preserve and advance democracy and its practices.

8 Max Weber, "The Profession and Vocation of Politics", in: *Political Writings*, Cambridge UP, Cambridge 1994.