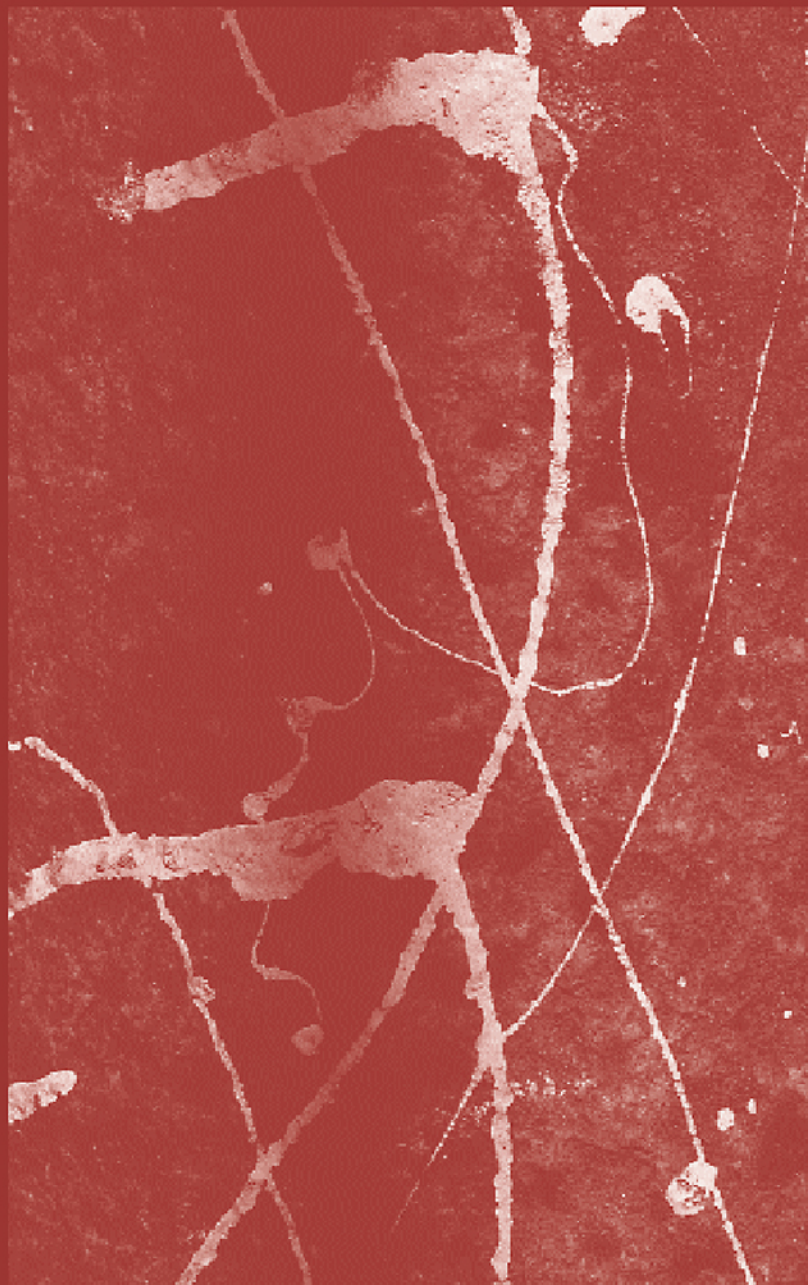


GLOBALISATION AND CITIZENSHIP

The transnational challenge

EDITED BY WAYNE HUDSON AND STEVEN SLAUGHTER



ROUTLEDGE / CHALLENGES OF GLOBALISATION

Globalisation and Citizenship

This wide-ranging volume explores the impact of globalisation upon citizenship, with a special focus on the transnational challenges that globalisation poses.

While there is much debate over the concept, globalisation implies at least two distinct phenomena. First, it suggests that political, economic and social activities are becoming increasingly inter-regional or intercontinental in scope. Second, it suggests that there has been an intensification of levels of interaction and interconnectedness between states and societies. Citizenship, as one of the foundational concepts of the modern liberal democratic state, provides the normative framework within which globalisation debates may be understood and evaluated. It also examines how different concepts, theories and practices of citizenship are evolving in response to globalisation. Central questions explored in this text are:

- How does globalisation challenge traditional conceptions of citizenship in specific respects?
- How is globalisation creating new citizenships or new civil society spaces?
- What are the theoretical and practical prospects for new forms of liberal, republican and cosmopolitan citizenship?
- How is transnational citizenship developing and what problems are associated with it in specific areas?
- What is the significance for globalisation of domains which are not being globalised, and the role for forms of citizenship which react against, or ignore, globalisation?

Discussing the theoretical and practical prospects for new forms of liberal, republican and cosmopolitan citizenship, this book will appeal to students and scholars in the fields of international relations, globalisation, sociology and political science.

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First published 2007

by Routledge

2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

Simultaneously published in the USA and Canada

by Routledge, 270 Madison Avenue, New York, NY 10016

Routledge is an imprint of the Taylor & Francis Group, an informa business

This edition published in the Taylor & Francis e-Library, 2007.

“To purchase your own copy of this or any of Taylor & Francis or Routledge’s collection of thousands of eBooks please go to www.eBookstore.tandf.co.uk.”

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British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

Library of Congress Cataloging in Publication Data

Globalisation and citizenship : the transnational challenge / edited by Wayne Hudson and Steve Slaughter.

p. cm.

Includes bibliographical references and index.

1. World citizenship. 2. Globalization.

I. Hudson, Wayne. II. Slaughter, Steven, 1970–

JZ1320.4.G59 2007

323.6–dc22

2006037141

ISBN 0-203-02820-1 Master e-book ISBN

ISBN 978-0-415-36833-9 (Print Edition)

Contents

<i>List of contributors</i>	vii
<i>Acknowledgement</i>	xi
Introduction: globalisation and citizenship STEVEN SLAUGHTER AND WAYNE HUDSON	1
Part I	
Globalisation: challenges to traditional conceptions of citizenship	13
1 Theorising citizenship in a global age GERARD DELANTY	15
2 Globalisation and citizenship in Japan JOHN CLAMMER	30
3 Chinese citizenship and globalisation MICHAEL KEANE	43
Part II	
Prospects for the development of global citizenship and democracy	53
4 Journalism and democracy across borders JOHN KEANE	55
5 Global citizenship: a realist critique DANILO ZOLO	78
6 Cosmopolitanism and republican citizenship STEVEN SLAUGHTER	85

vi *Contents*

7	Friends, citizens and globalisation HAIG PATAPAN	100
8	Particularism, human rights and the transnational challenge ANDREW VINCENT	113

Part III

	New transnational citizenships and new civil society spaces	125
9	Transnational citizenship and direct action APRIL CARTER	127
10	Social movement unionism ANDREW VANDENBERG	137
11	Can corporations be citizens? JEREMY MOON, ANDREW CRANE AND DIRK MATTEN	150
12	Transnational activism and indigenous rights: implications for national citizenship RAVI DE COSTA	172
13	Globalisation and practical utopianism WAYNE HUDSON	186
	<i>Index</i>	205

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Acknowledgement

The editors wish to express their appreciation to Geoffrey Stokes, who is Professor of Politics in the School of International and Political Studies at Deakin University, for his support and encouragement during the production of this volume.

Introduction

Globalisation and citizenship

Steven Slaughter and Wayne Hudson

In recent decades there has been the growing realisation that the role of the citizen within liberal democratic states has been going through a process of transformation. While many scholars have argued that processes of globalisation are largely responsible for the contours of this transformation, scholarly debate continues about significance of globalisation for citizenship. Globalisation is understood primarily as a process where distant events or influences significantly affect local political and social activity. The primary contention is that various political, social and economic processes of globalisation are disrupting and overwhelming the relationship between the citizens and their state. Other contentions are that these processes of globalisation open up the need for new forms of political responsibility and citizenship beyond the state, as well as the claim that new forms of civic activity are taking place within the processes of globalisation in the form of activists and social movements who articulate their interests and values at a global level.

The purpose of this book is to undertake a wide-ranging examination of the way conceptions and practices of citizenship are being shaped by contemporary globalisation. Its aim is to broaden the debate about the relationship between globalisation and citizenship by examining the impact of various processes of globalisation on citizenship, and analysing not only the increasing problems globalisation presents to citizenship, but also the significant opportunities for citizenship that may be discerned in a more globalised world. In this way, the book seeks to engender a wider discussion on citizenship and the transnational challenges that globalisation poses political agency. It also examines how different concepts, theories and practices of citizenship are evolving in response to globalisation. There are three primary questions that are explored in this book:

- How does globalisation challenge traditional conceptions of citizenship in specific respects?
- What are the theoretical and practical prospects for new forms of liberal, republican and cosmopolitan citizenship within contemporary globalisation?

- How is globalisation creating new transnational citizenships and new civil society spaces and what core issues are associated with these practices?

This introduction will briefly examine the central debates surrounding definition of globalisation and the implications of these debates for political activity and the various facets of the idea of citizenship. Then, these differing aspects of citizenship will be related to an overview of the chapters within this book.

Globalisation and politics

A standard text, David Held's *Global Transformations* offers a systematic study of the history and nature of globalisation and suggests that there are three explanations of contemporary global integration (Held *et al.* 1999: ch. 1). The first is '*hyperglobalisation*', a position held by liberals like Kenichi Ohmae (1995) who claim that globalisation represents a recent and near complete extension of liberal values and global markets that are tightly integrating states and people around the world. The second position is a *sceptical* set of observations which suggest that the hyperglobalist conception of globalisation is overstated and largely a myth because the level of global integration during the 1990s was less than the period of 1870–1914 (Hirst and Thompson 1996: 2). Realist sceptics are keen to point out that far from there being a world where markets have trumped states, there remain significant differences between the strategic choices made by states in response to the world economy and that strong states are still 'able to work the system to their advantage' (Waltz 1999: 7). Marxists are also sceptical on the grounds that global interconnections have *always* been an initial and essential part of the capitalist mode of production (Harvey 1997: 421).

The third account of globalisation is the '*transformationalist*' perspective that seeks to define globalisation as a spatial process and has become the predominate explanation of globalisation. The transformationalist position conceives globalisation as being a process whereby various forms of human activity are increasingly traversing the world and connecting people in differing parts of the world more densely and more quickly than in previous times (Held *et al.* 1999; Scholte 2000). This spatial interconnectedness is largely due to developments in transportation and communications technology that enable trans-continental social relations. Anthony Giddens (1990: 64) exemplifies this account when he defines globalisation as 'the intensification of world wide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and *vice versa*'. As such, globalisation implies that political, economic and social activity is becoming increasingly inter-regional or intercontinental in scope and that there has been intensification in the

levels of interaction and interconnectedness between states and societies. In this process, national borders are transcended on a regular basis by various flows of resources, people and ideas. It is important to emphasise that this account contends that globalisation is multifaceted in that it is not restricted to the economic realm alone, as people are increasingly affected by various forms of economic, cultural and political activity. Equally important, the transformationalist position argues that globalisation is not novel to the late twentieth century, as global connections have been inter-connecting individuals and polities for at least 500 years, with some dynamics of globalisation evident even earlier (Held *et al.* 1999). Indeed, the spread of the nation-state as the predominant form of polity across the world over the course of the last two centuries is an early example of globalisation.

There are a series of significant political implications of this spatial process. While nation-states remain as important and powerful actors in world politics, global connections and the development of communications technology have empowered a new range of actors to operate in politically significant ways (Held *et al.* 1999: ch. 1). Clearly, globalisation has made it easier for NGOs and social movements to promote a certain set of political values transnationally, as well as provided opportunities for terrorist groups and organised crime to transfer people and resources across national borders. Transnational corporations have also been greatly empowered – if not enabled – by these accelerated forms of global linkage. In addition, globalisation leads to various forms of connections and ramifications that are more authentically transnational and global. Indeed, David Held claims that:

political communities and civilisations can no longer be characterized simply as ‘discrete worlds’: they are enmeshed and entrenched in complex structures of overlapping forces, relations and movements. . . . But even the most powerful among them – including the most powerful nation-states – do not remain unaffected by the changing conditions and processes of regional and global entrenchment.

(Held *et al.* 1999: 77–80)

Clearly, these overlapping transnational processes are often drastically uneven and have greater local or regional implications for some people or states. They also open up particular locations to ‘outside’ influences that may disturb local cultural and social traditions that are profoundly meaningful to particular groups of people. The rising magnitude of cultural and ‘civilisational’ interaction is a notable component of contemporary globalisation.

There is also indication that the lines between foreign and domestic policy have blurred due to the intense and widespread forms of global integration and connection. Thus, globalisation creates a series of

‘disjunctures’ that cut across states and ‘indicate the different ways in which globalisation can be said to constitute constraints or limits on political agency in a number of key domains; and to what extent the possibility of a democratic polity has been transformed and altered’ (Held 1995: 99). According to Held, these disjunctures clearly limit the freedom of democratic states to act in the manner they desire and ultimately sever the relationship between democratic governors and their respective citizens. Held maintains that democracy must come to terms with:

these developments and their implications for national and international power centres. If it fails to do so, it is likely to become ever less effective in determining the shape and limits of political activity. Accordingly, the international form and structure of politics and civil society has to be built into the foundations of democratic thought and practice.

(Held 1995: 136)

At a practical level, these disjunctures also exist in the form of issues such as terrorism, organised crime and transborder pollution that intersect national borders and thereby can only be addressed by elaborate international cooperation.

Consequently, there are increasingly elaborate forms of international and transnational cooperation that have become referred to as ‘global governance’. It is now the case that international organisations such as the UN, regional organisations like the EU and non-official bodies like TNCs, business councils or NGOs are increasingly important to the political process in most states. Jan Aart Scholte (2000: 138–39) indicates that these public and private bodies are ‘supraterritorial constituencies’ that are external and largely unaccountable influences over the operation of state policy making. As such, it has become commonplace to refer to the term ‘democratic deficit’ to the gap between the significant power and authority of international organisations and the capacity of citizens to influence these bodies. This leads to claims that the structure of world politics is moving towards a ‘post national’ context (Habermas 2001) or a ‘cosmocracy’ (Keane 2003).

It is important to emphasise that some scholars are sceptical of the incidence or significance of the spatial implications of globalisation. Furthermore, there are also scholars who believe that while the supposed spatial implications of contemporary global integration may be largely correct, they ignore the importance of neo-liberal and free market capitalist ideologies and policies in shaping the way that globalisation has developed since the 1970s (Cox 1997; Gill 1998). Neo-liberalism is a strand of liberal thought that advances a range of policies ushered in many Western – especially Anglo-Saxon – countries and the international financial institutions such as the International Monetary Fund and the World Bank. These policies attempt to ‘roll back’ the state and the role of government, and

leave decisions about allocation, production and distribution in the economy to the global market, thereby excluding or limiting measures that restrict or redistribute the wealth of individuals (Gill 1998). These ‘market friendly’ policies are evident in the policies of deregulation, privatisation and the liberalisation of restrictions on the movements of capital or trade. The consequences of these policies are manifold but the central implication of the policies is the development of a minimum state that both privileges investors over resident citizens and opens their respective societies to the vicissitudes of the global markets. The significance and consequences of neo-liberalism for the direction of political life and citizenship are not always sufficiently examined in the globalisation literature.

Aspects of citizenship

It is widely agreed that processes of globalisation have significant implications for the practice and theory of citizenship. However, there is a considerable range of theoretical debates that are attempting to determine the importance and impact of globalisation on the role of the individual in political practice. Even more fundamentally, the term citizenship, like globalisation, is a contested one that encompasses various political, economic, legal and cultural features (see Delanty, **Chapter 1** in the current volume). Importantly, citizenship includes the idea of ‘citizenship-as-status’ – as the right to be a member of a political community and have rights within that community (Kymlicka and Norman 1994: 354). Indeed, citizenship comprises the ‘set of practices (juridical, political, economic and cultural) which define a person as a competent member of society, and which, as a consequence, shape the flow of resources to persons and social groups’ (Turner 1993: 2). The exact range of entitlement varies from one polity to another. Citizenship also involves an aspect of ‘citizenship-as-activity’ which entails the socially fashioned expectation that people will engage productively in civic life in general, and participate in the composition and operation of government in particular (Kymlicka and Norman 1994: 354). It has to be emphasised that citizenship is always a purposive activity. As Alastair Davidson indicated, by referring to the works of Norberto Bobbio; ‘the starting point of citizenship is the attempt by ordinary people to impose order on chaos’ (UNRISD 1997: 14). In an era of accelerating globalisation, the focus on securing order has a significant array of international and transnational implications which emphasise the importance of rethinking citizenship. As such, there are aspects of citizenship that rest in realm of political theory, where citizenship is an ideal that guides the formation and operation of new forms of political community in the face of novel challenges or new ideas.

This book starts from the position that these various features of citizenship are all significant. Hence, we focus on three major aspects of citizenship. First, we examine the status and practice of citizenship as the socially

legitimised membership of a particular nation-state. Second, we examine the normative conception of citizenship as a prescription for the role of the individual in a theoretical model of political community. Third, we examine the actual role of citizenship as being an active participant in civic life within or across the boundaries of state. Each of these differing conceptions of citizenship has different key dynamics and issues relating to contemporary processes of globalisation.

Citizenship as membership of a nation-state

While the idea of citizenship gained its first expression as membership in the polis of ancient Athens, in recent centuries it is the nation-state that has been the main forum for democracy and citizen involvement in public decisions. Citizenship in this sense of political membership is an organising principle of political authority that bestows certain rights and obligations as well as the competency to be engaged in political affairs on the adult populace granted with this status (Davidson 1997: 5). Importantly, this competency bestows certain rights and cultural membership within a context which is socially legitimised and is considerably determined by prevailing forms of culture and identity. As such, the status of citizenship is not 'automatic' in that most nation-states have, at various times, excluded women, migrants and indigenous peoples from having full entitlements of citizenship. Furthermore, at the same time that democracy has started to spread around the world, accelerating globalisation has undermined the effective practice of citizenship in key respects. In terms of democratic participation in public policy and political outcomes, there are a series of 'disjunctures' in a globalising age between the public and outcomes, because so many global influences cut across the territory of the state, as mentioned previously. These disjunctures are magnified by the rationale of neo-liberalism. The influence of global market forces and the states need to maintain credibility in the face of these forces places significant restrictions over the ideal of a vibrant democratic sphere determined by citizens' deliberation. Not only is there an ideological convergence of political parties in many nation-states around neo-liberal policies, but also the promotion of market forces and economic growth removes many political alternatives and control over aspects of economic policy from democratic consideration. The contemporary neo-liberal state is increasingly tightly wound into global financial markets and international financial institutions, and is considered by many to be less responsive to the electorate or to voices and interests of national citizens (UNRISD 1997). Ultimately, the integrity of democratic processes and notions of citizenship cannot be assumed when the policy orientation of the state has been shifted away from its territorial constituencies.

Consequently, the actual exercise of citizenship has been curtailed in those countries where democracy is exercised. While liberalism has long

emphasised representative democracy and taken the view of citizenship as being limited to rights and status (Kymlicka and Norman 1994), both globalisation and neo-liberalism restrict active participative citizenship and the rights that citizens can expect to enjoy. In many ways it overturns the gradual development of the ideal types of citizenship rights seen since the seventeenth century, as outlined by T. H. Marshall (1963), by restricting political and social rights in particular. The generally distanced nature of the citizen from an increasing array of international agreements and institutions that are often aimed at economic goals, restricts political participation by privileging capitalism in law and in public policy (Gill 1998: 32). Social rights are limited by the rationalised nature of the welfare state, the persistence of an underclass of people without 'full citizenship', and the general austerity and priorities of the competitiveness stimulated by neo-liberal policies (Dahrendorf 1987). Indeed, the aspiration of state citizenship as evident in Marshall's theory of citizenship 'assumed some form of nation-state autonomy in which governments were relatively immune from pressures within the world-system of capitalist nations' (Turner 1990: 195). However, the practices of contemporary globalisation and neo-liberalism devastate this assumption as neo-liberal policies open up society to the pressures of increased competition and decrease the autonomy of society from global pressures. This dismantles the rights and processes of citizenship and democratisation that have 'involved centuries of struggle for representation' (Gill 1998: 38), as well as challenging the integrity of historically formed notions of identity and community. There are real questions as to whether citizens, even in the most powerful states, can control their domestic affairs in the face of globalised structures and influences.

Citizenship as a normative prescription

As a result of the questions facing state-based citizenship, there has been a considerable growth in efforts to envisage forms of citizenship that transcend the state. Clearly, some scholars have focused on enhancing the development of regional democracy – a project spurred on by the actual but delimited development of European citizenship (Bellamy and Warleigh 1998). Other scholars are seeking to augment existing international institutions or the developing networks of NGOs as an impulse for new forms of global citizenship. Consequently, in political theory and international relations literature, the idea of 'cosmopolitan democracy' has become a significant conjectural alternative to contemporary globalisation (Falk 1995; Held 1995). Contemporary scholars such as Richard Falk, Anthony McGrew and David Held have argued that we need to institutionalise the idea that people are 'citizens of the world'. While cosmopolitanism in its most modest sense implies a set of moral principles that should be extended to all people, in recent times, cosmopolitans are more forthright in their support for global political institutions and a single global democratic

sphere because they have made the case that the various processes of globalisation have fundamentally delimited the sovereign capacity of the nation-state. Held (1998: 21) claims that 'the idea of a political community of fate – of a self-determining collectivity which forms its own agenda and life conditions – can no longer meaningfully be located within the boundaries of a single nation-state alone'. People are now so routinely affected by decisions made beyond their state that cosmopolitans assert that the only way to have effective participation and citizenship is to make the appropriate site for democracy a global one. In pursuing this alternative and globally extending democracy *across* states' borders, the state and other actors such as transnational corporations will be increasingly bound by global laws and standards (Held 1995: 234–35), and individuals – not states – will be the primary moral agents in world politics.

Obviously, there are many critics of cosmopolitan proposals. After all, the idea of global democracy seems a far-fetched and utopian attempt at world government. Indeed, Falk (1995: 139–40) is aware that if the idea of world citizenship is imposed on the current world order it looks like a 'purely sentimental, and slightly absurd, notion', but that the real purpose of global citizenship is as an aspirational 'political project' which forwards a human-wide community, rather than an actual account of legal rights and obligations. While the proponents of cosmopolitan democracy claim that we need to think creatively for a more just form of global order, the communitarian critics of cosmopolitanism claim that cosmopolitans understate the power and utility of national forms of identity and loyalty (Miller 1999). Michael Walzer (1996: 126) likewise suggests that it is incongruous that our political loyalties should originate from the 'outermost circle' and claims that 'my allegiances, like my relationships, start at the centre'. Also, critics of a communitarian and republican cast claim that a global democracy is neither necessary nor sufficient for effective global cooperation. Rather, the focus of an alternate conception of citizenship should instead rest on encouraging and developing citizens of democratic states to be politically aware and involved so as to direct their states to be more principled and cooperative with respect to their foreign policies and efforts at creating responsive international institutions in a globalising context (Slaughter 2005). Even those critical of the cosmopolitan project appreciate the importance of rethinking the prevailing forms of governance and citizenship within the context of globalisation. In this sense, cosmopolitans are asking the crucial questions.

Citizenship as a participant in transnational civic life

Citizenship also entails the active role of the individual in relation to public affairs beyond the formal channels of government. Involvement in civic affairs has taken on a new cast with the notion of what is actually 'public' taking on transnational dimensions with the acceleration of globalisation –

both in terms of the transnational cast of many political issues, and the faster and cheaper global communications that have made it easier to organise like-minded groups around the world. The increasing transnational profile of individuals and NGOs has given rise to the idea that a global or transnational civil society is emerging. While it is important to note that NGOs are not completely novel – the Red Cross was involved in international humanitarian law in the late 1800s for example – the number of NGOs has increased dramatically in recent decades and the interaction between NGOs and states, international organisations and transnational corporations have become a routine part of global politics. Networks of NGOs and social movements mobilised by transnational activists can be seen as ‘moral entrepreneurs’ in the sense that they disseminate norms and ideas (Finnemore and Sikkink 1998: 896–97; Keck and Sikkink 1998; O’Brien *et al.* 2000). This is a significant shift from the pure Westphalian idea of world politics being about state-to-state interaction.

It is important to distinguish between citizenship as a normative disposition and an actual political practice. Scholars such as Richard Falk and Mary Kaldor (1999: 195) take global citizenship and the idea of global civil society as being an aspiration and an unfolding reality. The problem here is that not all NGOs are shaped by cosmopolitan values – some NGOs are quite narrow interest groups with little cosmopolitan inflection, and there is also a geographical bias invested in the notion of global citizenship (Keck and Sikkink 1998: 32–34). Significant numbers of people around the world do not have access to a telephone, let alone the internet. In this sense, the globality (and diversity) of global civil society is frustrated by the existence of a significant ‘digital divide’ and the predominance of English as the global internet language. Furthermore, the often politically sensitive activity of transnational activists demonstrates that their activity is often very agonistic, in that governments are often resistant to the efforts of human rights and environmental NGOs. Consequently, there is an increasing tendency to use the term ‘transnational citizenship’ and ‘transnational civil society’ to emphasise that while people are engaged in transnational political practice, they are not necessarily cosmopolitan and may indeed be focused on quite specific political interests. Rather than there being a monolithic global civil society, it is important to look at transnational activism on a case-by-case basis, with each network having different actors, dynamics and consequences for global politics.

The contributions

These conceptions of citizenship point to an examination of the fundamental question of political agency. These debates point to the questions of how people actually act or should act in order to be a decisive influence over the direction of political life. Citizenship as political agency at a minimum means being recognised or having a voice in the prevailing political system,

while in a more robust sense it means being able to alter public policies or transform the political system itself. Globalisation challenges this question of agency in dramatic and indeterminate ways. This book seeks to advance the debate over the impact of globalisation on citizenship by focusing on this crucial and often overlooked question of agency from multiple perspectives. The following contributions demonstrate the struggles to maintain basic recognition in the face of globalisation's impacts on the nation-state, attempts to rethink governance in the face of globalisation's challenge to existing forms of authority, and attempts by groups to modify or exploit globalisation to promote transnational political change.

The first part of this volume focuses on how globalisation challenges traditional conceptions of citizenship. In Chapter 1, Gerard Delanty argues that a broader conception of cosmopolitanism is needed to understand the challenge of globalisation to national citizenship today. The chapter further contends that cosmopolitan citizenship is expressive of new cultural discourses and is not reducible to globalisation. In Chapters 2 and 3, in the contexts of Japan and China respectively, John Clammer and Michael Keane examine the country-specific dynamics of national citizenship. The second part of this volume examines the prospects for the development of global citizenship and democracy and the challenges facing these proposals. In Chapter 4, John Keane examines the relationship between speculative cosmopolitan political forms and the existing practices of global media systems and journalists. Danilo Zolo offers a contrary view in Chapter 5. Zolo advances a realist critique of global citizenship and argues that such conceptions of citizenship cannot adequately respond to the political realities of hegemonic powers or to global terrorism. In Chapter 6, Steven Slaughter argues that neo-roman republicanism is a middle way between moral cosmopolitanism, which advances universal principles, and political cosmopolitanism, which advocates the creation of universal political institutions at a global level. Haig Patapan argues in Chapter 7 that it may be possible under conditions of globalisation to return to an older and potentially more productive conception of citizenship based on friendship, rather than the prevailing modern conceptions of social contract, consent and 'rights'. In Chapter 8, Andrew Vincent argues against critiques of universal human rights and examines the problems of particularism in light of the claims of universalism.

Part III of the volume examines the development of new transnational citizenships and new civil society spaces in light of the impact of globalisation and neo-liberalism. April Carter explores the potential and limits of transnational direct action (understood as essentially non-violent popular protest) in Chapter 9. Such action is increasingly a response to democratic deficits in global politics, which include attempts to ensure accountability of international bodies to national governments and their respective publics. In Chapter 10, Andrew Vandenberg examines the ways that unions have embraced the transnational strategy of social movement

unionism, and have increasingly interacted with other NGOs and social movements to attempt to promote worker friendly social change, especially in relation to neo-liberal globalisation. In Chapter 11, Jeremy Moon, Andrew Crane and Dirk Matten examine the significance of corporate citizenship. While corporate citizenship is pursued in different ways, from short-term corporate philanthropy to more holistic, long-term strategies for changing business organisations, it represents a new civic tendency that challenges the traditional criteria for performance of firms. This chapter examines corporate citizenship as a global phenomenon and assesses its potential for being a legitimate actor in the public sphere. In Chapter 12, Ravi de Costa evaluates the global trends in Australian indigenous politics from the 1960s, and their consequences for natural citizenship. Last, in Chapter 13, Wayne Hudson concludes the volume by arguing that globalisation impacts on citizenship in ways that require new institutional responses informed by cosmopolitanism, but that cosmopolitanism alone is not strong enough to meet all the demands placed upon it.

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Part I

Globalisation

Challenges to traditional conceptions
of citizenship

1 Theorising citizenship in a global age

Gerard Delanty

Introduction

Citizenship is a highly contested term, due in part to at least two different histories and the fact that today, in the allegedly global age, entirely new concerns are forcing us to rethink it. The origins of citizenship were two-fold: in liberalism and in republicanism. From the liberal tradition arose the idea of citizenship as consisting of rights. In this tradition, citizenship was a legal status based on rights. This view of citizenship was, in the whole, compatible with the conservative ideology of the duties and responsibilities of citizens and was a strongly state-centred conception of political community. From the republican tradition – especially in America – an active concept of citizenship was reflected in an emphasis on participation. In this largely ‘civic’ tradition, an active conception of citizenship served as a contrast to the passive and anti-democratic view of citizenship in the liberal theory of citizenship. Virtually, the entire debate on citizenship has been a dialogue with these two heritages and their respective emphasis on rights and participation. What they shared was a view of citizenship as a condition based on equality. While liberals stressed the citizen as the bearer of rights and the republican tradition stressed the citizen as a member of civil society, neither questioned the principle of equality that lay behind citizenship.

It is in this respect that citizenship is very much changed today as a result of two major developments. The first is the communitarian challenge, which has brought identity into the debate on rights and has replaced the individual with the group. The republican tradition has been mostly reinvented by communitarianism and by various contingents of radical politics, the result of which has been that equality has been modified by the politics of difference. The second challenge is the cosmopolitan one: citizenship is now being taken out of the nation-state, which is no longer the exclusive political unit for citizenship. These challenges are connected. What connects them is the confluence of culture and citizenship. Culture has become one of the main battlegrounds for citizenship today, and this battle is being fought out in contexts that are not nationally specific.

The older conceptions of citizenship have been challenged by the rise of cultural citizenship in recent years. Culture, once seen as particularistic, and citizenship as universalistic, have become detached from these extremes. Culture is no longer able to withstand the universalism, critique and reflexivity of modernity and, on the other hand, citizenship can no longer marginalise or exclude large members of society from participation in the polity. It would thus appear that cultural citizenship has displaced the earlier emphasis on multiculturalism. In recent years, a wide spectrum of publications on culture and citizenship have moved the focus beyond multiculturalism to what is increasingly being called cultural citizenship (Isin and Wood 1999; Delanty 2000; Turner and Isin 2002; Lurry 1993; see also the journal *Citizenship Studies*).

This chapter concentrates on this challenge, which is closely associated with globalisation. In order to appreciate the full significance of the cosmopolitan challenge, I begin by defining citizenship and discussing the new challenges. In the second and third sections, I discuss some of the main debates. In the final section, I discuss ideas of cosmopolitan citizenship, arguing that citizenship must be seen as multi-levelled, consisting of local, national and global levels. Cosmopolitan citizenship exists in each of these levels and is not a separate kind of citizenship, but one that expresses new transformative cultural discourses.

New challenges for citizenship: culture and rights

In the most general sense, citizenship is an integral part of democracy, referring to that part of democracy that concerns participation in political community. Democracy can be defined in terms of constitutionalism, representation and citizenship. This integral connection with democracy must not be neglected in discussing citizenship.

But what is citizenship? Citizenship can be defined in terms of four components, namely rights, duties, participation and identity. In general, rights and duties refer to the formal dimensions of citizenship and participation and identity the substantive, or informal dimensions. Taking each of the these four components, we can break them down further.

- Rights can be divided into four categories: civic, political, social and cultural rights. The first three are the classic rights mentioned by Marshall in his famous essay on citizenship (Marshall 1992 [1950]). The fourth is a recent category and will be discussed below.
- Of the duties of citizenship, the following can be mentioned as the main ones: taxation, conscription and mandatory education as formal duties. As informal duties, there is the general duty to be a responsible and law abiding citizen, the duty to vote, etc.
- Citizenship as participation refers to participation in civil society, such as in voluntary associations or in social movements. Civil disobedience

is also an expression of an active citizenship of participation. The participatory dimension of citizenship is often held to generate social capital.

- Citizenship also entails a degree of identity in the sense of it resting on values. This can vary from commitment to a particular cause, to patriotism, to loyalty to the normative ideas of the polity.

In recent times, there have been many new challenges to citizenship. In the 1980s, there was a shift towards participation, with radical democracy and communitarianism on the rise; in the 1990s, there was a shift towards identity, as a consequence both of radical communitarianism and cosmopolitanism. In these two shifts, questions of rights and duties inevitably became reformulated. The decisive issue was culture. The introduction of a cultural dimension into the debate on citizenship was reflected in some of the following:

- the taken-for-granted equation between citizenship and nationality became questioned;
- a blurring of the distinction between the rights of citizenship and human rights;
- the rise of group rights and a resulting tension between the rights of the individual and the group;
- the challenge of cultural rights replaced the previous concern with social citizenship;
- a shift from birth to residence as a criterion of citizenship;
- the rise of global (or transnational) forms of citizenship;
- the challenge of new kinds of rights, such as rights arising from the domain of technology, science and ecology;
- the emergence of 'corporate' citizenship;
- a growing recognition that the principle of equality will have to be reconciled with the pursuit of group difference.

One of the striking developments in recent political discourse has been the increasing confluence of culture and citizenship. Until recently, the concerns of most practices of citizenship have been quite different from cultural issues and conflicts over identity. As is well known, citizenship has been historically formed around civic, political and social rights. Even if T. H. Marshall's account of the formation of modern citizenship reflected a very one-sided view of what was, at best, the British experience, it is certainly true that his omission of the sphere of culture was characteristic of most conceptions of citizenship.

Citizenship had been held to be based on formal rights and had relatively little to do with substantive issues of cultural belonging. It was a fairly static concept that reflected the durability of the existing national state. Although Marshall acknowledged a relation between rights on the

one side and on the other duties and loyalties, the substantive dimension of citizenship was never central to his conception of citizenship. In the civic republican tradition, which emphasised more strongly participation and an active as opposed to a passive view of the citizen, the cultural dimension of citizenship did not receive much more attention (Pettit 1997; Putnam 1999; Etzioni 1995).

Moreover, citizenship in these older accounts, especially those like Marshall's which are influenced by liberal thinking, have mostly had a very tenuous connection with democracy, presupposing a passive conception of the individual as the recipient of certain rights, or in the case of the republican tradition a conservative view of the individual as virtuous and committed to the public good. Citizenship in so far as it embodies political rights provides an essential basis of liberal democracy but does not extend into other dimensions of democracy, such as participation. Perhaps, it is for this reason that proponents of radical democracy have been sceptical of citizenship, which, as in Marshall's model, has been seen as an antidote for the inequalities created by capitalism. For this reason, citizenship was not seen as having a transformative role and, moreover, as predominantly relevant to 'social class', it was not applicable to other social groups, such as ethnic or migrant groups. In this, the politics of citizenship reflected the concerns of an older social science, with the stability of the social order and the need for the state to bear responsibility for redistributive justice. Today, in the age of ethnopoltics and the postnational state, it is a different question.

Given the separation of citizenship from culture and its restrictive relation to democracy, it is not surprising, therefore, to see citizenship and multiculturalism as opposites.

Until about the late 1980s, multiculturalism and citizenship performed quite different functions. Citizenship, on the whole, pertained to the national citizenship of an established polity and was generally defined by birth, or in some cases by descent, while multicultural policies served to manage in-coming migrant groups. Today, this distinction has virtually collapsed. Migrant groups have become more and more a part of the mainstream population and cannot be so easily contained by multicultural policies and, on the other side, the 'native' population itself has become more and more culturally plural, due in part to the impact of some four decades of ethnic mixing, but also due to the general pluralisation brought about by postindustrial and postmodern culture. In Britain, for example, there is a greater awareness of the constituent nations of the Union as well as of regionalisation. The focus on production and social class, which informed Marshall's account of citizenship, has given way to greater interest in subcultures based around leisure pursuits and consumption. In addition, new and more radical ideas of democracy have arisen as a result of the rise of new social movements. The social is now becoming more cultural, and with this come new kinds of participation.

There are two broad responses to this general pluralisation. The first response expresses anxiety about increasing cultural pluralisation. The American 'culture wars' debate is the exemplar of this response. Widespread anxiety about militant nationalisms and religious extremism, especially in aftermath of the September 11 terror attack have added to fears of a new age of culture wars (the 'clash of civilisations') fought out on a global level leading to a return of a Hobbesian order. In this view, pluralisation is closely associated with conflict. The second response, cultural pluralism, is viewed as something which enriches rather than threatens the fabric of society. This second approach is based on a notion of cultural citizenship.

The cultural turn in citizenship suggests a view of culture as less divisive than previously thought. While multiculturalism was based on the assumption of basic cultural differences between groups (especially between the dominant and incoming groups, which had to be 'managed'), the new ideas of cultural citizenship point to a view of culture as a possible basis of integration. The decisive issue is citizenship as a form of democracy. Whereas the older ideas of multiculturalism excluded multiculturalism from citizenship, the new approaches bring culture into citizenship. Cultural citizenship also suggests an alternative to the more recent post-multicultural debates around the 'culture wars' which have led to a view of culture as a zone of anarchy. Notions of the 'clash of civilisations', widespread anxiety about militant nationalisms and religious extremism, especially in aftermath of the September 11 terror attack have added to fears of a new age of culture wars fought out on a global level. There is currently an increasing concern with securitisation at both national and EU levels. I believe that these perceptions of cultural conflict, whether on a global or national level, exaggerate cultural divisions. Recent American debates suggest that there is more 'common ground' than is often thought in American society (Smelser and Alexander 1999). In the case of Europe, this is certainly true and it is surely necessary to address more directly such commonalities. The idea of cultural citizenship as the contemporary paradigm of citizenship suggests such an approach.

On closer inspection, it becomes evident that there is less consensus than might be apparent from a first glance of the literature on cultural citizenship. Roughly speaking, this body of writing can be divided into two groups of thinking. On the one side, we have an approach that is influenced by sociology (e.g. Turner 1993; Somers 1995; Stevenson 2001; Cowan *et al.* 2001; Urry 2000), and on the other we have an approach heavily influenced by political theory (e.g. Kymlicka and Norman 2000). The result is, in fact, a certain uncertainty as to exactly how culture, which is mostly understood in terms of diversity, is to be brought into the sphere of citizenship in so far as this concerns equality.

For the sociological approach, the real challenge, it would appear, is to bring about inclusion in the sphere of identity and belonging; whereas the culture debate in political theory is about extending a more or less already

established framework, the national polity, to include excluded or marginalised groups. It is, in essence, a question as to whether cultural citizenship addresses the new 'cultural' needs of the individual/group or the inclusion of excluded groups/individuals. While departing in many respects from the assumptions of multiculturalism, the second approach has mostly remained within the confines of the liberal communitarian debate and is closer to the concerns of multiculturalism, with its concerns around issues of the limits of tolerance, the accommodation of difference, problems of group representation, etc.

In my view, the new sociological approach to culture and citizenship offers a potentially more far-reaching model for democratic citizenship, and one which might be useful in addressing, for instance, the urgent need for anti-racism and citizenship policies that might stem the rising tide of xenophobia. However, this approach is very poorly developed and often does not go beyond vague notions of inclusion. In order to distinguish the two approaches, I term the sociological idea of cultural citizenship 'cosmopolitan citizenship'. This is because it concerns issues that extend beyond the accommodation of minorities and problems of cultural diversity within national societies to new cultural concerns. In this view, culture is creative and transformative. In general, as already argued, the concerns of cultural citizenship as expressed in political theory are confined to the established state, which is generally taken to be Canada or the United States. The version of cultural citizenship I call 'cosmopolitan citizenship' refers to a different dimension of culture than that of political theory, namely the wider cognitive dimension of culture in the sense of the creative, constructivist dimension of culture.

Cultural citizenship and diversity

There is now a growing body of literature on bringing culture into the sphere of citizenship. Authors such as Will Kymlicka (1995) and others seek to connect the growing interest within political philosophy of citizenship with multicultural politics (see especially Kymlicka and Norman 2000). Until about the early 1990s, these two areas have developed relatively separately within political theory. For instance, much of the American communitarian debate on citizenship did not address cultural politics. In the tradition influenced by republicanism, as in the work of Selznick, Etzioni and Putnam for example, the political community was the dominant white population. Will Kymlicka is interesting in that he is part of a different debate, and one which might be said to be more Canadian in its concern with dealing with cultural diversity within a liberal democratic and federal order. This approach is heavily anchored in what might be called the political theory of liberal communitarianism, to which Will Kymlicka has already contributed a widely discussed theory of liberal multiculturalism (Kymlicka 1995).

Communitarian multiculturalism is best represented by Canada, whose constitutional tradition is not based on classical republican democracy. The accommodation of cultural diversity and democracy are not antithetical as they are in the more rigidly republican constitutional traditions, as in France and the United States. Thus, it is possible for different groups to secure official recognition by the state, which encourages them to retain their ethnic identity and requires only minimal commitment to a common and very 'thin' Canadian identity. This acknowledgement is the basic premise of many recent contributions which recognise the validity of minority rights in the sense of limited accommodation of the needs of different communities. In this the traditional equation of citizenship with the individual is weakened (in radical multiculturalism it is abandoned), as is the belief that citizenship must be 'difference blind'.

It is now generally accepted that the liberal pursuit of equality must be adjusted to accommodate cultural difference, which very often will include the right to be different, whether in group or individual terms. Thus many proponents adopt a communitarian version of liberalism in that the basic assumptions of liberalism are accepted but modified by the recognition of ethno-political community. The basic belief in the autonomy of the individual is fully accepted but not to a point that the burden of proof must lie with the defenders of multiculturalism. Minority rights are, in general, compatible with a basic liberal view of the world if that is to take seriously a plural democratic order, and the fact that, occasionally, there may be problems in reconciling equality and difference, are not grounds for avoiding the need to achieve a balance between both. In fact, the general thesis is that some recognition of difference is necessary to achieve equality, and thus it is more than a matter of striking a balance.

In so far as democracy rests on citizenship along with representation and constitutionalism, and to the extent that citizenship entails participation in political community, then minority rights are essential in a stronger sense than mere 'protection'. With some 5,000 to 8,000 ethnocultural groups in the world and only 200 states to accommodate them, clearly democracy must find a way of dealing with the reality of ethnoculturalism, as very few states are, or can be, mono-cultural. The problem is not the validity of special minority rights, but of establishing their limits. If the rights of one group are accepted, we will be pushed more and more into conceding other rights to a point that may make the political unit nonviable. There are also problems of reconciling the rights of different groups, and even in defining what constitutes a group in the first instance, and in problems in reconciling the conflict of the autonomy of the individual with the rights of the ethnocultural group.

A general thesis emerging from the current literature is that liberal-individualist fears of minority rights are unwarranted, while some of the concerns raised need to be taken seriously. This can be conceptualised in terms of a trade-off between the gains and losses in granting minority

rights. The dangers of minority rights are easy to document, as has been frequently noted. Serious infringement of individual autonomy can result when religious communities are allowed control of family law and minority rights. While benefiting some groups in specific districts where they are sufficiently numerous, such infringements may lead to a loss of influence in other districts and minority rights can fail to address the problem of other minorities and disadvantaged groups and various other sub-groups (the disabled, women) within an ethnic minority. In other cases, what is stressed is less serious infringement of individual autonomy than contradictions between rights. In a case study of Thai child prostitutes, Heather Montgomery (2001) shows that the 1989 UN Convention on the Rights of the Child may be detrimental to the interests of children. In another study, Anne Griffiths (2001) argues for a non-essentialising pluralism, in this case with respect to Botswanan peasant women for whom formal equality and monogamy – as stated in the 1979 UN Convention on the elimination of discrimination against women – frequently have to be compromised.

Notwithstanding these problems, the denial of equality will be more detrimental to citizenship in the long run than these problems that arise from minority rights. There is considerable evidence to suggest that concerns about a loss in collective democratic identities are unjustified and that democracy is not threatened by the accommodation of differences. We should not exaggerate cultural differences such as the detrimental impact religious schools might have on civic virtues. This is less of a problem, as such universalistic identities do not necessarily exist in the first instance, and the costs will be greater by not granting minority rights since there is likely to be increased resentment and hostility stemming from exclusion.

Perhaps the point is that there are costs and benefits in granting minority rights, and it is important not to overstate the dangers. Minority rights do not involve a zero-sum game between citizenship and minority rights, and a balance can be achieved between conflicting conceptions of the common good. The view of culture is one that is far from the culture wars of the 1980s and early 1990s. Culture is not divisive and can be a basis of citizenship. It is unlikely to be a basis of common citizenship in the classic liberal sense, but it is essential to the working of a democratic order.

The debate about rights has now moved far beyond the sterile and conventional terms of universalism versus relativism that have dominated much of the mainstream discussion. In recent years, it has increasingly been recognised that the alternative to the universalism of liberalism is not relativism, and somewhere between these extremes the resolution of conflicts about rights must be found. It is now widely accepted that any discussion about rights must recognise the cultural nature of the discourse about rights. Rights – and more generally equality and difference – do not exist outside culture but are always negotiated and even constructed – in particular contexts. The recognition of this is not detrimental to rights because culture is not a closed system but is highly flexible. Moreover,

cultures are not incommensurable but related. Empirical case studies by anthropologists and sociologists demonstrate that universalistic ideas about rights are always appropriated by local contexts (see for example Cowan *et al.* 2001). M.-B. Dembour shows how French excision trials do not always affirm universalistic notions of rights and that in practice legal reasoning is flexible (Dembour 2001). Thomas Hylland Eriksen (2001) argues that, for example, the 1995 UNESCO document, *Our Creative Diversity*, embodied both a commitment to universal right and to cultural rights. Citizenship is increasingly a flexible category, capable of accommodating multiple loyalties that transcend any particular state, as a recent study argues (Ong 1999).

The relationship between rights and culture is a complex one. It is important to distinguish between the idea of a right to culture and rights as a cultural discourse. The former pertains largely to group rights, that is the rights of a culturally defined people to defend their cultural identity and way of life. This relationship may take the form of special or differential rights (special representation rights, for instance) or exceptions from certain obligations. In this sense, cultural rights establishes a group's right to difference. In these cases, culture is relatively well defined and static as the identity marker of a particular group, generally an ethnic minority. The second refers to the tendency by which rights may constitute a kind of culture in that the rights discourse, in essence law, is becoming the basis of many cultures' viability given the world wide consciousness of human rights. Legal reasoning is one way many groups, for instance indigenous groups, make sense of their situation. However, there are two issues here in this idea of rights culture, and they need to be more differentiated, namely the idea of rights as a kind of global legal culture and, second, the social construction of groups by such universalistic legal cultures.

Cultural citizenship and cosmopolitanism

While the tendency in most of the recent literature is to see both citizenship and culture as flexible, the dominant position, especially in political theory, operates with a restrictive conception of culture. Cultural identities are seen as fairly fixed entities that need to be accommodated in the polity in order to enhance citizenship. The anthropological and sociological approaches offer a different position in this respect. By culture, is not meant cultural diversity or ethnopolitics but cultural resources, identities and the wider cultural presuppositions of the polity. Culture and identity can be seen as much more fluid and less denoting particular forms of agency that have to be somehow managed. Thus, citizenship as cultural citizenship is about the status of culture as discursively constructed. In this view, what is at stake is a wider conception of cultural rights rather than minority rights. Cultural rights which can be compared to civil, political and social rights are important in expanding the legal framework of

governance into the cultural sphere, but the main issues are less normative than symbolic and cognitive, since it is about the construction of cultural discourses and also the construction of social groups.

The advantage of cultural citizenship in this sense of, what I would prefer to call, 'cosmopolitan citizenship' is that it shifts the focus of citizenship onto common experiences, learning processes and discourses of empowerment. The power to name, create meaning, and construct personal biographies and narratives by gaining control over the flow of information, goods and cultural processes, is an important dimension of citizenship as an active process. In this regard, what needs to be stressed is the *learning* dimension of citizenship as a *constructivist* process. Such an approach would show how citizens learn citizenship, which mostly takes place in the informal context of everyday life and is also heavily influenced by critical and formative events in people's lives. Citizenship is not entirely about rights, but is a matter of participation in the political community and begins early in life. It concerns the learning of a capacity for action and for responsibility but, essentially, it is about the learning of the self and of the relationship of self and other. It is a learning process in that it is articulated in perceptions of the self as an active agency and a social actor shaped by relations with others. In this view, citizenship concerns identity and action; it entails both personal and cognitive dimensions that extend beyond the personal to the wider cultural level of society.

Examples of this deeper sense of citizenship as a cultural discourse might be the confluence of the personal and the political. Adopting a psycho-analytical perspective, Stephen Frosh (2000) argues that a cultural understanding of citizenship entails looking at the emotional aspects of collective identity. The subjective dimension of citizenship is discussed by Elliott (2000) and Crossley (2000), for whom citizenship involves the capacity to take on the point of view of the 'Other'. Such arguments deal with a broader concept of diversity than what is typically presupposed in political theory. Diversity relates not merely to ethnic diversity but to all kinds of group difference, such as gender and disability.

The upshot of much of the debate on culture and citizenship is a more open conception of culture than what is often suggested by multiculturalism. While recent political theory also looks to a more open conception of culture as pluralism, the really innovative ideas are coming from sociology, cultural and social theory in this regard. As a learning process, citizenship takes place in communicative situations arising out of quite ordinary life experiences. It appears that an essential dimension of the experience of citizenship is the way in which individual life stories are connected with wider cultural discourses. What I think is interesting, is this cultural dimension to citizenship which goes beyond the institutional dimension of both rights and also participation. We need more information, as well as theoretical tools, for understanding the cultural dimension of citizenship. However, for present purposes, it will suffice to note that

one of the most important dimensions of citizenship concerns the styles and forms of language, cultural models, narratives; discourses that people use to make sense of their society, interpret their place in it, construct courses of action and thereby give rise to new demands for rights, which we may call cultural rights. It is important, too, to see the learning component of citizenship not just in individual terms, but also as a medium of social construction by which individual learning becomes translated and coordinated into collective learning and ultimately becomes realised in social institutions.

A conclusion might be that cultural citizenship is an extension of the trajectory traced by Marshall of civic, political and social citizenship. However, it is not to be confined to ethnocultural or minority rights but must include all kinds of rights. Moreover, as a discourse and practice that seeks to include large areas of human experience, it also addresses other domains of culture. It is not exclusively about rights and freedoms but also concerns the articulation of identity/belonging and other components of citizenship, such as participation and responsibility. Cultural citizenship is particularly relevant to the area of communication (media, virtual reality, popular cultures) in information and communication technologies and, in the context of wider process of globalisation, is a form of citizenship that extends beyond nationality to local and global levels. What is distinctive about the confluence of culture and citizenship is the constructive, dynamic and creative dimension of culture. While cultural citizenship as cultural rights (in the sense of rights to culture, where cultural rights is a proxy for group or special representation rights) is a new and important dimension of citizenship and of rights more generally, what needs to be emphasised more is the transformative dimension of culture, namely the cosmopolitan dimension.

Globalisation and the idea of cosmopolitan citizenship

I have argued that citizenship has traditionally been understood as a bundle of rights, duties, participation and identity. Two major changes have occurred. There has been an internal transformation of these components and an external transformation in the relation between them. The internal transformation can be briefly illustrated by taking each of the four components.

The transformation in the discourse of rights has been discussed above. It is one in which cultural rights have replaced the previous salience of social rights. This is a significant development in that citizenship is forced to accommodate difference (see Touraine 2000).

The emergence of cultural rights opens up new perspectives on the duties of citizenship, undermining the traditional passive assumptions of the citizen as a dutiful or obedient person. New cultural discourses have brought in their wake responsibilities that go far beyond duties to the state. Loyalty

is no longer constrained by the nation-state but relates to a wider horizon (Rorty 1998). Ecological discourse has increased consciousness of duties to nature and even to future generations.

Many of these developments have been closely related to the changed nature of identity. Collective identities are no longer dominated by class and national codes, but have become much more individuated and pluralised. The result is that identity is not a passive resource for state-centred identities but is often the basis of claims to rights.

Participation has become more central to citizenship. The passive citizen has been replaced by the active one. Communitarianism is one reflection of this, but not the only one. Civic communitarianism has, on the whole, adhered to traditional republicanism in seeing participation as engagement in voluntary associations and not in challenging some of the fundamental presuppositions of the society. Other expressions of citizenship as participation would stress new relations between society and the state, such as those associated with globalisation. Social movements and radical democracy have led to much stronger conceptions of participation as entailing grass-roots democracy.

It is, too, in this context that we can consider the external transformation of these components of citizenship. My argument is that as a result of the changes discussed above citizenship has become fragmented. The components of citizenship have become disaggregated. It no longer makes sense to speak of a holistic bundle of rights, as Marshall assumed, constituting, for instance, something like a nationally coded citizenship. What has changed is the relationship between the different components of citizenship. As argued earlier, citizenship and nationality have become decoupled. This decoupling is also a process of recombination. It is not the case that nationality and citizenship have become entirely separated but are being recombined in ways that do not lead to a perfect fit. For example, European citizenship is not located only on the European level, but pertains to national and subnational levels (Eder and Giesen 2001; Soysal 1994).

Citizenship needs to be conceptualised as differentiated in at least two senses. First, it is spatially differentiated into subnational (regional, local, city based), national and global levels. This layered, or multilevelled, sense of identity leads to a second kind of differentiation. The various components of citizenship are differentially realised on these three levels. The result is that citizenship is becoming more and more flexible and relational.

Citizenship is realised not just on the national level as a condition secured by the state but is also pertinent to subnational levels, such as local and regional levels. In this regard, what is particularly important is the level of the city as a basis of citizenship. Globalisation is often conceptualised as entailing local and global relations, offering opportunities for cities and regional units to reconstitute themselves (Isin 2000). The reality, however, is that globalisation has not abolished the national state.

Various transnational processes are increasingly operating across all three levels, of subnational, national and global. This is very evident in the case of transnational citizenship movements, which use the national state as much as global arenas to achieve their aims (Kastoryano 2002). Andrew Milward has argued that the European Union 'rescued' the nation-state (Milward 1993). Perhaps, then, a more realistic view is to see citizenship as layered into these different levels of governance.

If we accept this view, a more flexible view of citizenship follows. The different components of citizenship can be related to the three levels of governance emerging today. Globalisation has opened up both opportunities and dangers for citizenship beyond the national state, creating a kind of global citizenship. National expressions of citizenship will continue to be important, compensating for the limits of global citizenship, and sub-national forms of citizenship will become more and more relevant.

This view of cosmopolitanism is one that sees in it a certain tension with globalisation. Cosmopolitan forms of citizenship are not simply the expression of new global citizenship, but of an internal transformation in all kinds of citizenship. The term cosmopolitan stands in a relation of tension with the global: it expresses both the local order of the polis and the global order of the cosmos. I see cosmopolitan citizenship not as an additional kind of citizenship but one that is both contained within all expressions of citizenship while at the same time transcending them. As used here, cosmopolitanism concerns the process by which critical and reflexive forms of belonging enter into cultural discourses (Habermas 1998; 2001). As societies become more and more interpenetrated (due not least to processes of globalisation), new expressions of citizenship emerge, such as those discussed in the foregoing analysis.

The existing literature does not distinguish adequately between cosmopolitanism and globalisation. The tendency all too often, as is evident from the work of Held and Giddens, is to see globalisation as opening up the space for cosmopolitan citizenship. In my view, this leads to too much faith in the redemptive powers of globalisation to save democracy and citizenship from the nation-state. I see global citizenship as having a role to play, and no account of citizenship can neglect it. However, the question of cosmopolitanism is a different one. The proposal made here is to see it as expressing the transformative moment within the three main kinds of citizenship alluded above – namely local, national and global. In this view, cosmopolitanism is not found exclusively on the global level, but is also to be located on the local and national levels.

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2 Globalisation and citizenship in Japan

John Clammer

Introduction

The nature of citizenship has been a contested theme in post-war Japanese history, and with Japan's increasing involvement in global politics, the question of who is a citizen has taken on fresh salience. The Japanese term for citizen (*shimin*) means literally a town dweller, civilian or even a 'commoner'. In pre-modern Japan, at least up to the end of the Tokugawa shogunate (1603–1868), political authority was highly centralised and society was stratified into ranks, with the lowest two ranks – the peasants and the townspeople/merchants – having few political resources and being confined to their status by sumptuary laws and other restrictions (Seidensticker 1983). There was a relative opening of Japan after the Meiji Restoration of 1868 (with the collapse of the shogunate and the re-establishment of the political authority of the emperor). While this period saw the appearance of a modern and modernising state apparatus, including a professional bureaucracy and an army largely modelled on contemporary European forms, the state did little to extend real political freedoms. The new Meiji Constitution was far from liberal in intent (having been, in large part, framed by Prussian constitutional lawyers) and the Constitution established an oligarchic political structure rather than anything approaching a true democracy. The subsequent periods of industrialisation, colonial adventures and militarisation culminating in Japan's involvement in the Pacific war saw the continuing reluctance of the state to extend liberties or responsibilities to its population, who were looked upon, in any case, rather more as subjects than as citizens.

The defeat of 1945, the abdication of the emperor from his divine status to that of constitutional monarch, and the imposition of the post-war constitution by the Allied occupation forces (and still in force, if increasingly contested, today) had the effect of throwing open the doors to democratising forces. Some of the seedbeds for citizen activism had, indeed, existed in the pre-war years in the form of the Left, cognitive minorities such as the small Christian community, the feminist movements of the Taisho period, and other liberal tendencies especially amongst independent

intellectuals (Hoston 1986). But they had been unable to make much impact on the repressive apparatus of an increasingly centralised, bureaucratized and control-obsessed state. Post-war extension of the franchise, legalisation of the political opposition and the lifting of restrictions on a whole range of social movements, including religious ones, transformed this landscape. But it did not do so entirely. The re-emergence of big business, especially the large combines that were supposed to have been broken up after the war (the *zaibatsu*) and of a very cosy relationship between business and government during the post-war high-growth years, together with the historical effects and bureaucratic culture of the pre-war period, have ensured continuities that still make the issue of citizenship a contested one in contemporary Japan (Matsumoto 1991).

There are many potentially interesting issues here, including that of the nature of Japanese political culture, of the power of certain institutional forms in creating or distorting patterns of political and social access, or of the behavioural expectations of Japanese culture (or of stereotypes of that culture). Similarly, a detailed study of post-war social movements – against the US-Japan security treaty, the construction and expansion of Narita airport, the siting of nuclear power plants and many other issues – demonstrates, at least, a vocal minority of citizen activists mobilised around current issues, even if formal political participation (as measured for example by voter turnout in national and local elections or active party membership) is weak. But here my focus will be on one of the most profound forces impacting on Japanese society – globalisation – and the effects that globalisation has on the understanding and practice of citizenship.

The concept of citizenship plays a role in Japanese society which differs significantly from patterns familiar in the West. Although some sociologists of globalisation have argued for international institutional convergence, especially in such areas as political and legal cultures and in education (Meyer 1980), major, if often subtle, variations exist derived from cultural, historical and philosophical factors between conceptions of rights, duties and political identities between different societies coexisting in the world system. Also, the presence of structurally similar institutions often masks big differences in the practices and procedures that animate those institutions. This is very much the case in Japan.

In Japan, in principle, a foreigner with sufficient residence time (at least a decade), who has a good reason to remain in the country (for example by reason of intermarriage or professional activities) and who can pass a Japanese language requirement, is eligible to apply for citizenship. In fact, few do apply for citizenship and less are accepted. Very few amongst its very small refugee population (mostly of Vietnamese or other Indo-Chinese origins) have ever succeeded in gaining citizenship, and neither have the majority of the very large Korean population (over 800,000), most of whom continue to be resident aliens, despite decades of residence originating in Japan's colonial occupation of Korea up until 1945. In fact,

obtaining Japanese citizenship is rare and difficult for anyone who is not of Japanese descent, and, despite cosmetic changes in other immigration regulations (making it easier to obtain the much less stringent permanent residency which confers no political rights, and allowing resident aliens to re-enter Japanese airports through the Japanese passports channel, for example), it is still difficult for a non-citizen to obtain political rights. Even a child born in Japan is not guaranteed citizenship, as recent controversies surrounding the status of children born out of wedlock to Filipina entertainment workers and unknown but indisputably Japanese fathers show, and this is confirmed by the recent case of the twin 'test-tube' children of a Japanese couple born to a non-Japanese surrogate mother, but refused recognition as citizens by the state. The whole issue of in-vitro fertilisation has, in fact, thrown open fierce debates about the status of children born by such methods when there is the possibility that the donor or surrogate mother may not be Japanese (Deguchi 1999). Ethnicity and citizenship are intimately linked notions in Japan, and this notion of ethnicity involves at least two elements – race and culture – which are often conflated. The problem for a foreigner who wishes to become Japanese is not only that of race, but the assumption that the culture is impossible to acquire except by birth. The difficulty of separating citizenship from ethnicity in Japan also helps to explain why current forms of nationalism in Japan frequently take a cultural rather than an overtly political form (Yoshino 1997).

This conflation has historical origins in a smallish island country which has known very little in-migration. Appadurai's argument that the world is now composed of deterritorialised 'post-national formations' with 'trans-local solidarities, cross-border mobilizations, and post-national identities' is hollow when applied to Japan (Appadurai 1996: 424). The project of 'nation-maintaining' is far from over in Japan, and while Japan exports itself through its technology and, to a lesser extent, through its popular cultures, this is not at the expense of keeping a strong sense of ethnic, cultural and geographic boundaries.

The concept of citizenship in the West has sources in liberal and republican thinking and is connected to a discourse of rights and duties, and to associated debates about civic society and civil society (Stevenson 2000; Isin and Wood 1999; Kymlicka 1995; Kymlicka and Norman 2000). In effect, citizenship in the West arises out of a particular philosophical tradition, a specific religious history, a specific expansionist political and economic (capitalist) dynamic, and implies particularistic conceptions of the self. In Japan, however, notions of political identity are rooted in Buddhism and Confucianism and the consequent decentred notion of the self leads to a different conception and practice of citizenship (Solinger 1999; Bauer and Bell 1999; de Bary and Tu 1998).

Many of the shifts allegedly occurring in conceptions of citizenship in the West – the blurring of the equation between citizenship and nationality, increasing tension between the rights of individuals and emerging group

rights, the emergence of transnational forms of citizenship – have simply not appeared in Japan. In a society where the sense of individualism is weak and in which group rights have always taken priority over personal ones, citizenship is conceived of as membership of an ethno-cultural nation. In such a society, individualism is weak and hierarchy is strong (Clammer 1995) and the state is still a profound force restricting the emergence of a strong civil society (Schwartz and Pharr 2003). In Japan, the state is the people and the political embodiment of their identity. The relative absence of a history of liberalism and the weakness of the sources of individualism have allowed Japan a decentred notion of citizenship more attached to ethno-cultural identity than to any conception of rights. This interpretation, to be fair, is contested by groups and individuals that have contact with the wider world; but in Japan, discourses of rights and empowerments are largely deployed not to promote the internationalisation of the society, but on the contrary, as a mechanism for the pursuit of localism and particularism in the face of the global (Clammer 2002).

The impact of globalisation

Globalisation is often seen as an anti-democratic force (e.g. Greider 1997) that removes sovereignty from legitimate national governments and concentrates it instead in the hands of unelected and unrepresentative organisations such as MNCs, the WTO and the World Bank. While globalisation clearly has these characteristics, together with a tendency to cultural homogenisation, media imperialism, and the erosion of job security and workers' rights internationally, it also creates opportunities for alternatives to emerge. The very information technology that may be used to control and to promote 'flexible accumulation' can also be used to organise and promote alternatives, to create networks of international solidarity, and to mobilise information and criticism of political or corporate mismanagement (Starr 2000). The expansion of international civil society and of new social movements promotes forms of political and social participation beyond or outside of conventional political channels. Networks of international solidarity are born that prevent any hegemonic form of globalisation from ever fully establishing itself.

Globalisation has both made the average Japanese aware of the complex interdependencies of the contemporary world and of the fact that such interdependence cannot leave Japan untouched in terms of its social organisation and cultural forms. While many have resisted this inevitable implication, others have embraced it as providing the lever that is needed to transform Japanese society in more open, equitable and creative directions suitable for meeting the challenges of the new century, one of which is managing globalisation itself. Globalisation affects subjectivities. It transforms notions of the self by bringing that self into contact with the 'Other'. Japan's exporting of itself through economic penetration, aid and

popular culture has triggered both cultural interest in Japan and the desire in many cases to go there to take advantage of the high-wage economy on the part of those on the receiving end of those exports. This has brought the world quite literally into Japan in the form of cultural influences and people – foreign workers, both legal and illegal, spouses of Japanese, increasing numbers of foreign students and tourists. The 2002 FIFA World Cup generated a sudden upsurge in numbers of visitors. The effect of this event may well translate into a desire by some of those who visited Japan for football to return for work or study. In return, Japan had to manage a huge foreign influx for the first time since the end of World War II, as well as manage relations with co-host South Korea, a phenomenon which had profound effects on the perceptions of the outside world (Whang 2002).

In a related way, many of the debates within Japanese cultural studies – preoccupation with the self, massification of society and culture (*taishu shakai/taishu bunka*), the new social configuration of ‘tribes’ (*zoku*) as comprising the fluid organisation of the new consumer society – can be traced to the effects of globalisation and the enhanced risks and uncertainties that it has engendered. Shifting patterns of politics and political opposition (for example, the profound effects of urbanisation and the effects of the emergence of ‘world cities’ in Japan) (Fujita and Hill 1993) are connected to these bigger international shifts. This change is taking place in a society with almost universal literacy, in which newspaper reading is amongst the highest in the world, and in which information on almost any subject is easily and abundantly accessible. Just as in the past there were struggles to find new definitions of democracy and social justice, in this globalised context, these struggles are occurring again.

Global forces also impact at the most local levels, and it is at such levels in Japan that some of the most interesting responses are occurring. Robin LeBlanc’s study of housewives in Tokyo, for example, demonstrates not only the rich and complex political lives of her subjects (expressed in local-level politics, PTAs, volunteerism, and consumer cooperatives as well as in voting in national elections) but also very explicit in LeBlanc’s study is the women’s critique of liberalism in general and their perception of themselves as non-party voters and as ‘non-political’ citizens. As LeBlanc summarises this phenomenon:

As a ‘bicycle citizen’, the housewife acts as if she were a citizen, but she believes that extending the reach of her actions to what she conceives of as political spheres would be defeating. The constraints of politics would strip her actions of their real meaning for the community. The housewife might be said to see herself as a citizen, but with a citizenship that is not viable in the contemporary *political* world. Through the eyes of political theory, we might see this housewife as a citizen without a polis. We might conclude that the problem of citizenship for a Japanese housewife results from unique characteristics of

the Japanese political system – that the Japanese political system is simply not open enough to the representation of a variety of interests, that Japan has failed to have a fully liberal democratic system.

(LeBlanc 1999: 65)

What LeBlanc has to say about housewives can be extended to other politically underrepresented groups in Japanese society, a society in which distrust in the political system and of politicians in general (noted for their corruption and the seemingly interminable string of scandals that fills the media) is very high. It is also noteworthy that LeBlanc's summary refers to the housewife's relationship to her *community*; to a vision of citizenship that extends well beyond individualism or the self-centred demands of 'lifestyle politics' (Giddens 1991) to encompass collectively defined social issues.

Such an attitude can also be seen in many of the more coherently organised new social movements in Japan (Muto 1998) and in the new religions, many of which have adopted peace, development and creative citizenship platforms, even as many of them have begun to internationalise themselves (Kisala 1999). The notion of a 'political culture', although it originated in an older, Western 'civic society' discourse, is as a result by no means defunct. This recognition has drawn attention back to the cultural basis of political behaviour through the work of anthropologists, amongst whom there is a reviving interest in the nature of the contemporary state (Ong 2000). While I would hesitate to agree with Aihwa Ong that Japan represents a form of Asian liberalism similar to the kind that she sees as prevailing in Malaysia and Singapore, Ong's (2000: 59) discussion of new forms of 'bio-politics'¹ opens up the prospect for alternative discourses on citizenship and provides a potential for linking such discourses with others that are now expanding in the region on Asian conceptions of human rights and of freedoms (Bauer and Bell 1999; Kelly and Reid 1998).

Globalisation has put these questions once more at the forefront of public debate. Debates about pluralism and the exercise of corporate and bureaucratic power against the interests of citizens² have surfaced, calling into question older notions of political identity and responsibility. This conception of citizenship is slowly responding. A slowly changing legal culture and recent legislative changes have made it possible for interested citizens to be involved as participants in the courts and dispute resolution and to resort to legal remedies – for example, women suing companies for wrongful dismissal or lack of promotion on the basis of gender under the Equal Employment Opportunities Act (Upham 1987). Such litigations have greatly increased. Japan's increasing international involvement in UN-led peacekeeping operations (Mori 1993) and most recently in reconstruction activities in Iraq, a growing language of human rights, utopian and communal experiments, the enormous expansion of civil society organisations despite the legal and legitimacy issues that such organisations still face

(Schwartz and Pharr 2003), and the problems of maintaining or transmitting responsible citizenship in a highly consumerist society, further expand this list of emerging influences (Clammer 2000b).

Reframing Japanese citizenship

In Japan, globalisation has radically called into question the certainties about identity bequeathed by history or which the Japanese have so industriously constructed for themselves (including the whole vast body of the *Nihonjinron* or 'theories of Japaneseness' that fill the shelves of any library or bookshop). This destabilisation of identity has necessitated a not always welcome re-evaluation of what it is to be Japanese. In confronting globalisation, Japan has had to address the Other without (the larger world in its totality and menace) and within (the expanding foreign population with no political rights), the past subjectivities and understandings of gender, and the non-human world in the form of the environment and the effects of Japanese industrial activity, consumption patterns, and government commitment to nuclear energy on that environment. Such external challenges have had huge internal effects, ushering in increasing challenges to the post-war conservative hegemony and the subtle forms of authoritarianism through which it operates even in ostensibly democratic Japan. If the crises of the past decade have had good effects, these have been to shatter the sense of unquestioned 'harmony' on which Japanese society is allegedly based, and to expose the underside of the post-war Japanese 'miracle', bringing with it the new questionings of political and social identity that now animate debates about citizenship in Japan.

Despite Japan's reputation as a 'soft authoritarian' society, it can also be seen as a depoliticised society with a high level of citizen activism and a strong sense of cultural participation, even if that activism is largely directed to local issues (local environments, organic foods, security for local schoolchildren, etc.), rather than to national/ political ones. Japan is a society where civil society is struggling to be born and which, despite its appearance of social harmony, contains conflict, something which the occlusion of class analysis in Japanese sociological work has concealed.

For comparative analysis then, Japan poses a number of interesting questions. Can a society be modern but non-Western? How are rights and duties philosophically rooted in a Buddhist/Shinto religious environment rather than a Judeo-Christian one? What forms might cultural citizenship take in a society in which identity has always been framed in cultural as much as political terms? Can one be cosmopolitan in a society with a very strong sense of its own homogeneity? And finally, although in Western discourses citizenship is often posed as a set of rights and duties, it also contains its own subjectivities, something taken very seriously in Japanese discourses of citizenship, in which some prominent commentators have argued that the key issue goes beyond such formalism to the creation of a

new and gender-neutral sense of *shutaisei* or 'new citizen's subjectivity' that will provide the basis for other transformations of identity society-wide (Iwane 1993).

A crossroads

Japanese citizenship currently stands at a crossroads, one path leading back into a closed and conservative society, the other leading to creative openings built on the foundations of a citizen activism that has extensive post-war roots. Japan does not face the situation of those societies in which the majority of its population are attempting to obtain citizenship. With a largely ethnic Japanese population fully enfranchised by the post-war constitution, basic human rights, political access and freedom of expression are guaranteed – except for those minorities who do not qualify for Japanese citizenship or for whom attaining that citizenship is difficult.³

The key question is how to detach citizenship from its association with ethnicity: the situation where I recognise you as a fellow citizen if you fulfil the standard qualifications of residence, tax-paying, subjective identification and contribution to the society, regardless of your race or place of historical origin. In his classic book on nations and nationalism, Benedict Anderson introduced the idea of the 'imagined community' as defining the nation as a collective of individuals who do not and cannot actually know each other, yet become bound into a sense of commonality (Anderson 1991). The problem for Japan is no longer the creation of this primary nationalism which was largely accomplished by the beginning of the last century, both ideologically through the creation of a common statehood reinforced through symbols such as the emperor, a common standard language, colonial adventures, and geographically with the establishment of stable boundaries of the national territory with the incorporation of Okinawa and Hokkaido. Rather, it is the expansion of the imaginary community to encompass those not part of the dominant ethnic group (something that applies to Ainu and Okinawans to some degree as well as to Koreans, Chinese, and other Asians and non-Asians) and challenging the received versions of the actual or mythical history of the dominant group and the official versions of its own ethnogenesis. Paradoxically, this is harder in a society that sees itself as ethnically homogeneous, than it is in highly plural ones. The psychological challenge to restrictive Japanese notions of citizenship is to break through this barrier.

Until recently, renegotiations of political and cultural identity in Japan took place within the boundaries of a discourse of cultural nationalism. Japanese identity was understood as not only as membership in a particular geographically circumscribed political entity, but also as membership of a 'unique' culture, one not understood by outsiders, but into which the Japanese young should be systematically socialised, and which is packaged and propagated by intellectual and business elites as the 'Japanese Mind',

the 'Japanese way of business' and so forth (Yoshino 1992). Globalisation has called this and its sense of self-identity into question and hastened the magnification of Japan's links with the wider world. The emphasis placed on the recognition of pluralism within, and the impact on Japanese subjectivities including gender since globalisation, has revealed to Japanese women many alternative conceptions of femininity outside of classical or conventional Japanese ones.

Globalisation has also opened up possibilities for the redefinition of citizenship. Some commentators view contemporary Japan as caught up in a struggle between older and minimal conceptions of citizenship represented by traditional identity politics – the almost unbroken conservative post-war rule of the Liberal Democratic Party and the domination of corporate interests on the one hand, and emerging social forces embodied in new social movements and citizen's initiatives on the other. Whereas the old 'social contract' was negotiated largely between government and a small range of civil society organisations (in particular, trade unions and small business associations (Garon and Mochizuki 1993) in which a largely agreed social framework was assumed), this implicit agreement on basic social goals has evaporated in the post-bubble years. This process has resulted in a rather static view of citizenship. This notion of citizenship is represented as political participation reflected in the right to vote, while subscribing to the consensus view of post-war Japanese cultural identity which has been replaced, at least for a substantial minority, by a much more dynamic, contested and internally diversified understanding. This is apparent in the huge expansion of a discourse of civil society (Ichikawa and Clammer 2002), the emergence of very large numbers of NGOs addressing both local and international issues, the increasingly social and global role being taken by the legitimate *Shin Shukyo* or 'new religions' (such as Soka Gakkai) which collectively have a membership of many millions, the increasing political visibility of previously ignored groups such as housewives and their involvement in local politics and in social movements, the consumers' movement and consumer cooperatives (LeBlanc 1999). It is also apparent in rising levels of volunteerism and in the proliferation of local-level citizen's groups organised around specific issues (road safety, security of school-children in and on their way to school, recycling, the needs and rights of the aged). This is in addition to older movements such as the Buraku Liberation League struggling for the rights of one of Japan's own excluded communities, feminist groups and groups representing the interests of Japan's ethnic minorities. While unions and similar formal organisations continue to play a role, their significance has declined relative to these newer organisational forms; new social movements and the redefining older ones (such as the new religions) are seeing themselves as involved in a much wider range of social issues.

The impact of globalisation is also apparent in the formation of international alliances on the part of NGOs and minority rights groups such as

those movements active amongst the Ainu people of northern Japan and the Okinawans of the deep south; the appropriation of a universalising language of human rights in the pursuit of local interests; the participation in international events such as the UN-sponsored conferences on the rights of indigenous peoples and in anti-corporate and anti-globalisation struggles, and very conspicuously in the international environmental movement (Clammer 2002). Globalisation, while challenging local and particularistic conceptions of citizenship, has also expanded opportunities for discovering resources internationally. It has enabled the expansion and redefinition of the scope of local citizenship to encompass much broader issues and responsibilities, and for expanding the range of democratic participation outside of traditional or institutional political categories.

The unstable nature of concepts of citizenship and their dependence on particular histories can be seen refracted in one of the major contemporary intellectual debates in Japan at the moment – that of school history textbook revision and the associated issue of the ‘Comfort Women’. School textbook revision has long been a subject of controversy within Japan (especially between the left-leaning teachers’ union and the very conservative ministry of education) and between Japan and its Asian neighbours. The debate, however, has been given new currency recently by the emergence of a movement known as the *Jiyushugi Shikan Kenkyukai* or ‘Liberal Historiography Research Group’ offering a revisionist view of Japanese history aimed precisely against the teaching of the ‘history of shame’ symbolised by such subjects as the Nanjing Massacre and the question of the ‘Comfort Women’ or women forced into sexual slavery for the wartime Japanese armed forces. This movement, which has garnered considerable local support as well as attracting severe criticism, has many dimensions, all of which cannot concern us here. But one important feature of the debate is exactly that of post-war and, in particular, contemporary Japanese citizenship: of importance, is what it means to be a citizen in relation to responsibility for the past, as well as the particular subjectivities and distorted cultural identities that lack of reconciliation with that past imposes on individual Japanese and the national psyche.⁴

Conclusion

My discussion emphasises the particularity of the Japanese case. However, without such detail, the relationship between globalisation and citizenship, at least in Asia, cannot be accurately addressed.

Notes

- 1 Indeed, in LeBlanc’s informants’ terms, it is a form of Asian illiberalism. Her discussion of ‘bio politics’ includes the possibility of other concepts of political agency than Western individualism, of alternative modernities and hence of different concepts of citizenship, not all of them congruent with

Western understandings, and of the priority of communalist forms, or what she calls 'cultural notions of sociality, rather than ... laws' (Ong 2000: 59).

- 2 Most recently, there have been scores of cases of corporations misusing public funds or of the defence agency illegally creating dossiers on citizens who had legitimately requested information under the Freedom of Information Act (see *Japan Times* 2002).
- 3 Japan, while priding itself on its ethnic homogeneity, contains large minorities of Korean and Chinese origin, many of whom do not have Japanese citizenship despite periods of residence in some cases extending over two or more generations (Weiner 1997). Japan, likewise, has substantial numbers of foreign workers and residents, many perfectly legal, but many also who are 'illegals' working in construction, catering, dry-cleaning, scrapyards and other less desirable occupations shunned by Japanese. Japan, unlike Singapore, has yet to evolve a consistent policy on foreign unskilled labour, despite substantial academic and some political debate (e.g. Shimoda 1994).
- 4 For commentaries on the controversy and its implications for identity, see Ueno (1999); Morris-Suzuki (1998).

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3 Chinese citizenship and globalisation

Michael Keane

Introduction

This chapter explores the way in which forms of popular culture influenced by globalisation are impacting upon Chinese citizenship. The example that I will draw on is the hugely successful popular singing talent show, *Super Girl* (*chaoji nüsheng*), produced by Hunan Satellite TV in southern China, and broadcast nationally in 2005. In this popularity contest adjudicated by viewers, the individual self emerged – at least for some international media and Chinese pundits – as an emblem of China's integration within the global economy. The right to express uniqueness, to perform, and to engage in pastiche triumphed over regimented conformity. Was this democracy in another guise – a form of peaceful evolution? Has the programme irrevocably cast into doubt the government's capacity to regulate self-expression? Will Chinese youth in future be demanding further cultural rights of association and expression? Indeed, in this age of access to interactive technology, it seems that Chinese youth can engage with impunity in activities that their parents could scarcely imagine.

Beginnings: the national citizen

From the time of the establishment of the People's Republic to the mid1990s, the idea of the citizen remained conspicuously dormant within the lexicon of the Chinese Communist Party. Indeed, a demonstrable lack of enthusiasm, and even suspicion, surrounded citizenship. The reasons are best understood, not from a 'Western' natural rights perspective, but from one of social obligation. Morality was central to the hegemony of the Chinese leadership during the revolutionary period (1940s to 1978). The morality-centred leadership of enlightened cadres combined with deeply embedded – although for political reasons, unacknowledged – Confucian values of obligation to cement a national social contract. Citizenship was enshrined within the Chinese constitution and was expressed as a benefit granted by the state to persons born in the People's Republic. Rights emanating from citizenship were economic, social, and cultural (Ren 1997).

Rather than empowering the individual, citizens' rights were – and still remain – programmatic. That is, they obligate citizens to participate in social programmes linked to nation-building. In this sense, rights are a function of cultural development, in particular the guided process of raising the cultural level (*wenhua shuiping*) or 'quality' (*suzhi*) of the national population.

During the twentieth century, a time of momentous social change, the utility of the concept of the citizen in Chinese political culture was devalued by the expediency of revolutionary collectivism and a longstanding tradition of deferring to moral authority. The West was amoral but technically advanced; China was poor but rich in spirit. The revolutionaries and thinkers envisaged a new type of Chinese subject at the turn of the twentieth century. They saw the ideal of participatory citizenship as encapsulating the central problem of capitalism, namely that the individual had too much freedom. Sun Yat-sen himself felt that the state was not strong enough, and did not penetrate deeply into society. Only with a strong state and a disciplined population could China modernise. In other words, the nation should have complete liberty, not the individual members (Sun 1956: 686, 688; Tang 1986: 274). This view was generally accepted by reformers and revolutionaries alike.

Following the establishment of the People's Republic of China in 1949, the direct translation of term 'citizen' (*gongmin*) was seldom used, except in formal, legal, and propagandistic documents (Tang 1986: 276). With its historical legacy of individual rights and its association with liberalism, the citizen was antithetical to the socialist goal of mass mobilisation, class struggle, and collectivism. Attempts by Chinese intellectuals during the 1990s to re-invigorate the concept of civil and political citizenship foundered, due in part to its shallow roots in Chinese history, as well as the problematic fit with Marxist-Leninism, Mao Zedong thought, and the succeeding articulations of socialist progress by Deng Xiaoping and Jiang Zemin. However, the citizen concept has been gainfully deployed in recent years – albeit in a different configuration. This has occurred within programmes aimed at educating people in the workings of the market and the rule of law. This renewed concern with redefining citizenship may give some analysts cause for optimism about the nature of democratic social change in China. However, we need to be mindful that the Chinese concept of the citizen has a more normative role than that which prevails in Western liberal democracies. If we adopt a Western-centred perspective on citizenship as entailing substantive civil and individual rights, we shall be disappointed – despite the Chinese constitution listing the political rights of assembly, speech, and publication (Nathan 1989). The distinctiveness of Chinese citizenship is embedded within an authoritarian mode of governance and a collectivist understanding of rights. Whereas the Western notion of 'natural' rights, best exemplified in the American Constitution, implies that rights spring from the dignity of the person, the Chinese idea

of rights is founded on 'long-standing Chinese views on the relation between individual and collective interests' (Nathan 1989: 113).

This long-standing relationship still remains intact under a market economy, albeit with some modification. Recent articulations of the ideal of citizenship within popular media, however, illustrate a new kind of social compact between state and society by which self-actualisation (through the mobilisation of communities of interest) has superseded nationalism (politically inscribed national communities) as the primary mechanism of social organisation. Economic prosperity enabled by property rights reform has, in turn, given rise to changing social relations that engender new identity (and gender) formations. Identity politics has become a site for self-determination and empowerment, encapsulated in the idea of the sovereign individual. Whereas cultural citizenship exemplifies *common* identity and the desire to reclaim civil, political, and social rights subsequently accruing (for instance, recognition of indigenous culture), identity-based citizenship is revealed in difference.

As we shall see in the mass mobilisation media event – the TV show *Super Girl* – the practice of self-fashioning, or making one's identity out of available semiotic material, has appeal for a generation of Chinese youth for whom the Communist revolution, with its social equalisation programmes, is more the cause of China falling behind the developed West than a great transformation. If there is a transformation in recent years, it is the celebration of individuality.

Before looking specifically at the relationship between individual rights and citizenship, however, I want to show briefly how the state's attempts to broker a responsibility-based model of citizenship have been eroded by its economic reform agenda. In China, two large communities that were formerly denied their social rights, and which are now very much mainstream, are the mass audience of popular culture and the community of consumers (*xiaofeizhe*). In the Chinese government's version of contemporary citizenship formation, the citizen-as-consumer is to be moulded, as were the masses decades earlier. The redefinition of citizenship can be understood against a background of public campaigns aimed at refashioning the ethical conduct of Chinese people to the expectations of a market economy.

Definitions of the citizen in China

Despite campaigns in the mass media during the 1990s to promote the idea of citizenship and the legal rights of citizens (Ni 1995; He 1997), citizenship has remained problematic and caught between the poles of rights and obligations. In the middle is the political subject. In fact, since the founding of the People's Republic of China in 1949 three notions of the political subject have existed: people (*renmin*), nationals (*guomin*), and citizens (*gongmin* or *shimin*). Until recently, emphasis has been almost exclusively on the first two of these terms. The modern notion of the citizen (*gongmin*)

was first articulated in the Law of Election of the People's Republic of China, which was enacted on 1 March 1953. 'Citizens' and 'citizenship' subsequently appeared in the first constitution of the People's Republic of China, enacted in 1954. However, the constitution did not spell out who the citizens were, nor were there legislative or juridical interpretations of citizenship until the promulgation of the fourth constitution in 1982 (Nathan 1989). In addition, the Chinese constitution does not actually stipulate that citizens are the masters of the state – as are 'the people'. 'Nationals' and 'citizens' refer to the same group of people, except that 'citizens' (*gongmin*) is a highly technical term with precise legal implications. Another term for citizen that has also come into usage is *shimin* (literally, townspeople). This term is linked both to a political agenda (as used by Taiwanese civil society activists), and a re-emphasis on moral education (within China).

This is a model of citizenship concerned with inculcating good responsible behaviour within cities or locales. It is common to see the word citizen (*shimin*) inscribed on billboards in China's cities. Steven Lewis (2001) has written about several series of advertisements, 'What Can I Do For Shanghai?' that appeared in 2000, urging citizens to find new ways to keep Shanghai clean, develop green spaces, and support economic development projects (including taxation to pay for urban infrastructure). The same goals were reflected in signs promoting compliance with the 'Seven Do Nots' of model citizen behaviour in Shanghai, and 'Ten Dos' in Beijing and Tianjin. In many of these ostensibly public advertisements, we also find corporate sponsorship – in other words, a form of public-private partnership.

Above all, citizenship has a moral component in China, associated with the term 'civic virtue' (*gongde*). A good citizen is not a person with rights, but one who does the 'right thing'. In the end, we all derive utility from behaving responsibly, and social responsibility was the glue that held society together during the reconstruction of the Chinese nation under the leadership of Chairman Mao Zedong. In China, during the revolution, role models were frequently dispensed with a view to guiding people, each role model or campaign showing the social costs or positive externalities of correct behaviour. The impetus for moulding a new type of moral citizen was adopted as the object of the Chinese Communist Party's initial 'socialist spiritual civilisation' movement, which was first implemented in September 1986 (Keane 2001). According to Ma (1994), the rewriting of citizenship within a 560-page tome entitled *The Citizens Handbook* (*gongmin shouce*) coincided with intellectual debates questioning the emergence of a Chinese civil society during the mid-1980s. It also coincided with the legitimisation of the consumer.

By 1987, the Chinese government instituted an 'International Day for Protecting Consumers' Rights'. This now occurs every 15 March, with nationwide media campaigns conducted in association with the China National Consumers' Association. The convergence of the consumer and

the citizen becomes apparent in a governmental sense as the rule of law emerges as a means of regulating the over-heating market. In effect, the citizen concept has allowed a reformulation of the collective sense of 'the people' into the individualised sense of the law-abiding, rights-possessing, rational, consuming, nation-loving individual. The question of what constitutes a 'good citizen' (*hao gongmin*) has thus become the subject of an increasing stream of cultural propaganda. Just as the 'the people' were used as a symbolic template upon which to inscribe concepts of collectivism and altruism, the citizen, in the era of economic development, has been the blueprint for a Chinese subject formation that binds the anarchy of the market by prescribing appropriate codes of legal and moral conduct. Citizenship is conceived of and administered in economic and ethical terms.

The residual memory of collectivism and altruism, however, has proved a stumbling block to widespread acceptance of economic citizenship and the notion of individual rights. Under Maoism, belief in communism as the new science of human progress was combined with the ideals of collectivism and altruism to shape the conduct of the population. Of course, this was a period in which the economy took backstage to politics. When Deng Xiaoping took over with a mandate to 'reform' the excesses of politics-in-command, discourses of 'economic development' (*jingji fazhan*) not only pervaded government institutions, but reached out into mainstream discourse and popular culture.

A genre of literature called 'overseas student literature' (*liuxuesheng wenxue*) emerged in the mid-1980s, describing the experiences of Chinese students becoming entrepreneurs in the 'West'. Popular television serial dramas – known as 'business dramas' (*shangye pian*) – flourished in the early 1990s. These serial dramas portrayed the economic exploits and misadventures of ordinary people seeking to carve out new consumer-driven identities in the marketplace. Serials such as *Beijingers in New York* (1993), *The Sun Rises in the East, It Rains in the West* (1996), and *Chicken Feathers* (1997) showed an ethical shift from dependency towards entrepreneurialism. The Chinese critic Dai Jinhua (Dai 1997: 8–9) claimed that these television dramas created a format for the expression of individuality at the same time as expressing the centrality of family and ethical values, what she calls 'paperback' versions of humanitarianism and commercial ethical values.

The consumer and the citizen capture in various ways the contemporary zeitgeist, a progression from the passive, conforming personality type to the self-realising personality type. To many observers of China's reforms, the lack of emphasis on citizenship in official discourse is evidence of a denial of the kinds of civil rights and freedoms available in liberal-democratic societies. China, however, presents an interesting study of a society in transition, in which freedom is subject to contending relationships. The new society championed by the Chinese government is a socialist market economy by name. However, in reality, Chinese society presents

a synthesis of value structures and belief systems, increasingly drawn from a global buffet of culture and trade. Popular cultural aspirations for self-expression have gradually undermined ethical templates prescribed by the government – the state-approved pantheon of role models that by the mid-1990s were embodying values of good citizens (*hao gongmin*). Negative associations once attached to the concept of ‘self’, such as self-criticism (*ziwo piping*) and self-remoulding (*ziwo gaizao*) have been displaced by positive associations of self-designing (*ziwo sheji*) and self-realisation (*ziwo shixian*) (Xu 1995).

China's *Super Girl*

Chinese citizenship is in flux. The foundations of social obligation, while continually reflected in social commentary, are no longer the default position. In 2005, a television event that mimicked the global TV *Pop Idol* format created unprecedented debate about the ethics of self-presentation and individualism (Keane *et al.* 2006). In this reality format, anybody can become a celebrity by performing well. The eventual winner of Hunan Satellite TV's *Super Girl*, Li Yuchun, was a spiky-haired music student from Sichuan province, who some claimed resembled an animation character more than a standard Chinese pop star. The twenty-one-year-old's demeanour throughout the contest was ambiguous, challenging the conventions of Chinese television celebrities. Androgynous in looks, she was described by some as ‘both male and female’ (Xiao 2005). Rumours and malicious stories circulated about her supposed lesbian tendencies; an internet blog even posted look-alike pictures that appeared to depict Li, bare-breasted, embracing a woman. On another plane of criticism, scholars entered into debates on distinctions between ‘national heroes’ and ‘pop idols’. However, the animated debate may actually reveal less about Chinese aspirations for democracy than it does about the diminishing gap between high and low culture – and between high politics and everyday life. Television in China is not immune to the current wave of populism that sees individuals seeking to claim a temporary piece of fame. With the attribution of instant celebrity a defining currency of popular culture, amateur performers now assume an important role as gatekeepers of popular taste. The concept of mediated democracy and contested elimination has taken off globally as well as in East Asia, along with a boom in SMS and internet usage. The individual as ‘entrepreneur of the self’ is revealed in the fact that China's now has its own e-bay online auction called Alibaba.com. China also has over 100 million internet users, while mobile phone ownership exceeded 350 million by mid-2005 (CNNIC 2005). Avid users of new technologies and their applications are likely to be aged below thirty.

There is a sense, moreover, that popular TV shows like *Super Girl*, and its imitators, may represent a challenge to the way we theorise identity politics in China. In liberal democracies, individualism is ideologically

construed as a core value, and this includes the right to express one's sexuality and bodily appearance. In the mainland Chinese example, self-presentation has reached new levels of deviance from formally accepted television norms. Critics have claimed that *Super Girl* and other copycat programmes cater to vulgar tastes and low culture (*meisu*); they are low-quality productions; and they rely too much on copying (or cloning) foreign programmes with insufficient localisation. The former political dissident Liu Xiaobo, who was central in the post-1989 Tiananmen Square denunciations, provides a dismissive line on the quasi-democratisation of the show. Liu points to a spiritual crisis in China, where 'vulgar entertainment' programmes are allowed but serious public figures are banned from discussion (Liu 2005). The mimicking of some Western ideas, regardless of different cultural and social contexts, has likewise provoked critical outcry. What, then, does the success of *Super Girl* say about the cultural sphere in China? Does it open up greater participation in a common culture from within the newly constituted masses to those who are willing to claim a brief moment of celebrity? Does it provide democratic rights to those who own mobile phones and are capable of voting?

In other words, what is the distinctiveness of new cultural technologies and new formats? In the show *Super Girl*, the most commonly articulated themes by both judges and audience were individuality (*ziwo*) and quality (*suzhi*). Individuality has now become a symbolic indicator of cosmopolitanism and youth consciousness in contemporary China, in contrast to the Maoist period (pre-1978) when expressions of individuality were liable to attract unwarranted attention. While China is still far from a society of individuals taking full responsibilities for themselves as autonomous rational liberal subjects – or invoking a Western model of citizenship with attendant rights including freedom of speech and freedom of religion – the Chinese government has allowed greater toleration of diversity and has permitted people greater avenues of social expression. Writing about the effects of *Super Girl*, Xiao (2005) notes how the term *ziwo* is incorporated into contemporary usage – along with terms such as *zhenwo* (the true self), *dute* (unique), *gexing* (personality), and *geti* (the individual).

In *Super Girl*, the term individuality/ individual self (*ziwo*) was incorporated into the opening credits as well as the promotional videos of competitors. When the winner Li Yuchun triumphed in spite of her 'average' performance, many attributed the popular verdict to her individuality. At the same time, her persona was moderated by a unique (*dute*) presentation of self and a conscious decision not to conform. For instance, whereas her competitors resorted to singing revolutionary songs, Li persisted in performing songs written and performed by male artists. This in turn contributed to a sense of androgyny and a re-gendering of performative aesthetics. Performativity (Butler 1990) refers to the processes by which identities are constituted by repeated approximations of models that are sanctioned by the state. Performative force, moreover, is understood

differently in different societies and by different audiences, and these variations impact upon how culture is invoked in different locations. In Chinese television, role model pedagogy was enshrined in dictates and proscriptions as to how presenters addressed audiences. As Yúdice (2003) points out, performative difference does not imply national cultural traits, but rather the institutional forces in different locales that guide performance. What will work in Rio de Janeiro, for instance, will be different to that which is effective in Beijing. Of course, we might surmise that pop music iconography has the potential to cut across national boundaries, but in reality the effects of culture are mediated by the dialectic between the status quo (norms) and transgression (failure to repeat loyally).

Conclusion

The balance between individualism, the rational choice-maximising consumer, and the citizen is still being determined in China. Nationalism remains strong as Taiwan rattles sabres and Japan rekindles memories of past atrocities. From masses to citizens might be a fair description of Chinese modernity, implying a coming into being. Globalisation suggests that 'we live in an almost/not yet world' (Thrift 1996: 257, cited in Shami 2001: 220). Whereas modernity (and modernisation theory) is concerned with rupture, process, and innovation – and in doing so recalls a series of bracketed pasts identified by big ideas such as tradition, history, evolution, antiquity and civilisation – globalisation captures 'the in-betweenness of a world always on the brink of newness' (Shami 2001: 220).

When the TV show *Super Girl* broke out, along with its celebration of voting for favourites, reports in the international media heralded a new dawn. The *Economist* announced 'Democracy Idol: A Television Show Challenges the Authorities' (*Economist* 2005). Drawing attention to the hubris, Chinese critics opined that if the *Super Girl* pop democracy model were to be extended to the political process – as some international reports audaciously suggested – then China's elected leaders would be as lacking in political skills as Ms Li was deficient in her vocal range. This suggests that Chinese citizenship is indeed changing.

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Part II

Prospects for the development of global citizenship and democracy

4 Journalism and democracy across borders¹

John Keane

In this chapter, I reconsider the role of journalism in transnational and globalising contexts. After more than half a century,² new interpretations of the importance of journalism for democratic politics have begun to appear. The new thinking began around a decade ago, within a context that was abnormal: the forces of resurgent market liberalism, the decline of public service broadcasting, the global collapse of dictatorships and the outbreak of the so-called ‘catching up’ or ‘velvet’ revolutions of 1989–91 all conspired to produce policy controversies, about the future of journalism and its role in stifling or fostering democratic institutions and ways of life. Especially in Europe with its strong public broadcasting systems, some observers tried to defend the public service model against threats from both state authoritarianism and the forces of neo-liberal politics (Garnham 1983), but neo-liberalism forcefully questioned the prevailing modes of state regulation. It quickly captured the high ground of public debate by using terms such as state censorship, individual choice, deregulation and market competition to criticise the prevailing mix of public and private communication systems operating within the boundaries of territorial states, whether democratic or not. Its partisans predicted an age of ‘democratic revolution’ and multi-channel communications structured by ‘freedom and choice, rather than regulation and scarcity’ (Murdoch 1989). Such rhetoric prompted a third approach – a highly original defence of journalism as a tool for the public use and enjoyment of all citizens, and not for the private gain or profit of political rulers or businesses (Keane 1991). This approach anticipated a genuine commonwealth of different forms of life, tastes and opinions. It sounded utopian, but it saw itself as supported by real technological and social developments, such as multi-channel cable television systems, global satellite communication, the internet, and the renewal of cross-border relations of civil society. This third approach called for the empowerment of a plurality of citizens who would be governed neither by undemocratic states nor by undemocratic market forces, but instead would take advantage of a rich plurality of non-state and non-market media that functioned both as permanent thorns in the side of state power and served as the primary means of

communication for citizens living within a diverse and horizontally organised civil society.

For the time being, market liberal policies have gained the upper hand in political battles to redefine the field of journalism almost everywhere. This was by no means either guaranteed or inevitable. It has rather been determined by a combination of vast capital assets, persuasive rhetoric, skilful political manoeuvring and a shrewd grasp of the unfolding new communications revolution, whose main feature is the digital integration of text, sound and image in mobile networks that are accessible through an affordable variety of media, from multiple points, on a global scale (Castells 1998). It has also been supported by nearsightedness in journalism scholarship, whose narrow definition of the journalistic profession has failed to grasp the key political, cultural, social, economic, and technological changes – especially the impact of globalisation – that have beset journalism (Zelizer 2004). The combined effect has been to underestimate the world-transforming effects of the (potential) communicative abundance that results from such novel technical factors as electronic memory, tighter channel spacing, new frequency allocation, direct satellite broadcasting, digital tuning, and compression techniques. Chief among these factors is the invention and deployment of cable- and satellite-linked computerised communication, which catalyses both product and process innovations in virtually every field of media. Talk of universal abundance has begun to function as the ideology of computer-linked electronic communications networks. An early example was John Perry Barlow's *A Declaration of the Independence of Cyberspace*, which claimed that computer-linked networks were creating a 'global social space', a border-less 'global conversation of bits', a new world 'that all may enter without privilege or prejudice accorded by race, economic power, military force, or station of birth' (Perry Barlow 1996).

Journalism and the end of democracy?

The growth of a globe-girdling, time-space conquering galaxy of communication is arguably of epochal importance (Hugill 1999). Communications media such as the wheel and the press had distance-shrinking effects, but genuinely globalised communication only began (during the nineteenth century) with inventions such as overland and underwater telegraphy and the early development of Reuters and other international news agencies. The process has culminated in the more recent development of wide-footprint geo-stationary satellites, computer-networked media and the expanding and merging flows of international news, electronic data exchange and entertainment and education materials controlled by giant firms such as Thorn-EMI, AOL/Time-Warner, News Corporation International, Disney, Bertelsmann, Microsoft, Sony and CNN. These global media linkages have helped to achieve something much more persuasively

than the maps of Gerardus Mercator ever did: to deepen the visceral feelings among millions of people (somewhere between 5 and 25 per cent of the world's population) that our world is 'one world', and that this worldly interdependence requires humans to share some responsibility for its fate (Keane 2003: 16–17).

What role can and should journalism play in this process? Contemporary journalism theory is often cocooned in assumptions about the primacy of territorial state institutions, yet it is worth noting that theories of how journalism should work have long supposed that interdependence and shared responsibility among citizens who are otherwise separated by geographic distance is an optimum goal. Think of earlier commentators as wide-ranging as Alexis de Tocqueville, Gabriel Tarde, Ferdinand Tönnies, John Dewey, and Walter Lippmann: all of them variously argued that journalism should serve 'the public' and could best do so by moulding socially disparate and geographically dispersed populations into publics united around shared concerns, or at the very least into publics who interacted with journalism in a predictive and patterned fashion (Tarde 1975; Dewey 1927; Lippmann 1922). In a similar vein, the Hutchins Report briefly mentioned the need for government to foster more worldly forms of journalism by using its influence in various ways: for instance, to reduce the costs of entry into communications markets, to break down barriers to the free and equal flow of information, and to collaborate with the United Nations in promoting the widest dissemination of cross-border news and discussion (The Commission on Freedom of the Press 1947: 90, 4). The leap from thinking that is attached to state-framed democracies to an understanding of the global role that can be played by journalism was also implicit in the classic textbook of that same period, *Four Theories of the Press* (Siebert *et al.* 1956). Adopting a Cold War perspective on journalism, it looked to the free flow of information as a medicine for the world's ills. The approach sketched a set of optimum conditions for journalism to function in different geopolitical regions. It focussed on patterns of ownership, licensing, regulation, and censorship in order to offer a typology for delineating different ways in which to connect journalism and government. The whole approach of *Four Theories of the Press* has subsequently been criticised heavily in various ways (Altschull 1984; Curran and Seaton 1985; McQuail 1987; Nerone 1995; Merrill and Nerone 2002), but what is striking is just how little attention has been paid to its deep normative presumptions about the desirability of a free flow of communication promoted by global markets, helped along by bodies such as GATT, UNESCO and other agencies of the United Nations. The key question prompted by the *Four Theories of the Press* consequently remains poorly addressed in journalism theory: is there evidence that journalism and democracy can positively coexist in an age of global communication?

While it is today generally acknowledged that the accelerating growth of global media linkages has profound implications for journalism, it is much

less certain that the whole process has an elective affinity with democratic institutions and ways of life. Though critics and commentators alike seem to agree that global media networks foster a common sense of worldly interdependence, some observers of the government/press linkage ask: what kind of worldly interdependence are we talking about? They note that today's global communications system is an integral – aggressive and oligopolistic – sector of the turbo-capitalist system that now operates as a global system.³ Ten or so vertically integrated media conglomerates, most of them based in the United States, dominate the world market (Burnett 1996; Mohammadi 1997; Herman and McChesney 1997). Pace-setters in a new species of private enterprise driven by the desire for emancipation from social custom, territorial state interference, taxation restrictions, trade union intransigence, and all other external restrictions upon the free movement of capital in search of profit, these global media conglomerates kick against the so-called 'law' (formulated by the nineteenth-century economist Adolph Wagner [1863]) of the expanding public sector. Their chief executives and shareholders push for a new global regulatory regime – for lighter and more flexible regulation, on a global scale (Kahler 1995). Media business is no longer exclusively 'homespun' (to use Keynes's famous term for describing territorially bound, state-regulated markets). Bursting the bounds of time and space, language and custom, media business is instead transformed into complex global commodity chains, or global flows of information, staff, money, components and products. Not surprisingly, the journalism associated with the global media conglomerates gives priority to advertising-driven, commercial ventures: to saleable music, videos, sports, shopping, children's and adults' filmed entertainment. Programme-making codes, in the field of satellite television news for instance, are consequently biased along turbo-capitalist lines. They are subject to specific rules of market *mise-en-scène*. Special emphasis is given to 'news-breaking' and 'block-busting' stories that concentrate upon accidents, disasters, political crises and the histrionics and cruelties of war. The material that is fed to editors by journalists reporting from or around trouble spots ('clusterfucks' as they are called in the trade) is meanwhile shortened, simplified, repackaged and transmitted in commercial form. Staged sound-bites and 'live' or lightly edited material are editors' favourites; so, too, are 'flashy' presentational technologies, including the use of logos, rapid visual cuts, and 'stars' who are placed centre-stage. News exchange arrangements, whereby subscribing news organisations exchange visual footage and other material, complete the picture, ensuring a substantial homogenisation of news stories in many parts of the globe, and circulated at the speed of light.

These trends lead some observers to draw pessimistic conclusions. Far from nurturing democracy, they say, global journalism produces bland commercial pulp for audiences who are politically comatose. They warn of the *embourgeoisement* of the brain. They insist that American-style, turbo-

capitalist culture is becoming universal because it is universally present. Algerian desert dwellers smoke Marlboro. Nigerian tribespeople huddle around their televisions watching hand-me-down *Dallas*. Chinese peasants and workers meanwhile dream of owning and driving a Chrysler. Everybody who lives within global civil society is put under great pressure to adopt more or less unaffordable turbo-capitalist living standards that are adjusted to local conditions, many of them originally American, such as automobility, Windows XP, Nike trainers, skateboards, Mastercards, shopping malls, and endless chatter about 'choice'. If during the eighteenth century a cosmopolitan was typically someone who thought *à la française*, who in other words identified Paris with cosmopolis, then three centuries later, thanks to turbo-capitalism, a cosmopolitan is turning out to be someone whose tastes are fixated on New York and Washington, Los Angeles and Seattle. Turbo-capitalism produces 'McWorld': a universal tribe of consumers who dance to the music of logos, advertising slogans, sponsorship, brand names, trademarks and jingles (Barber 1995). 'The dictatorship of the single word and the single image, much more devastating than that of the single party', laments Eduardo Galeano, 'imposes a life whose exemplary citizen is a docile consumer and passive spectator built on the assembly line following the North American model of commercial television' (Herman and McChesney 1997: vi). Using ugly words, others express similar anxieties about the 'monoculture of the mind' (Vandana Shiva) or 'global cultural homogenization' in the form of 'transnational corporate cultural domination': a world in which 'private giant economic enterprises (sometimes competitively, sometimes co-operatively) pursue historical capitalist objectives of profit making and capital accumulation, in continuously changing market and geopolitical conditions' (Schiller 1991: 20–21). The net effect is a silent takeover of the world, such that 'consumerism is equated with economic policy, where corporate interests reign; where corporations spew their jargon on to the airwaves and stifle nations with their imperial rule. Corporations have become behemoths, huge global giants that wield immense political power' (Hertz 2001: 8).

Such laments correctly warn of the dangers of communication poverty and market censorship that result from market-driven forms of media. Market forces serve as a structure of constraint in matters of communication in two ways. The first trouble with market competition is this: it necessarily produces losers. The cruel facts of communication poverty are common knowledge: three quarters of the world's population (now totalling 6 billion) are too poor to buy a book; a majority have never made a phone call in their lives; and only 1 or 2 per cent currently have access to the internet (Keane 1999). From their side, the excluded 'participate' within the global communications industry in a derivative, minimal sense: thanks to aid programmes, television and Hollywood films, they know something about the lives of the rich and powerful of the world. Struggling to make ends meet, they are aware of how insubstantial is their share of

the world's wealth and power and style. They sense that their lives are permanently under the shadow of 'Westerners' and things 'Western'. They are subjected to crude and aggressive prejudices of those who shadow them. They feel scorned, as if they are the 'wrongful' majority. They know that being marginal means being condemned to a much shorter life. They are made to feel like victims of a predatory mode of foreign intervention: they feel shut out from global civil society, or uprooted by its dynamism, or imprisoned within its discriminatory structures and policies, such as unpayable debt-service payments, or victimised by scores of uncivil wars (Dallmayr 1999; Falk 1999; Pamuk 2001). Others, many Muslims say, feel profound disappointment tinged with anger. They reason that the enormous potential of global journalism to expand dialogue among civilisations, to 'affirm differences through communication', is being choked to death by the combined forces of global markets and military might, manifested for instance in the repression of independent journalism throughout the Middle East and the dangerous and long-standing alliance between the United States and Israel.⁴ Still others are gripped by feelings of humiliation: the sense of being crushed into the impotence that stems from the failure to be understood, the simple inability to make their voices heard, to be recognised as the potential makers of their own histories. Then, finally, there are the damned who curse quietly or express open hatred for this civil society – or who join Dostoevsky's underground man by drawing the defiant conclusion against all things 'reasonable' and 'Western'. From there, it may be only a step or two to picking up a gun or detonating bombs – to fight for the cause of ridding the world of the hypocrisy and decadence of an immediate aggressor, or a pseudo-universal way of life.

Seen from this angle, the global journalism associated with such companies as AOL/Time-Warner and News Corporation International seems to give the upper hand to the wants and desires of certain groups, such as those with large advertising budgets or those with enough capital to acquire and run a newspaper, a global television network, or mobile telephone system. This brings us to the second way in which, in matters of editorial and programming plans and decisions, media markets limit communication: they privilege certain criteria, such as profitability and allocative efficiency, at the expense of others such as experimental creativity or equality of representation. Pop videos, gardening programmes and cheap reruns of *Bonanza* or *Hill Street Blues* may be low-cost and high-profit, but there is no necessary or even probabilistic relationship between them and the democratic principle of guaranteeing citizens equal chances of voicing concerns and affecting policy decisions. Corporate power can indeed pose as great a threat to democracy and freedom of communication as governmental power: communications markets can and do restrict freedom and equality of communication by generating barriers to entry, monopoly and restrictions upon choice, and by shifting the prevailing

definition of communication from that of a publicly useful and publicly meaningful good to that of *commercial speech* and the consumption of privately appropriable commodities (Fiss 1990: 136–54; Keane 1991: 51–92).

The case against straightforward accounts of market-driven journalism as the guarantor of democratic openness is strong. Yet, there are problems lurking within broadsides against commodity production and exchange in the field of communication. In the American context, for instance, the organised filtering of text, sound and images to and from local and planetary *milieux* through privately controlled but outward looking newspaper media such as the *Los Angeles Times*, the *New York Times*, the *Financial Times* and the *Washington Post* does not automatically or crudely work in favour of the turbo-capitalist system. Along with governments and social movements and civic initiatives, the global journalism associated with these media has helped lay the foundations of a global civil society that, although structured in part by large media conglomerates, is a basic precondition of nurturing democracy within and across borders at the global level (Keane 2003). The general point is this: the rise of a global communications infrastructure does not straightforwardly result in ‘global cultural homogenization’. It tends rather to have the effect of *accentuating* social diversity and visible social controversies within the emergent global civil society. Partly, this is due to a fertile paradox: commercial journalism sometimes best serves its democratic obligations by following its mercenary instinct of outdoing competitors by being at the right place at the right time when a surprising revelation surfaces or an unanticipated event happens (Schudson 2004: 10). The accentuation of social differences is also due to the fact that profit-seeking media firms see the need to tailor their journalistic products to local conditions and tastes (hence the Coca-Cola advertisement: ‘We are not a multinational, we are a multi-local’). Local consumers of commercial journalism reciprocate: they display vigorous powers of reinterpreting these commodities, of giving them new and different meanings. True, globally marketed media culture is not the product of an equal contribution of all who are party to it, or exposed to it. Few are consulted in its manufacture. And yet, despite everything, that culture, disproportionately Atlantic in style and content, remains permanently vulnerable to the *universal* power of audiences to make and take meanings from it. The American golfer and media star Tiger Woods, who once described himself as ‘Cablinasian’ (a blend of Caucasian, black, Indian and Asian), is one symbol of this power (*International Herald Tribune* 1997: 3). Boundary-crossing cultural mixtures – ‘creolisation’ in the form of chop suey, Irish bagels, Hindi rap, Sri Lankan cricket, ‘queer *jihad*’, veiled Muslim women logging on to the internet, the fusion of classical European, Aboriginal and Japanese themes in the scores of Peter Sculthorpe – are consequently widespread. Examples of the survival and flourishing of diasporic culture are also commonplace. So too are the examples of contra-flow, the

commercial global successes of cultural products from peripheral contexts, such as Iranian and Chinese films, Brazilian telenovelas (exported to more than eighty countries) and the Mexican soap opera *Los Ricos Tambien Lloran* (The Rich Also Cry), which was among the biggest television hits in early post-communist Russia. The consequence: in social terms, the global civil society in which global journalism operates, is a hodgepodge of nested spaces marked by various blends and combinations, fusions and disjunctions.

The new global journalism, when it performs well, has similar characteristics. It includes all those forms of journalism that recognise that the borders between 'domestic' and 'foreign' are negotiable and subject permanently to osmosis. Global journalism is more or less aware of its dependence upon global dynamics – and thus sees itself as contributing positively to citizens' understanding of the push-pull processes of global interdependence, conflict and compromise that stretch from local *milieux* to the four corners of the earth, and back again. Within the United States, there are plenty of examples of the conscious melding of global forms and themes with localised interests: CNN's *World Report*, begun as five hours a week of material submitted by one hundred broadcast stations around the world, some professional and some amateur, and facilitated ironically by Ted Turner's now legendary prohibition of the word 'foreign' on air; the tailoring or 'glocalization' of Spanish-language news magazines to diverse regional areas elsewhere in the world; the growing diversification of information supplied by tabloids, internet chats, and weblogs;⁵ and the journalistic outliers that cater to younger publics such as *The Daily Show* and *MTV News*. Such forms of global journalism are now deeply rooted within the American context, but they suffer certain problems. The fusions that they produce do not always push toward journalism's more optimum forms, and there are those who argue that the less endowed versions, local American news, for example, have responded by *shrinking* the horizons of their audiences (Kaniss 1991; Franklin and Murphy 1998). Exposed to or dependent upon local 'content engine' newspapers such as *The Desert Sun* in Palm Springs, Cheyenne's *Wyoming Tribune-Eagle* or Pensacola's *Gulf Herald*, citizens are fed a starvation diet of global stories, which typically occupy no more than about 2 per cent of column space. Reduced budgets for 'foreign' news, an overloaded dependence on English-language-dominated, wire-service reporting or regional news exchanges, and a reliance on field producers acting as journalists, are all said to contribute to this trend. The globalisation of news is also restricted primarily to the wire services, seen as the first global news agent (Boyd-Barrett and Rantanen 1998), and to broadcast or cable news organisations; largely excluded from the global stretching of horizons are the tabloids, the specialised press, and the journals of opinion, to name just a few. Governments equipped with 'flack packs' and dissimulation experts then handle the rest: by cultivating links with trusted or 'embedded' journalists and by organising press briefings

and advertising campaigns, they 'frame' or distort and censor global events to suit current government policies.

Global publics

Such details provide a sober reminder of how global journalism looks from the bottom up from the point of view of most citizens. Yet, this is not the whole story. There are signs that the grip of parochialism upon citizens is not absolute, and that from roughly around the time of the world-wide protest of youth against the Vietnam War the globalisation of journalism has had an unanticipated *political* effect: it has slowly but surely contributed to the growth of a plurality of differently sized public spheres, some of them genuinely global, in which many millions of people scattered across the earth witness mediated controversies about who gets what, when, and how on a world scale (Keane 1995: 1–22).

How does global journalism work to produce such effects? Put simply, it creates global products for imagined global audiences: global journalism simultaneously supposes and nurtures a world stage or *theatrum mundi*. There is something necessary about this development, in that journalists, publishers and broadcasters must always and everywhere presuppose the existence of 'a public' that is listening, reading, watching, chatting, on- or off-line. Journalists know that witnesses of media programmes and outputs are required, and that these outputs cannot play for long to an empty house. Of course, not all global media events – sporting fixtures, blockbuster movies, media awards, for instance – sustain global public spheres, which is to say that audiences are not publics and public spheres are not simply domains of entertainment or play. Strictly speaking, they are scenes of the political: within their imagined bounds, power conflicts and controversies erupt and unfold before millions of eyes and ears. These scenes are made possible by wide-bodied jet aircraft, computerised communications and satellite broadcasting with large footprints, thanks to which the journalistic practice of non-violently monitoring the exercise of governmental and non-governmental power across borders has taken root. These global public spheres are sites within global civil society where power struggles are visibly waged and witnessed by means other than violence and war: they are the narrated, imagined, non-violent spaces within global civil society in which millions of people at various points on the earth witness the powers of governmental and non-governmental organisations being publicly named, monitored, praised, challenged, and condemned by journalists, in defiance of the old tyrannies of time and space and publicly unaccountable power.

It is true that global public spheres are still rather issue-driven and better at presenting effects than probing the intentions of actors and the structural causes of events. Global public life is also highly vulnerable to implosion: especially vulnerable to state interference, it is neither strongly

institutionalised nor effectively linked to mechanisms of representative government. It is a voice without a coherent body politic (Price 2002; Morris and Waisbord 2002). Yet in spite of everything, global public spheres have begun to affect the suit-and-tie worlds of diplomacy, global business, inter-governmental meetings and independent non-governmental organisations (INGOs). Helped along by initiatives such as the internet-based Earth Watch, the World Association of Community Radio Broadcasters (AMARC), the public accountability initiative called Transparency International, and by around-the-clock broadcasting organisations such as CNN (available in over 800 million households and many thousands of hotels), the BBC World Service (which attracts 150 million viewers and listeners each week), and Al-Jazeera (with a weekly audience of 40 million people currently served by 56 correspondents in 37 bureaux), global publics have begun to 'bite' into various domestic settings. Few of the effects of global publics are reducible to the dynamics of rational-critical argumentation about matters of sober truth and calm agreement, although this sometimes happens.⁶ Some of their effects are 'meta-political', in the sense that the increased visibility of global publics works in favour of *creating* citizens of the new global order, in effect telling them that unless they find some means of showing that the wider world is not theirs, then it is. In this way, by calling citizens to pay attention to global dynamics, global public spheres function as temporary resting places or 'cities of refuge' (Derrida) beyond familiar horizons; they give an entirely new meaning to the old watchword of Greek colonisation, 'Wherever you go, you will be a *polis*'. 'Dwelling is the manner in which mortals are on the earth', wrote Heidegger (1982: 146), but the implication in that passage that mortals are bound to geographic place misses the new spatial polygamy that global publics make possible. Within global public spheres, thanks to global journalism, people rooted in local physical settings increasingly travel to distant places, without ever leaving home, to 'second homes' within which their senses are stretched. They live locally, and think and act globally.

Thanks to journalistic narratives that address their audiences and probe the wider world in intimate (if ironic or hostile) tones, the participants of global civil society become a bit less parochial, a bit more cosmopolitan. This is no small achievement, especially considering that people do not 'naturally' feel a sense of responsibility for faraway events. Ethical responsibility often stretches no farther than their noses. Yet, when they are engaged by journalistic stories that originate in other contexts, when they are drawn into the dynamics of a global public sphere, their interest is not based simply on prurience, or idle curiosity, or *Schadenfreude*. They rather align and assimilate these stories in terms of their own existential concerns, which are thereby altered. The world 'out there', whether it is some person or place in Iraq, or South Africa or Brazil, becomes 'their' world. Those who are caught up within global publics are taught lessons in the art of what can be called *post-national citizenship*: they learn that the

boundaries between native and foreigner are blurred, that their commitments have become a touch more multiversal. They become footloose. They are here and there; they learn to distance themselves from themselves; they discover that there are different temporal rhythms, other places, other problems, and other ways to live. They are invited to question their own dogmas, even to extend ordinary standards of civility (courtesy, politeness, respect) to others whom they will never meet (Toulmin 2000: 94–100). Global public spheres centred on ground-breaking media events such as *Live-Aid*, which in 1985 attracted an estimated 1 billion viewers, can even be spaces of fun in which millions taste something of the joy of acting publicly with and against others for some defined common purpose. Global publics, staged for instance in the form of televised world news of the suffering of distant strangers, as in the photos from Abu Ghraib prison, or of multimedia initiatives in campaigns of the kind that led to the UN Declaration for the Elimination of Violence Against Women (Bunch *et al.* 2001: 217–29), can also highlight cruelty. Global publics can also function as a ‘gathering of the afraid’ (Patočka), as sites of disaster, spaces in which millions taste unjust outcomes, bitter defeat, and the tragedy of ruined lives. Whatever the case, the old motto, that half the world does not know how the other half lives, is no longer true. Media representation spreads awareness of others’ damned fates. True, witnessing the pain of others often produces numbing effects, by which the act of seeing substitutes for other more active modes of public response (Zelizer 1998; 2002: 48–68). The portrayal of disasters through global journalism, nevertheless, does not (automatically, or on a large scale) produce ethically cleansed cynics, lovers of entertainment sitting on sofas, enjoying every second of the blood and tears. The publics that gather around the stages of cruelty and humiliation scrap the old rule that good and evil are typically local affairs. These publics make possible what Hannah Arendt once called the ‘politics of pity’ (Arendt 1990: 59–114; Boltanski 1993; Christians and Nordenstreng 2004: 3–28): by witnessing others’ terrible suffering, at a distance, millions are sometimes shaken and disturbed, sometimes to the point where they are prepared to exercise their sense of long-distance responsibility by speaking to others, donating money or time, or supporting the general principle that the right of humanitarian intervention – the obligation to assist someone in danger, as contemporary French law puts it – can and should override the old crocodilian formula that might equals right.

Global public spheres have other political effects. Especially during dramatic media events – such as the nuclear meltdown at Chernobyl, the Tiananmen massacre, the 1989 revolutions in Central and Eastern Europe, the overthrow and arrest of Slobodan Milosevic, the terrorist attacks on New York, Pennsylvania and Washington – public spheres intensify audiences’ shared sense of living their lives contingently, on a knife edge, in the subjunctive tense. The witnesses of such events (contrary to McLuhan and others) do not enter a ‘global village’ dressed in the skins of humankind

and thinking in the terms of a primordial 'village or tribal outlook' (Carpenter and McLuhan 1966: xi). As members of a public sphere, audiences do not experience uninterrupted togetherness. They instead come to feel that the power relations of global civil society, far from being given, are better understood as 'an arena of struggle, a fragmented and contested area' (Keck and Sikkink 1998: 33), the resultant of moves and counter-moves, controversy and consent, compromise and resistance, peace and war. Public spheres, backed by global journalism, not only tend to denature the power relations of global civil society and the conglomeration of variously sized and variously shaped governing institutions that straddle the earth, but they also most definitely increase their self-reflexivity, for instance by publicising conflicting images of government and civil society. Publicity is given as well to the biased codes of global journalistic coverage, as can be seen in the ongoing tit-for-tat conflicts between Al-Jazeera and American television news media coverage of the recent invasion of Iraq.

In these various ways, global journalism heightens the topsy-turvy feel of our world. Doubt is heaped upon loose talk that anthropomorphises global civil society, as if it were a universal object/subject, the latest and most promising substitute for the proletariat, or for the wretched of the earth. Global public spheres make it clearer that 'global civil society', such as its more local counterparts, has no 'collective voice', that it is full of networks, flows, disjunctions, frictions, that it alone does nothing, that only its constituent individuals, group initiatives, organisations and networks act and interact. Global publics consequently heighten the sense that the socio-economic and political-legal institutions of our world are an unfinished, permanently threatened, project. They shake up its dogmas and inject it with energy. They enable citizens of the world to shrug off their insularity, to see that talk of global civil society is not simply Western, turbo-capitalist ideology, and even to appreciate that the task of painting a much clearer picture of the contours and dynamics of global civil society, a picture that is absent from most of the current literature on globalisation, is today an urgent ethical imperative.

Cosmocracy

The contemporary growth of global journalism and global publics certainly points to the need to bring greater democracy to the global order. Not only are there vast numbers of non-governmental organisations that know little or nothing of democratic procedures and manners, but also the world is structured as well by an agglomeration of governmental structures – a cosmocracy comprising bodies such as the European Union, the United Nations, the World Bank – that defies the textbooks of traditional political science and political theory (Keane 2003: 175ff.). Its clumsy, dynamic, world-wide webs of more or less joined-up government

and law interact, and have social and political effects on a global scale. Many of the structures of the cosmocracy escape the constraining effects of electoral and parliamentary supervision; it is full of what the English call 'rotten boroughs', which is why those sceptical of extending democratic procedures and ways of life across territorial state borders raise strong objections. Consider the doubts of the doyen of democratic thought in the United States, Robert Dahl, who considers as utterly unrealistic the vision of democracy beyond state borders (Dahl 1998: 114–17). The growing complexity of decision-making, for instance in the field of foreign affairs, renders impossible the 'public enlightenment' so necessary for democracy. Meanwhile, legal and illegal immigration, combined with a new politics of identity within and beyond territorial states, leads to growing 'cultural diversity and cleavages', which undermine 'civil discourse and compromise', Dahl says. World-wide threats of terrorist attacks make it even less likely that civil and political liberties could flourish within 'international organisations'.

Dahl's doubts about the potential to create democratic mechanisms that can monitor power exercised across borders are overdrawn, if only because they ignore a fundamental development of our times: the emergence of a global civil society and the birth of global journalism and global publics with power-monitoring potential. Global publics have important implications for democratic theory and practice. By throwing light on power exercised by moonlight, or in the dark of night, global publics and the global journalism that supports them stretch citizens' horizons of responsibility for what goes on in the world. They keep alive words such as freedom and justice by publicising manipulation, skulduggery and brutality in other countries. Global publics, of the kind that in recent years have monitored the fates of Nelson Mandela, Aung San Suu Kyi, Yasser Arafat or George W. Bush, muck with the messy business of exclusion, racketeering, ostentation, cruelty, and war. They chart cases of intrigue and double-crossing. They help audiences to spot the various figures of top-down power on the world scene: slick and suave managers and professionals who are well-practised at the art of deceiving others through images; kingfishers who first dazzle others then stumble when more is required of them; fools who prey on their citizens' fears; quislings who willingly change sides under pressure; thugs who love violence; and vulgar rulers, with their taste for usurping crowns, assembling and flattering crowds, or beating and tear-gassing them into submission.

Global journalism and global public spheres can also probe the powers of key organisations of global civil society itself. While the multiple voices of this society function as vital checks and balances in the overall process of globalisation, very few of the social organisations from which these voices emanate are democratic (Edwards and Gaventa 2001: 6–8).⁷ Publicity can serve as a reminder to the world that these organisations often violate the principle of public accountability. Reminders are

served to those who read, listen and watch that its empty spaces have been filled by powerful but publicly unaccountable organisations (such as the International Olympic Committee) or by profit-seeking corporate bodies (such as Monsanto) that permanently aggravate global civil society by causing environmental damage, or swallow up others by producing just for profit, rather than for sustainable social use. Global publics backed by global journalism can help to expose malfeasance, such as the accounting and stock market frauds in the United States during 2002 that rocked the industrial conglomerate Tyco International, the energy trader Enron, the cable company Adelphia, and the telecommunications giant WorldCom. Global journalism can, as well, help question some of the more dubious practices of some non-profit INGOs: for instance, their lingering colonialist habit of behaving like missionaries; their bureaucratic inflexibility and context-blindness; their spreading attachment to market values or to clichés of project-speak; or their mistaken belief in the supply-side, trickle-down model of social development.⁸

Exactly because of its propensity to monitor the exercise of power from a variety of sites within and outside civil society, global journalism, when it functions well, puts matters such as representation, accountability and legitimacy on the political agenda. It poses questions such as: Who benefits and who loses from global civil society? Who currently speaks for whom in the multiple and overlapping power structures of global civil society? Whose voices are heard, or half-heard, and whose interests and concerns are ignominiously shoved aside? How could there be greater equality among the voices that emerge from the nooks and crannies of this society? And through which institutional procedures could these voices be represented? By formulating such questions, sometimes succinctly, global journalism can help to ensure that nobody monopolises power at the local and world levels. By exposing corrupt or risky dealings and naming them as such; by catching out decision-makers and forcing their hands; by requiring them to rethink or reverse their decisions, global journalism helps remedy the problem – strongly evident in the volatile field of global financial markets, which on an average day turn over something like US\$1.3 trillion, one hundred times the volume of world trade – that nobody seems to be in charge. And, in uneven contests between decision-makers and decision-takers – the ongoing corruption scandals within the International Olympic Committee or European Union controversies about American foreign policy are examples – global journalism and its publics can help to prevent the powerful from ‘owning’ power privately. At its best, global journalism and its publics imply greater parity. They suggest that there are alternatives. They inch our little blue and white planet towards greater openness and humility, potentially to the point where power, whenever and wherever it is exercised across borders, is made to feel more ‘biodegradable’, a bit more responsive to those whose lives it shapes and reshapes, secures or wrecks.

The future?

Does democracy have a chance of taking root in the emerging global order? And can theories of journalism account for its capacity to do so? When considering these questions and the possible answers such theories prompt, it is imperative to remember that democracy – a form of rule in which nobody privately owns the means of ruling – is neither a fixed set of institutions nor the monopoly of any people or country of the world. The history of democratic innovation since the middle of the eighteenth century has been a polymorphic and multi-continental process. The word democracy was first positively redefined under modern conditions in the Low Countries in the 1580s. Swedish republicans and Philadelphian revolutionaries were responsible for kick-starting the trend towards written constitutions. Denmark abolished its slave trade well before the English did the same; and Haiti and newly independent Spanish American states abolished slavery well before the United States, some of whose states pioneered the abolition of property qualifications for voting. The uniform adoption of the secret ballot first happened in Australia; Pitcairn Islanders and New Zealanders and Finns witnessed the first national breakthrough for the women's suffrage movement; and so on.

Not only is it important to regard democracy as an open-ended political project – to grasp that the procedures for making power publicly accountable can take many different forms. It is also vital to remember that in matters of democracy absolutely nothing should be taken for granted. There are no historical laws working in its favour. Democratic institutions and democratic spirit can be made and, far more easily, unmade. That is why, in our times, the strange elusiveness of the democratic ideal should be kept in mind. Efforts to bring greater democracy into the world need to understand its uniqueness within the history of different types of earthly regimes. Exactly because it means, minimally, the self-government of equals – their freedom from bossing, injustice and violence – it regularly demands more than humans seem willing or are capable of giving. What we call democracy is never 'pure' or 'authentic'. Whether in the kitchen or the staff meeting, or in the boardroom or on the battlefield, it always seems to be in short supply. We are always chasing it around corners, through halls of mirrors, across uncharted landscapes and oceans, up into blue skies. And, while improvement, perfectibility, disappointment and failure are inscribed within the very ideal of democracy, the role of journalism theory in such circumstances is to remind us of the practical requirements of the ideal at the global level.

Theories of journalism have done an uneven job of addressing such issues. Work on globalisation permeates the academy but it is not often found in journalism curricula, which mention globalisation often as an aside or as a problem to be tackled, but rarely as a set of circumstances that require a rethinking of the premises through which journalism is

supposed to work. Curricular developments in journalism – often isolated in scholarly enclaves that separate efforts in international communication and international journalism from journalism history, democratic theory and the like⁹ – have not kept pace with the wide-ranging effects that result from the dynamic blending of the local, national, regional, and global domains. Though problems with defining ‘the global’ and its asymmetries still linger, how different, we may ask, is globalisation from Americanisation or Europeanisation? Its frequent absence from discussions of journalism urgently needs redress.

It is a truism that global journalism will only grow stronger when journalists themselves positively grasp the importance of local-global dynamics. Theories of journalism can help this development in modest ways by paying more attention to some of the consequent developments of globalisation and the role that journalism has played in making it possible. Some of these developments include: the growing power of hybrid identities and cultures; the multi-linear flows of information; the tensions between fragmentation and homogenisation; the proliferation of new forms of unaccountable governmental power and violence; the role of journalism in cultivating a politics of pity; and the often chaotic, contradictory, and unpredictable directionality of the global ebb and flow of media material. While each of these themes is beginning to rub against the territorial state biases of mainstream journalism theory, they have had the short-term effect, strangely, of reinforcing its bland presumption, originally set in place by early efforts such as *Four Theories of the Press*, that globalisation heralds the triumph of ‘democracy’ through ‘freedom of information’. The presumption that Western journalism has experienced a ‘triumph’ of some sort should be questioned. Not only does it underestimate the vitality in the global environment of media organisations that operate from out-of-centre locations, marginalised political viewpoints, and in conjunction with regional habits and peripheral customs. The failure of independent, free-thinking journalism to take root across borders in various *undemocratic* environments, especially in the so-called ‘pariah’ states of the Middle East and sub-Saharan Africa, also needs to be noted. Such developments cast doubt on simple-minded accounts of globalisation and the benefits it brings to journalism. These developments should serve to complicate our understanding of the domestic role of journalism, to see that it is caught up in processes that were not predicted by existing theories of journalism, that the present growth spurt of globalisation poses new challenges to journalism.

Theories of journalism certainly need to reflect upon the fate of democracy in a globalising era. The normative question needs to be asked: what’s so good about democracy, especially given that it consistently disappoints because in practice it never lives up to its promises? Why should we hang on to it and its corresponding forms of journalism? And why should we work to democratise institutions that straddle the earth? Part of our problem is that the standard answers of the past no longer seem plausible. The

presumptions, for instance, that the Christian God blessed people with 'liberty of the press' and the power or 'natural right' to govern themselves, or that nations are naturally democratic, or that freedom of communication and self-government are requirements of a Universal Principle of Happiness or the attainment of Truth in human affairs, all seem and sound unconvincing, except perhaps to unembarrassed diehards with a poor sense of irony. The dogma that History or the Market or the search for Truth or Happiness will deliver us into the arms of democracy and open communication is no less unconvincing (Keane 1991: 10–50). Even the cherished notion that the Sovereign People are the sacred First Principle of democratic forms of government is questionable, and needs to be jettisoned on normative and empirical grounds. Especially under modern conditions, the Sovereign People principle has repeatedly fraternised with the populist enemies of democracy, those who kick down against other citizens in the name of 'the people'. Its descriptive power has also been undermined by the invention of many different types of power-dividing and power-monitoring institutions – judicial review, second chambers, quota rules, citizenship rights legislation – that have the effect, among others, of highlighting the *fictional* and *hubris-ridden* character of the principle (Keane 2002; Rosanvallon 2001). The upshot is that democracy nowadays resembles a drunk staggering in search of a lamp post, which is why new *post-foundational* justifications for the superiority of democracy as a way of organising human affairs are badly needed. To note in the form of empirical observations, that thanks to the tragedies and the triumphs of the twentieth century, democracy has, for the first time ever, become a 'universal commitment', is not enough (even if it were plausible as an observation) (Sen 1999: 3–17). The question of why democracy is universally preferable is begged.

The presumption that American-style democracy is a good thing is evident in the well known and influential Hutchins Report, authored by prominent public figures such as Zechariah Chafee, Harold Lasswell, Arthur Schlesinger, and Reinhold Niebuhr (The Commission on Freedom of the Press 1947). Its recommendations included constitutional guarantees of freedom of the press; government facilitation of new ventures and open competition in the communications industry; the legal enforcement of the view that agencies of mass communication should operate as common carriers of information and discussion; the encouragement of the press to use every means to increase the competence, independence and effectiveness of its staff; and the establishment of a new and independent agency to appraise and report annually upon the performance of the press. Even if they need to be supplemented with new initiatives such as the Pew Global Attitudes Project, these proposals certainly remain sensible. Yet, nowhere in the Hutchins Report is there a serious discussion of why democracy is a desirable goal, and why journalism should do all it can everywhere to defend, nurture and extend both the spirit and institutions of democracy.

Even though the Hutchins Report's support for democracy is admirable, the need to champion fresh claims appropriate to our times is pressing. Three inter-related lines of thinking seem especially worthwhile. The first is that democracy, far from being a first principle, is in fact, the key condition of possibility of freedom from the compulsory adherence to all such principles such as the Nation, or History, or Progress, or the Market, or the State, or the People. Seen in this way, as a set of institutions and as a way of life, a democracy is best considered as a non-violent means of equally apportioning and (with the help of a rich diversity of communications media) publicly monitoring power within and among overlapping communities of people who live according to a wide variety of morals. A second line of justification highlights the ways in which democracy is an early warning device, in that it can help to define and publicise risks, especially those generated by complex and tightly-coupled organisations that have global effects. Still another argument for democracy was suggested by E. M. Forster. 'So Two Cheers for Democracy', he wrote: 'one because it admits variety and two because it permits criticism. Two cheers are quite enough: there is no occasion to give three' (Forster 1951: 70). There is, in fact, a third; the cheer that should be given for democratic power-sharing as the best human weapon so far invented against the hubris that comes with concentrations of power.

The struggle against blind arrogance and stupidity caused by power is never ultimately winnable, yet it is among the struggles that we human beings abandon at our own peril. Democracy is a powerful remedy for hubris. It champions not the Rule of the People – that definition of democracy belongs in more ways than one to the Age of Kings – but the rule that no single body should rule. It refuses to accept that decision-makers can draw their legitimacy from gods and goddesses, or tradition, or habit, or wealth. Democracy is a way of life and a way of governing in which power is publicly accountable, in which the use of violence and sitting on thrones and making decisions behind the backs of others – and the intrigues and ambitions that usually accompany arbitrary rule – are deeply problematic.

Conclusion

The history of democracy is replete with a weird and wonderful cast of figures who believed in democracy because they saw that it could humble blind arrogance. This history begins in the fifth century BC with characters such as the Cynics, who hurled javelins of fun and sarcasm and farted and fornicated in public for the purpose of democratically humbling arrogant authority. The history of democracy extends through to modern figures more familiar to us: God-fearing Christian and republican opponents of slavery; atheist rebels who built street barricades, raised red flags, and aimed cobblestones at glass panes, in the name of democratic liberty;

workers who refused to be wage slaves; the suffragettes who read Ibsen and Pankhurst or Angelina Grimké, or chained themselves to railings, rented Zeppelins to drop leaflets on Parliament, and rallied in Trafalgar Square in defence of free speech, garbed in purple and green; the bearded dissidents of Moscow, Warsaw and Prague, hunched over their typewriters and huddled together on sofas in smoke-filled apartments; and Buddhist monks in crimson robes, walking barefoot, keeping 'the mind mindful' as they collected rice from the faithful for the cause of civil freedom against brutish dictatorship.

For all of these figures, democracy was a way of life, not a marketable commodity. They did not suffer fools gladly. They refused the temptations of aggrandisement and did not much like big clichés and smelly little orthodoxies. They trusted in simple decency. They did not believe that an unequal society was inevitable. They thought that human beings could and should govern themselves. They believed in the power of the powerless. That is why, in these testing times, their democratic spirit, helped along by global journalism, badly deserves to be nurtured – not only within but also beyond the borders of territorial states.

Notes

- 1 I should like to thank James Curran, Michael Schudson and especially Barbie Zelizer for their comments on an earlier draft.
- 2 The early years after World War II witnessed many initiatives and new lines of thinking about journalism and the future of democracy within a global context. See for instance Laski *et al.* (1946); Albert Camus (1972); Pope Pius XII (1945); and A. D. Lindsay (1945), *Democracy in the World Today*, which discusses the claim (first made by E. H. Carr) that it was Stalin who placed 'democracy' in the forefront of Allied war aims by describing (in a radio broadcast of 3 July 1941) the Soviet war against Hitler as 'merged with the struggle of the peoples of Europe and America for independence and democratic liberties'.
- 3 The term 'turbo-capitalism' is drawn from Luttwak (1999), and developed in different directions in my *Global Civil Society?* (Keane 2003, esp. 65ff.)
- 4 Interview with Professor Abou Yaareb al-Marzouki, Hammamet, Tunisia, 18 April 2001.
- 5 See the preliminary findings of the World Internet Project (UCLA 2004).
- 6 Some limits of the rational communication model of the public sphere, originally outlined in the important work of Jürgen Habermas (1962), *Strukturwandel der Öffentlichkeit: Untersuchungen einer Kategorie der bürgerlichen Gesellschaft*, are sketched in Durham Peters (1993) and Keane (1995).
- 7 The exclusion of the theme of public spheres from virtually all of the current literature on globalisation is criticised by Slaatta (1998). A similar point is made implicitly by Appadurai (2000).
- 8 Some of these undemocratic tendencies within non-governmental organisations – satirised in the South African joke that those lucky to have an NGO job can 'EN-J-OY' life – are discussed in Ndegwa (1996: esp. ch. 6); Smith (1990); and Sampson (1996).
- 9 For more on this, see Zelizer (2004).

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5 Global citizenship

A realist critique

*Danilo Zolo*¹

Introduction

Global citizenship is generally associated with a series of elements such as:

- the emergence of a global civil society, supported by the continuing integration of different civilisations and cultures, and by the diffusion of electronic communication and informatics across the globe (Falk 1992; Habermas 1992);
- the development of the world market economy, which after the collapse of the Soviet empire and the exhaustion of Marxism no longer has either any political rivals or theoretical alternatives (Beck 1997; Ohmae 1995; Gareffi *et al.* 1994);
- the erosion of state sovereignty and the trend towards a global governance capable of guaranteeing international order even without centralised international institutions, which would operate as a ‘world government’ and an international police system (Held 1995; Rosenau and Czempiel 1992; Keohane 1985);
- the permeation of Western ‘modern law’ through global law firms and the universal recognition of individual rights as a consequence of the development of the world market economy;
- the establishment of a ‘legal globalism’ and, in particular, a ‘judicial globalism’, as demonstrated by the current operation of international criminal tribunals (The Hague and Arusha) and the recent establishment of the International Criminal Court (ICC) (Ferrajoli 2001);
- the defining of international criminal jurisdiction as a possible response to global terrorism by the entire civilised world.

It is not easy, however, to see how notions of the ‘global’ can be combined with classical European understandings of citizenship. The European notion of citizenship is closely connected to the notion of the ‘modern European State’ (Barbalet 1998; Roche 1992; Marshall 1950). It expresses two basic elements. The first is the idea of an individual’s full membership in a particular political group organised in the form of a state (Costa

1999–2001). The second is the idea that an individual is a full member of a political group organised in a state form if the individual is the holder of certain ‘fundamental rights’, which can prevail even against state power if the individual is a ‘citizen’ and not a ‘subject’ (Costa 1999–2001).

However, there is a close connection between the notion of citizenship and those of political membership, politico-cultural identity, national community and sovereignty. There is a close connection, in another way, between the idea of citizenship and the notion of the rule of law. This pertains to a state that recognises the fundamental rights of citizens, especially their civil and political rights, through its constitution, and protects these rights administratively and legally.

The crucial theoretical question remains, however, whether the idea of ‘global citizenship’ can be regarded both as an expression of the European politico-legal tradition and as an expansion of it – in other words, on the basis of a double application of the ‘domestic analogy’. First, a subject’s membership in a particular political group is a response to the processes of identity and functional needs similar to those that define their membership in humankind. Second, the normative systems and institutional structures of a state under the rule of law and the related theory of human rights possess a transitive and expansive nature which renders them universal. This rule of law, it is suggested, can be applied by analogy to every possible political-social reality.

The idea of global citizenship

The idea of global or universal citizenship in the West has its roots in Stoic philosophy, Christian theology and, in modern times, the Enlightenment. Immanuel Kant was the first modern philosopher to advance the cosmopolitical idea of ‘universal peace’ between peoples based on the moral unity of humankind and recognition of individual rights. His philosophy was taken up by the Austrian jurist Hans Kelsen (1920) and subsequently by a number of philosophers, political theorists and jurists, whom Hedley Bull (1977) somewhat ironically described as ‘Western globalists’. In particular, Kelsen (1920) re-proposed the classic ideas of *imperium* and *civitas maxima* (the latter was re-elaborated in Enlightenment terms by Christian Wolff), and on these ethico-political premises theorised the primacy of international law and the need for a radical superseding of the idea of national sovereignty. In this vein, Norberto Bobbio and Richard Falk (1992) developed their theories of ‘legal pacifism’ and of ‘global constitutionalism’ respectively, as premises for a political unification of the world. In effect, they aimed to apply the categories of the Western rule of law to the institutional and normative experiences of all other countries.

More recently, Luigi Ferrajoli (2001) has contrasted the notion of ‘universal citizenship’ with that of national citizenship considered as the major obstacle, not only to the affirmation of fundamental rights of all human

beings, but also to the attainment of world peace and the reduction of economic and social inequalities. Finally, the German philosopher Jürgen Habermas (1992) has proposed a radical superseding of the Westphalian system of sovereign states through 'a cosmopolitical right' (*Welbürger-recht*) which regards all members of the human race, and no longer just states, as subjects of the international order. The idea of 'global citizenship' therefore, is a modern development of the ethical rationalism and legal idealism intrinsic to the Kantian tradition, as applied to international law and international relations. Because of its universalism, such global citizenship is frequently opposed to 'national' and 'state' citizenship as this asserted itself in Europe with the emergence of the modern state.

I now offer a less sanguine perspective on these developments.

Realist interpretations of the globalisation process

As is well known, both political realism and legal realism are opposed to the ethical rationalism and the legal idealism of the Kantian tradition. A realist interpretation of the globalisation processes questions that they lead to the establishment of the so-called 'global village'. Instead, realists suggest that the processes of global integration largely coincide with the phenomenon of the Americanisation of the West and with the Westernisation of the world (Bauman 1998; Latouche 1989). This phenomenon produces an approval of existential models, styles of thought, and production practices that cannot be properly interpreted as a trend towards cultural integration of world society. Neither can it be read as foreshadowing the formation of a global civil society and enabling the advent of 'world constitutionalism'. Global citizenship, in this view, is not teleologically secure but is at most a contingent possibility. According to some sociologists (Robertson 1992; Featherstone 1991; Turner 1990), the contemporary compression of the world produces frames of cultural reference that cannot be termed 'global culture'. Rather, what is occurring on a world scale is a process of 'creolization'. This involves the adoption by a large number of indigenous populations of a foreign culture (technical, scientific and industrial) which does not produce order and community integration, but pollution, reaction and disorder. Or, it may lead to the emergence of 'third cultures' without territory linked by fast exchanges, international tourism and consumerism, all developed and promoted by those in the West who are cosmopolitan for professional reasons. Sociologically, this is quite a narrow phenomenon that lacks any intrinsic or profound universality.

In short, globalisation does not produce a cultural homogenisation of the world, as modernisation and convergence theorists have alleged. Instead, it stimulates particularist reactions that lay claim to the identity of cultural codes which are deep-rooted in nations and ethnic groups. A classic example of this type of reaction – important and ambiguous at the same time – is the argument by such Asian leaders as the Singaporean Lee Kuan

Yew and the Malaysian Mohamad Mahatir, which gave rise to the theoretical debate about Asian values.

Optimistic prophecies of global harmony are also contradicted by the ways that the expansion of the market economy and its unstoppable propelling force throughout the world has significant effects on the increasingly disproportionate international distribution of power and wealth between states, world regions, and within individual countries. New and deeper differences in wealth, information, scientific and technological power, and work opportunities make the select groups of wealthy individuals increasingly wealthier and the majority of the poor increasingly poorer. This is what Eric Hobsbawm aptly terms the 'new wall of poverty'. The process of global economic and financial disproportion also uproots millions of individuals from their lands and social connections, and dumps them in the desert of metropolitan urbanisation, either as internal or external migrants. Growing masses of disinherited men and women, deprived of any social context and cultural identity, devoid of citizenship, migrate seeking asylum and besieging wealthy countries. This migratory drift destroys and disperses their roots, but does not integrate them, except marginally, in the processes of industrialisation, technological change, and bureaucratisation which accompany it: nor does it include them in a 'global citizenship'. In terms of the expanding international division of labour and the growth of technical and scientific specialisation, there is an increase in functional differentiation, but as social particularisms dissolve, there is no authentic cultural universalism, no core of shared values, no collective imaginary emerging to replace them. Indeed, Serge Latouche (1989) maintains that one can legitimately speak of a real failure of the 'modernization' project and of a setback for its Promethean universalisation with respect to these effects of 'deculturation', 'deterritorialization' and 'planetary uprooting'. Similarly, Zygmunt Bauman (1998) posits a new stratification of the world's population into the globalised rich and localised poor, and denounces the impotence of neo-liberal politics to remedy the global disintegration of cultures, social groups, and their 'citizenships', while Ulrich Beck (1997) reminds us that this phenomenon occurs even in highly civilised and wealthy Europe, which today accounts for 50 million poor, 20 million unemployed, and 5 million homeless individuals. Globalisation does not lead only to happy consequences.

Legal and political globalism?

Intentionally, globalisation is also not necessarily good news. On the contrary, the international divergence of economic power is accompanied by a drift towards further hierarchisation of international relations, the breaking down of standards of legitimation of international political power, the increasingly more frequent recourse to the use of military force by the great powers, and the spread of hardened and effective 'global terrorism'.

Against the background of such processes, the hegemonic strategy of industrial powers led by the US stands out clearly. Indeed, documents written by US strategists from the early 1990s reveal that these strategists believe that globalisation is not a spontaneous process of world unification generated by the laws of the market, but rather requires constant military vigilance to secure its realisation.

In this context, the whole international law system, including international criminal justice, has been subordinated to the needs of 'global security' and the new modalities of the war against terrorism. Such developments lead to the marginalisation of the United Nations, and the undermining of international law in the name of the irrevocable *jus ad bellum*,² which the Great Powers arrogated to themselves. The result is that even international criminal justice has suffered discredit. The Hague Tribunal has provided irrefutable proof of its dependence on the political decisions, besides the financing and military assistance, of NATO and the United States. It is highly unrealistic, of course, to think that a legal process that aims to apply sanctions against single individuals held responsible for international crimes could impact on the macro-structural dimensions of war.

It is significant for realists that Western political and legal cultures are so singularly indifferent to other cultural, political and legal traditions, even while they attempt to elaborate a project for world unification. Thus, India and China are almost wholly distant from legal positivism, individualism, and the technical and scientific determinism of Western civilisation to the point where it may be suggested that the theory of human rights can only be considered 'universal' in the context of Western legal and political language (*koiné*).

From a realist perspective, the idea of a global citizenship is both difficult to achieve and perhaps not altogether desirable. This is because social homogeneity and political unification of the world cannot be guaranteed through the use of coercive instruments (legal, economic, or military) at least while the current trend that heightens disparities in power, wealth, and scientific and technological resources persists in the international arena. On the other hand, the Kantian model of humanity's spiritual and moral unity does not provide a useful basis for reappraising ethnic-national identities, the function of states and their limited sovereignty. It is, therefore, of genuine interest that values such as political pluralism, cultural differentiation, and the self-determination of peoples are promoted.

Towards an imperial citizenship?

In *Empire*, Michael Hardt and Antonio Negri (2000) argue that globalisation is taking us towards 'imperial citizenship'. That is, political cosmopolitanism and legal globalism ends in an 'imperial constitution' of the world. Their thesis deserves careful consideration.

After 9/11, the United States declared a 'new war' against global terrorism. This raised the prospect of permanent war, without territorial boundaries or time limits, largely secretive, and operating outside the rules of the traditional international law of war. It is now clear that the war in Afghanistan was only the beginning of a total war against the 'axis of evil'. In March 2003, the USA with a 'coalition of the willing' attacked Iraq, without UN approval, based on the assumption that it possessed weapons of mass destruction. As revealed in the *Quadrennial Defence Review Report* of the US Department of State, the strategic objective of the United States and their closest Western allies was to consolidate their global hegemony, and ensure a stable military presence in the heart of Central Asia. This project involves gaining control of the massive energy resources in the territories of the former Soviet Republics in the Caucasian, Caspian and trans-Caspian regions, and above all, completing the double military encirclement from Russia to the West, and from China to the East. After the Cold War period and the ephemeral liberation of colonial countries in Africa and Asia, it seems that the age-old Western aspiration to the control, occupation, and 'civilisation' of the non-Western world is regaining full vigour.

In these emerging circumstances (*rebus sic stantibus*), it is not unwarranted to talk of a failure of the neo-Kantian philosophy of 'global citizenship'. From Kant to Kelsen to Habermas, this philosophy sets up international law and international institutions as the principal, if not exclusive, instruments for the attainment of world peace and the protection of fundamental rights. The Kelsenian formula of 'peace through law', with its normative optimism and ingenuous cosmopolitical universalism, has never been so clearly exposed as an illusion of European Enlightenment. It follows that it is illusory to think that the project on cosmopolitical citizenship can be effectively opposed to the clash between hegemonic power and global terrorism. Rather, a realistic assessment of the globalisation processes suggests that a more prudent attitude would be taken towards the potential and possible outcomes of the cosmopolitical project. As Kenichi Ohmae (1995) has shown, there are enormous economic forces that oppose such a project in the interest of the (alleged) sovereignty of self-regulating mechanisms of global markets. Moreover, there are many justifiable doubts about the benefits of a project for political unification of the world in conditions of growing differentiation and agitation of the international arena. We are left, then, with the shimmer of cosmopolitan hopes and few firm reserves to be confident that an idealistic universalism will, in fact, lead to positive enactments of either liberty or citizenship.

Notes

1 Translated by Teresa Chataway.

2 *Jus ad bellum*, law on the prevention of war; *jus in bello*, law in war.

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6 Cosmopolitanism and republican citizenship

Steven Slaughter

In recent years there has been a revival of republican conceptions of political theory and citizenship.¹ This revival has been notably championed by the neo-roman republican conception of republicanism as articulated by Quentin Skinner and Philip Pettit. While arguments mounted by scholars such as Michael Sandel, Charles Taylor and David Miller have strongly defended the importance of national political community, it was the neo-roman conception of citizenship that placed republican ideas closer to liberalism by articulating a conception of liberty constituted by a republican state. However, within the context of accelerating spatial integration in the form of contemporary globalisation, scholars connected to the cosmopolitan critique of state-bound political theory have increasingly questioned the feasibility of democracy and citizenship at the level of the state. The question for political theorists in general, and republicans in particular, is whether cosmopolitanism forecloses other, less global, structures of governance and citizenship.

In what follows, I am going to argue that a broad understanding of cosmopolitanism opens up spaces for global forms of politics that fall short of a universal global democracy that is championed by cosmopolitans such as Anthony McGrew and David Held. As such, I will first examine the breadth of cosmopolitan political theory and then focus on the cosmopolitan argument for a global democracy. Then, I will turn to the neo-roman conception of citizenship and governance and examine the degree to which it exhibits universal or cosmopolitan elements.

Cosmopolitan democracy

Cosmopolitanism, or the idea of a world citizenship, was first expressed by Diogenes and the Stoics with the claim that ‘each of us dwells, in effect, in two communities – the local community of our birth, and the community of human argument and aspiration’ (Nussbaum 1996: 7). This cosmopolitan claim is essentially that the human community is the one that should be supreme and thus forwards an unwavering commitment to the universal community of humanity and a sense of detachment from solely local or

national affiliations. It should be noted from the outset that cosmopolitanism is not a 'monolithic' or exclusively liberal approach to politics (Rengger 2000: 463). While the universal value of individual humans is an important part of the cosmopolitan liberalism of Immanuel Kant, there are many tangents within cosmopolitanism. Some cosmopolitans such as Thomas Pogge emphasise the intrinsic universal value of humans being the 'ultimate unit' of concern (Pogge 1992: 49). While others emphasise the development of global moral responsibility as tangible interdependence expands globally (Beitz 1979). There are also some who claim that the historic mutability of human community opens the possibility to an inclusive global community (Linklater 1998).

However, cosmopolitans differ at an even more fundamental level. The crucial distinction within cosmopolitan theory is between the position of 'political' cosmopolitanism on one hand, which advocates the creation of universal political institutions at a global level, and 'moral' cosmopolitanism on the other, which advances universal principles that do not justify global institutions but 'the basis on which institutions should be justified or criticised' (Beitz 1999: 287). Both moral and political cosmopolitanism revolve around a moral obligation and identification with the human species, but political cosmopolitans extend beyond this to include an account of global citizenship and democracy. This distinction is important because political cosmopolitanism seeks to provide the political infrastructure of a universal political community and democratic system that radically delimits the state. This entails developing a world where all people have an input into a single global democracy. While this distinction is important, and the idea of a worldwide structure of government has a long history in Western thought, the placement of some authors within these positions is often the source of considerable debate. Immanuel Kant is a chief example of an author who is variously claimed to be a political or moral cosmopolitan (Heater 1996). In contemporary times, political cosmopolitans are more forthright in their support for global institutions. While there are many examples of contemporary political cosmopolitan thought, the strongest and clearest accounts of political cosmopolitanism are those of Daniele Archibugi, Richard Falk, Anthony McGrew, and especially David Held's defence of cosmopolitan democracy.

The chief reason that there has been a strong revival of political cosmopolitanism is that the context of world politics in the late twentieth century and early twenty-first century is seen by many to be travelling in a cosmopolitan 'direction'. This context that is claimed by many cosmopolitans to be congenial for political cosmopolitanism includes accelerating globalisation; the increasing role of international organisations and non-governmental organisations; an increase in the number of states that practise democracy around the world (Archibugi and Held 1995: 3); and the development of an extensive system of universal human rights law under the aegis of the UN. However much these developments point in a

cosmopolitan direction, they do not achieve the globally unified institutions envisioned by those who support political cosmopolitanism, nor do they eliminate the sovereign authority of the state. This provides the context from which scholars such as David Held launch their justification for cosmopolitan democracy.

The starting point for Held is that the various processes of globalisation are radically delimiting the capacity of the democratic nation-state to have any real sense of control over its fate. He claims that substantive self-government cannot be 'located within the boundaries of a single nation-state alone' (Held 1998). Held argues that globalisation creates a series of 'disjunctures', such as international law, the internationalisation of political decision-making, international security structures, and the globalisation of culture and the world economy, that all cut across and constrain the democratic state's capacity to regulate its own fate (Held 1998). He maintains that because these disjunctures frustrate the congruence between a public and the state, that the state is not a viable location to enable people to govern themselves democratically. People will be both affected by 'outside' decisions and influences, and people within the state will affect others without recourse. In the context of globalisation, the only way to overcome these disjunctures is to include everyone in decisions that affect them and thereby make the apposite site for democracy a *global* one.

Indeed, the desire to globally extend democracy *across* states is the objective at the heart of political cosmopolitanism. It is required so that individuals and not states are enabled to be the primary moral agents in world politics. Held's justification for this rests not just on contemporary globalisation but on a support of Kant's principle of hospitality, which affirms that a foreigner should be tolerated and not 'treated as an enemy upon his arrival in another's country' because 'a transgression of rights in one place in the world is felt everywhere' (Kant 1983: 118–19). However, Held dramatically extends such principles beyond just conduct towards foreigners to include a fundamental respect for the rights of everybody foreseeably affected by a given political decision. In practice:

universal hospitality must involve, at the minimum, both the enjoyment of autonomy and respect for the necessary constraints on autonomy. That is to say, it must comprise mutual acknowledgments of, and respect for, the equal rights of others to pursue their own projects and life-plans. Moreover, in a highly interconnected world, 'others' include not just those found in the immediate community, but all those whose fates are interlocked in networks of economic, political and environmental interaction.

(Held 1998: 228)

For universal hospitality to exist, a cosmopolitan legal system is required. Furthermore, this prescription of governance suggests that democracy

ought to be extended to a global level, so that both local and global problems can be addressed in an effective and globally inclusive manner.

The animating force of Held's articulation of political cosmopolitanism is his conception of 'cosmopolitan democratic public law' – a common legal structure that is entrenched across and within a range of 'diverse political communities' and 'multiple citizenships' (Held 1998: 233). While Held argues for a global executive, constitution and the related paraphernalia of government, at the heart of his account is a willingness to develop global democratic structures that enable all people affected by a given process to have a say in the public policies aimed at addressing these global or regional problems (Held 1998: 278). Cosmopolitan democratic public law is a 'binding framework' that includes only those people likely to be affected by a given decision – local decisions like garbage collection will be made locally, while global decisions such as regulating greenhouse gas emissions would be made by everybody (Held 1998: 233). Richard Falk refers to this as a movement towards a global constitution which represents the 'intensified continuation' of the emergent normative and institutional framework already under way during the twentieth century under the aegis of the UN – not just a milder form of moral cosmopolitanism or liberal internationalism (Falk 1991: 7). Therefore global constitutionalism entails a strengthening of the rule of international law by entrenching the judicial resolution of interstate disputes and embedding transnational social actors into global governance. While these cosmopolitan aspirations are sometimes embodied in law as it presently stands, Held seeks to embed cosmopolitan practices into an overarching body of cosmopolitan democratic law.

It is important to state that Held does not argue for a simplistic model of world government, but rather a flexible and complex model of democracy at a global level where citizenship is held by all people. As Anthony McGrew maintains, cosmopolitanism is defined by the principle of 'heterarchy', which entails a 'divided authority system subject to cosmopolitan democratic law' rather than hierarchy (McGrew 1997: 250). Thus cosmopolitan law is embedded at all levels of global political life: states are not the only form of governance operating within cosmopolitan democracy. City-states, communities, and even functional organisations such as TNCs will be subject to cosmopolitan democratic law. This also raises the distinct need for clear rules to determine what sorts of issues are dealt with at which level of governance. Held's response to this question is to establish a boundary court that determines public issues on the basis of the number of people affected, the intensity of effect of the issue on people and the 'comparative efficiency' of why lower levels of governance cannot deal with the issue (Held 1998: 236). This legal requirement, and the long-term plans for cosmopolitan democracy by Held, means that the legal-political fabric of this model is elaborate, and fuels fears of cosmopolitanism's critics that the cosmopolitan model is indeed a model for a world government.

By contrast, moral cosmopolitanism does not involve developing such elaborate structures. Moral cosmopolitans would be satisfied with the elaboration and substantiation of human rights and democracy in states across the world as well as foreign policy being guided by principles of restraint in regards to conflict and compassion to foreigners. As such, moral cosmopolitanism – a basic universal concern for human welfare and dignity – can be found in much of liberal thought, some strands of social democratic thought and, I would argue, republican thought.

Republican democracy

The contemporary revival of republicanism has centred on republicanism being different from both liberalism and communitarianism (Pettit 1999: 7–8). The revival of neo-roman republicanism political theory is attributable to writers such as Quentin Skinner, Philip Pettit and Maurizio Viroli. These writers have emphasised republicanism's critique of both liberalism, for its asocial view of freedom, and communitarianism, for the idea that involvement in a pre-political community can define or sustain freedom (Brugger 1999: 12–14). The neo-roman strand of republicanism emphasises a series of interlocking civic ethics and institutions that are intent on establishing liberty as a civic achievement that requires an institutionalised context where citizens are free from subordination or domination. Consequently, republicanism's conception of liberty is one of 'non-domination' (Pettit 1999), a context that entails a sensitivity to the capacity of arbitrary intervention in people's lives or the dependence of people on the goodwill of others. This conception of liberty reflects a concern with the ways ambition, self-interest and powerful private or factional interests can corrupt the body politic and usher in domination and a dependency on the goodwill of these interests. The objective of non-domination is for individuals to be free from both *imperium*, that is domination by the state, and from *dominium*, meaning domination by sectional interests within society (Pettit 1999: 13). Republicanism stresses that transparent, publicly governed state power is the way to construct liberty. Pettit contends that liberty defined as non-domination 'comes about only by design' (Pettit 1999: 122).

A requisite in the design that achieves this liberty is the publicly directed and constrained exercise of power by a republican state. Pettit has referred to this activity as a form of 'antipower' where 'the power of some over others – the power of some over others in the sense associated with domination – is actively reduced and eliminated' (Pettit 1999: 588–89). Thus it is not just well intentioned laws that help enact the republican conception of liberty. It is that laws backed by the publicly directed use of power can actually counteract multifarious forms of vulnerability and domination. The design of enacting non-domination requires that the exercise of public power is structured and delimited within a republic. A republic is a state where sovereignty is 'located in the people' even if the

actual exercise of authority is delegated across a range of institutions and governments (Deudney 1996: 197). Such authority is both defined and constrained by the principle of self-government that is focused on the common or public good of its resident citizens (Skinner 1992: 217). The republican conception of the public good is not a pre-political conception of the good life, nor an aggregation of individual interests. Rather it is a common interest in goods that are not able to be obtained individually – particularly a dependable and extensive sense of liberty and mutual respect (Pettit 1999: 284). Non-domination is a shared and constitutive condition that is typified by a secure and peaceful environment for individuals to live their chosen lives. However, maintaining the public good requires constituent citizens' political participation and responsibility. Thus a republic is both an institutional assemblage and a political association encompassing members of a public united around a concern for their mutual liberty.

These interlocking ethics and practices converge on the observation that liberty can only be realised when citizens act together to control power in order to avoid both domination by particular interests and preventable vulnerability. Consequently, republican citizenship is not merely a status, or the right to be politically involved, but an active ongoing duty and an ongoing stake in the political operation of the state in which citizens reside. Pettit regards this practical conception of republicanism as 'gas-and-water-works republicanism' that departs from romantic accounts of republicanism or democracy – it does not require a step back to positive liberty or the 'liberty of the ancients' (Pettit 1999: 239). Republicanism unites the demand for virtue and civic activity on the part of citizens with public institutions in order to contest power and construct institutions that secure the protection of citizens from domination.

The question remains whether republican citizenship is inherently nationalistic or communitarian. The answer is no, although republicanism is not purely cosmopolitan either. I contend that the republican practice of citizenship and the notion of 'the public' are unavoidably particularist in the sense that they develop from actual ongoing forms of common political association (Viroli 1995: 13). While some communitarians and republicans claim that nationality may well be a 'partial replacement' for patriotism in the modern world (Miller 2000: 67), national forms of solidarity are not sufficient for the active political motivation and participation embedded in the practice of patriotism (Viroli 1995: 11–13). Patriotism and citizenship are active practices that are 'sustained by shared memories of [a] commitment to liberty, social criticism, and resistance against oppression and corruption' (Viroli 1995: 13). Maurizio Viroli makes the distinction between republicanism and nationalism by arguing that republicanism invokes an ongoing 'love of the political institutions and the way of life that sustain the common liberty of a people' rather than a love of a nation's 'cultural, linguistic and ethnic oneness' (Viroli 1995: 1). Nor does republicanism stipulate a blinding righteousness. In fact, patriotic citizenship is demanding

exactly because it requires a moral commitment to open-mindedness beyond citizens' own private interests, a political involvement in the development of the public good and personal vigilance in the face of threats to the republic. Such commitment, solidarity, and passion are only enabled by people feeling that they are '*part of something*' (Viroli 1995: 13). Ultimately then, republicanism does not necessarily embed any ethnic or nationalistic norms or conception of the good life other than norms that entail public responsibility and oversight over a particular set of political institutions. These norms reflect the social nature of the morality that constitutes non-domination (Pettit 1999: 8).

So while republicanism is not nationalistic it is still dependent upon a civic culture that constitutes and develops a context of non-domination. This is where the contrast with liberalism is made clear. Republicanism does not embrace the social atomism embedded within liberal citizenship and does not embrace the idea of a minimal state with few regulatory powers. Republicanism is dependent upon a particular public ethos which entails that citizens cherish the institutions that act as a bulwark against arbitrary forms of power, but also requires that these citizens are actively '*political*' in the sense that individuals '*respect other citizens' liberty, and to discharge their civic duties*', in addition to being wary and vigilant in respect to potential threats to the public good (Viroli 1995: 45). At an ethical level the values of civility and patriotism become guiding norms of political life, while at an institutional level, forums and avenues of democratic oversight over the working of authority are indispensable to facilitating non-domination. It is impossible to see republican citizenship in isolation, as the practice is deeply connected with an appropriately empowered state that is actively directed to moderate public and private forms of domination.

So the question is, how do republican ideas operate in relation to international politics? While cosmopolitan ideas seem well suited to a context of accelerating globalisation, at first glance the statist inclination of republicanism does not seem to fit this context as well. While republicanism connotes the unavoidable necessity of the state, I am going to argue that the republican legacy in international affairs unsettles the notion that republicanism is a form of statism or realism because the design of the republic does not stop at the borders of republican-constituted states. Ultimately, the republican state is only possible within a wider association of republican states and international institutions set up by republican states. Interstate cooperation and institutionalisation are crucial to republican aims – even though these forms of governance cannot in and of themselves construct the civic liberty of republicanism. According to Pettit, judicial sovereignty is not '*sacred*', indeed:

it is going to be in the interest of the republican state to encourage different layers of multinational cooperation and institutionalization ...

while the republican state represents an indispensable means of furthering people's non-domination ... there are some domestic issues on which it may be better from the point of view of promoting freedom as non-domination to give over control to those bodies and thereby to restrict the local state.

(Pettit 1999: 152)

This construction would require checks and balances within these institutions as well as institutional transparency and oversight by the publics from constituent states. Despite the dangers of possible domination by distant bodies, well crafted institutional arrangements that bind states and the delegation of popular sovereignty are not just consistent with republicanism but constitutive of republicanism's efforts to actively suppress domination.

These forms of cooperation would be aimed at enabling states to address transnational problems so republics can have meaningful public deliberations and realise a condition of non-domination. Republicanism would support the regulation of the various forms of transnational activity that transmit the capacity to dominate people, such as environmental degradation or transnational crime. Also these measures would stabilise and regulate economic connections between states, so that republican states are not competing against each other for regulatory standards or dominated by mobile capitalist interests. I also think one of the most distinctive elements of republicanism in the international sphere would be a promotion of state-building and development. In pursuing this goal of individual empowerment to prevent domination, the promotion of development assistance for developing countries would be an important goal even if the promotion of republican values and institutions were not immediately possible. It must be stressed that the ultimate objective of global civic republicanism is always the empowerment of people. The ethos of republicanism seeks to promote the 'basic capabilities that are required for functioning in the local culture' and as such the promotion of human development is central to this ethos (Pettit 1999: 158–59).

Consequently, republicanism can be seen to advocate both the building of complex forms of inter-state cooperation *and* a civically minded public in states around the world (Hudson 2003). While the republican legacy in international affairs could be read as either endorsing the broadening of the extended nature of popular sovereignty across states or of extending the act of mutual binding between popularly sovereign states, for my part I think that the choice between a global public and states that are responsible to their resident citizens collapse on each other in the sense that effective public control of states now *requires* citizens to think globally. While republicanism requires a significant change in the way people live the idea of political responsibility within their state in the form of patriotism and citizenship, it also requires citizens to be globally conscious and

responsible. So while republican citizenship is in contradiction with being a 'citizen of the world' and political cosmopolitanism, the contrast with moral cosmopolitanism is far less problematic. I now turn to an exploration of some of these intersections with both moral and political cosmopolitanism.

Cosmopolitanism and republicanism

While there are certain sympathies between cosmopolitanism and republicanism, the differences are sufficient to be wary of attempts to simply conflate the two political projects. However, there are three good reasons why there is some convergence between republicanism and moral cosmopolitanism. First, patriotism is not in contradiction with a concern for humanity. Republicans contend that the patriotic citizenship that animates the republican state is not 'exclusive' or a hindrance to forms of transnational solidarity and hospitality (Viroli 1995: 12). Second, a republican-inspired citizenry and state would see 'the domination of others as cause for *real* moral and political concern' (Rattan 2001: 127). Thus, republicanism can be seen to be morally cosmopolitan in the sense that it values the liberty of all human beings, even if it does not suggest that a unified political order is a possible way to achieve this. While non-domination is a universal value, the way this value is realised is inherently particularist in that republicanism sees the only way to promote liberty is by enabling people to have an empowered state that is carefully guided by its citizens. While non-domination is a universal goal, it cannot be achieved by universal means. Last, for purely prudential reasons republican concern for domination must necessarily extend globally. The goal of non-domination does open up the need to construct forms of governance that act upon global forms of domination that cut across state borders. Republicanism clearly requires a concern for the practice of non-domination to be facilitated on a global or regional basis, in a way that balances state-bound public sentiment with global forms of peace and cooperation.

Despite these overlaps with moral cosmopolitanism, republicanism is much less accommodating towards political cosmopolitanism. From a republican point of view there are many reasons to be wary of a cosmopolitan political order. While republicans would be concerned with giving up the potentially constructive political allegiances and solidarities that do exist or could be reinvigorated at a local or national level, they would also be alarmed by the significant concentration of power in world politics that is quite distant from oversight or control, which is embedded in cosmopolitan democracy. Ultimately for republicans, the cosmopolitan development of a global public sentiment and participation that is able to provide for liberty is much more difficult to develop than political cosmopolitans acknowledge. The main republican argument against the viability of political cosmopolitanism is that it does not possess the power needed to address contemporary global problems. The protection provided to individuals by

political cosmopolitanism stems from the legal rights and redress provided by cosmopolitan law. Republicans assert that something more than abstract laws is required. Publicly directed power, that is, government structured around protecting the liberty particular to a given society, is essential to protect societies and address global problems. Thus, states can provide a context domestically and globally that is sensitive to global problems and is empowered to address these global problems without resorting to the convolution of cosmopolitan democratic law. From the republican point of view, the public sentiment that stems from political cosmopolitanism is problematic for a series of interlocking reasons.

The first problem facing the public sentiment stemming from political cosmopolitanism is that it is *inherently* abstract. The elaborate transformation in public sentiments and institutions that is sought by political cosmopolitanism may seem attractive given the scale and increasing significance of problems that can only be addressed at a global level. After all, political cosmopolitanism seeks to narrow the authority of the state and broaden the political loyalties of its citizens. However, the shift away from states to a universal and global authority does not build upon existing institutions and sentiments, nor does it automatically address the social solidarity and legitimacy needed to empower institutions able to protect individuals from prevailing forms of power (Miller 2000: 70). The republican counterpoint is not just that this transformation is unnecessary because states can (and do) cooperate on matters without a cosmopolitan framework (Saward 2000; Neff 1999). Rather, the republican perspective is that 'free institutions are not a bright idea that can be dreamed up and voted in: they must expand upon or restore some traditional institution' (Crick 1998: 42). In contrast to the dramatic shift in authority and sentiment required by the approach of political cosmopolitanism, republicanism seeks to enhance and build upon the existing sentiments and structures of the state. As such, there is a strong element of pragmatism in the republican approach. It seeks to build upon the existing foundation by reworking the already existing nature of the state and the collaboration of states rather than enact a new global system of governance.

Interestingly, there are signs that the state is coming back to vogue in political thought and policy-making circles. Some neo-liberals are realising that some neo-liberal programmes of liberalisation and privatisation have gone too far or have been undertaken by countries that do not yet have the legal infrastructure to underpin vibrant capitalism. This has been indicated in recent shifts in World Bank and IMF policy towards what has become referred to as a 'Post Washington Consensus', a movement away from pure free markets to include a concern for the institutional conditions of the state and for development (among other policies) (Jayasuriya 2001). This point has also, surprisingly, been made by Francis Fukuyama in a recent article of his termed 'Bring Back the State' when he says that the 'excessive zeal in pursuing this "neo-liberal" agenda undermined the strength of states

to carry out those necessary residual government functions' (Fukuyama 2004). While he defends the view that the state should be stronger he still thinks the state should have a rather narrow set of functions. I do not agree. I think that people in various parts of the world should choose what set of functions their state should deal with, not states as Fukuyama suggests. I think the state should reflect the wishes of its public so far as is possible, so long as it does not dominate its people or people in other states.

The second problem that republicanism has with political cosmopolitanism is the *functional* vision of the 'public' arising from the emphasis on the role of regional and global layers of governance (as suggested by David Held) or NGOs (such as emphasised by Richard Falk). This functional approach to political association is most evident within Held's model of cosmopolitan democracy, where people engage in political practice on various levels of governance according to whether the issue at hand affects them (Saward 2000: 33–35; Miller 2000: 36–37). By contrast, republican practice entails the social process of people collectively creating a form of public power that is aimed at upholding their common interests on an ongoing basis. While falling short of an inward looking community or a defence of nationalism, republicanism is defined by a historically shaped sense of common responsibility for the state by its citizens. This ongoing activity creates what Michael Saward refers to as a 'baseline unit' that is foundational and not merely functional (Saward 2000: 36–37). I use the term foundational because it suggests that other forms of governance may be built on top of this 'level' of governance as well as suggesting that the republican state is a foundation in terms of being *the* legitimate public authority. While republicanism supports the practice of NGOs (as well as regional and global layers of governance) and the important contestatory role they perform in contemporary global politics, it does not see these organisations as being the foundation of non-domination. To produce a context in which power is restrained, government must be publicly developed and directed within a culture of democracy that stems from a patriotic citizenry. The ongoing responsibility of citizenship is a crucial foundation for republican global governance. This attitude of the public construction of governance is central to republicanism in the sense that practices of contestation and delegation require citizens to see themselves as shapers of their state and now, ultimately, global forms of governance.

The third problem that republicanism has with political cosmopolitanism is that the power and authority arising from cosmopolitan democracy is intangible and removed from citizen oversight. Political cosmopolitanism takes an Archimedean and dispassionate starting point for authority in the shape of cosmopolitan law. While political cosmopolitanism is defined by 'heterarchy' rather than hierarchy, there is still a *de jure* reallocation of authority towards the new centre of global legal authority (McGrew 1997: 250). From a republican perspective there are concerns that if political

cosmopolitanism were to be too strong, it could become a tyrannical centralised power. If it were too weak or abstract, it would not stimulate citizens to act in ways to address the power of transnational capital or other highly organised and diffused networks of interest and or power, thereby allowing private forms of power to reign. By contrast, republicanism seeks to build authority from the bottom up in the sense that the reconstruction of civic ethics and structures that seek to constrain power within the state will ascend into higher layers of governance. For political cosmopolitanism, multi-level global governance constitutes different levels whereby people affected by an issue can influence the issue. For global civic republicanism, the global infrastructure of multi-level global governance would be an ongoing construction that *augments* rather than replaces the republican state. Republicanism suggests that civic states can build upon the forms of multilateral governance that have been aptly if not unevenly demonstrated within the last sixty years. In addition, the European Union has developed into a potential hope as to the ways citizens can discipline and transform multiple levels of governance and their state (Bellamy and Warleigh 1998; Bellamy and Castiglione 1998). Thus while there are multiple levels of governance that the state is enmeshed in, the purpose of this governance ought to be clearly aimed at enhancing opportunities for the state to protect its citizens.

It is my contention that while there is the exercise of global politics, there is no global public. There is no sense of global patriotism that motivates a 'thick' sense of global solidarity and reciprocity (Walzer 1994: 8; Barber 1996; Miller 2000: 72–77), or that encourages people to think beyond their own personal interests (Miller 2000: 77). There is no love of the UN, let alone the WTO. Ultimately, a context that is kept free from insecurity and vulnerability requires more than activists or policy-makers. It needs broad participation and a passionate sense of political involvement and consideration by citizens participating to enact their own liberty. Clearly, virtuous citizenship and political involvement is not being exercised in democracies around the world. Republicanism seeks to overturn a culture of democracy typified by civic disengagement rather than stretching the scale of democracy. The chances are greater of mobilising people in the states in which they live to develop virtuous public involvement than developing such virtue in a larger and much more abstract context devoid of the history and 'familiar life-ways' that can mobilise commitment and citizenship (Walzer 1994: 8). As Falk asserts:

citizens are now being challenged to reconfigure the outmoded dichotomy between undifferentiated patriotism and cosmopolitanism. If this challenge is met, the vitality of traditional patriotism can be restored, but only on the basis of extending ideas and practices of participation and accountability to transnational sites of struggle.

(Falk 1996: 60)

This is certainly right but it understates the important struggles to develop the ethics of political responsibility within the state that motivates people to entrust considerable power to the state. Clearly, we need to avoid this 'outmoded dichotomy' and be wary of patriotism and indeed nationalism, but we should not overlook the desire of people to create their own political responses to contemporary globalisation and other forms of global power via public control of the state. While I concur with Falk in regards to the 'common commitment' between patriotism and cosmopolitanism to create a 'humane state' (Falk 1996: 60), and ultimately a humane world, I think the only feasible route is through *enhancing patriotism and the civic concern for arbitrary power* rather than enhancing cosmopolitanism. Nevertheless, a cosmopolitan awareness is clearly important to enabling globally astute citizens to be able to conduct civic activity that enacts a global concern for arbitrary power.

Consequently, republicanism directly addresses the shortcomings of political cosmopolitanism while moving beyond moral cosmopolitanism. It fills in the missing step within cosmopolitan thought by asserting the importance of citizens collectively wielding the public power of their state in order to ward off vulnerability and insecurity, without resorting to inward looking nationalism or chauvinism. Republicanism, in contrast to political cosmopolitanism, sees the state as essential to the construction of liberty. That this public accomplishment develops within a broader structure of governance does not validate the potential of a cosmopolis able to provide non-domination or authorise a 'global republic' in the immediate future.

Conclusion: the value of the republican legacy

Republicanism offers a distinct alternative to that of political cosmopolitanism, and it offers a more defined and forceful political approach to that of moral cosmopolitanism. The value of republicanism lies in being a potential alternative to cosmopolitan modes of politics and ethics. Although republicanism and cosmopolitanism have different lineages, there are important lessons to be learnt from the two approaches. The message that cosmopolitanism has for republicanism is that a concern for global forces and a concern for people outside the republican state is increasingly necessary for constructing durable non-domination at home. Globalisation is blurring the distinctions between foreign and domestic politics, as well as speeding up connections across national borders in ways that necessitate showing consideration for people outside the state. Moral cosmopolitanism also wards off elements of chauvinism and xenophobia in political thought and practice. I do not think that there is anything in the republican legacy or the creation of patriotic cultures within states that is necessarily antagonistic with the need to be globally aware and tolerant. Indeed, for republican attitudes to endure in a globalising context, they will require cosmopolitan moments of reflection.

The republican advice for cosmopolitanism is simply that we need to strengthen forms of citizenship that do exist and buttress the development of public ethics that support and justify the responsible exercise of state power. Ultimately, the ideal of a global cosmopolis is a long way off, and the political cosmopolitan ideals of discarding the potential of the state, state citizenship and patriotism seem to miss a step in the development of global politics that is going to improve the human condition. The emphasis, according to republicans, should be on the culture of democracy rather than the scale of democracy, and while the reworking of this culture should include a moral cosmopolitan outlook, it should also avoid the dispassion and economism of prevailing forms of liberalism. The republican idea is that controlling power is essential to the creation of liberty, and that the state is the site which at present we *could* control through virtuous citizenship. Thus the republican prescription is the promotion of patriotism and civic engagement within states around the world and the creation of elaborate international institutions, not only the creation of global values and institutions as cosmopolitans contend.

Note

- 1 This argument is developed further in Slaughter (2005).

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7 Friends, citizens and globalisation

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Globalisation is increasingly challenging the way we understand core political concepts such as rights, freedoms, equality, citizenship and the rule of law. Of these concepts, the idea of citizenship is perhaps the one most open to reconsideration and even innovation. In this chapter, I will explore the challenge of globalisation to our theoretical understanding of citizenship. In the first part of this chapter, I outline one of the more important and influential responses to the concept of citizenship due to globalisation, the idea of the cosmopolitan citizen. Long anticipated by early liberal thinkers such as Kant, cosmopolitan citizenship is a citizenship conceived within a republic but applied to the global context by the progressive extension of the fundamental concepts of consent, rights and social contract theories to the global political environment. Though cosmopolitan citizenship has considerable strengths, especially in detailing minimal conditions of proper participation, it also has a number of limitations, including its legalism, its 'thin' conception of citizen, and its apparent indifference to 'community'.

These limitations point to a need for a richer and more complex conception of citizenship that can meet and indeed be sustained by the powerful tendencies of globalisation. In the second part of the chapter I note that the universalism of globalisation coexists with an equally powerful tendency that favours the local. Though not simply contrary to universalism, this important aspect of globalisation allows the possibility of a different conception of citizenship, which sees the core principle of citizenship as friendship. In the final part of the chapter, I examine the advantages of such a conception and its implications for politics and participation, while noting its potential limitations, especially in its understanding of friends and enemies.

Cosmopolitan citizenship

One of the most important theoretical shifts in the conception of citizenship in the West involved the replacement of theistic, monarchic and medieval concepts of 'subject' with the idea of 'individual'. The intellectual foundations that allowed such a new conception assumed a new notion of

nature and politics. Rejecting the Aristotelian conception of human beings as 'political', that is, achieving their excellence only in the company of others, the moderns posited the state as a sort of refuge from the penury and chaos of the original human condition.² Compelled to join together, humans acknowledged the imperfect solution of the state by specifying the exact limits to the rule that would be imposed upon them.³ This conception of human nature became the foundational principle of liberal democratic constitutionalism. It is on this basis that modern social contract theories redefined the concepts of rights, equality, citizenship and rule. The primacy of natural rights became the foundation for the contractual, that is, individual, consensual and artificial character of the state. Importantly, citizenship acquired important aspects of voluntariness, legality and, therefore, 'boundedness'.⁴

The social contract conception of citizenship, with its related institutional architecture of individual representative democracy, constitutionalism and the rule of law was conceived within the framework of the state; the international dimension was still defined in terms of the state of nature by the early modern theorists, though extensive attempts were made to mitigate the 'lawlessness' of international relations.⁵ Thus, the tendency to move beyond the 'state' (due to the importance of international relations and 'external powers' for the modern understanding of politics) was already present in early modern social contract theories.⁶

It was Kant, however, who provided the moral foundations – in terms of human rights – for a cosmopolitan citizenship.⁷ The Kantian transformation of natural rights to human rights has been well documented. Kant, influenced by Rousseau, distinguished two forms of causality, one according to nature, and one according to freedom. Causality in the sensible world has a necessary or phenomenal character, determined by the order of nature. Causality in the noumenal sense acknowledges the idea of transcendental freedom, the possibility of human freedom and hence morality. The coexistence of radical human freedom with the reality of natural necessity has major consequences for rights.

Kant distinguished between rights derived from *a priori* principles (natural rights) and rights that proceed from the will of the legislator (positive or statutory rights). Rights as moral capacities are also divided into innate and acquired rights. According to Kant, there is only one innate right; freedom 'is the only original right belonging to every man by virtue of his humanity' (Kant 1991: 63). The innate right includes the right to equality, the right to be one's own master and the right to communicate. As a *human* right based on freedom, it makes possible a method of settling disputes regarding acquired rights and has important political implications: the rights of persons must be held sacred, however much sacrifice they may cost the ruling power.⁸ In this way, the infinite worth and dignity of the human person justifies the pursuit of morality without recourse to calculation, the 'wisdom of serpents'.

The modern emphasis on human freedom, and therefore human dignity, has given legal and ethical conceptions that were previously defined and confined within the state a greatly expanded global reach.⁹ Importantly for our discussion, it has also made possible a new conception of citizenship, where the equal dignity and worth of every human person is a foundation for a global citizenship. It is not possible, however, to posit such a citizenship without buttressing it with those institutions that were necessary for citizenship within the liberal constitutional state. Thus, Kantian human rights, in making possible a cosmopolitan citizen, also pointed to the need and possibility of global government. There were, to be sure, limitations in the Kantian formulation of this idea. Thus Kant's 'definitive articles for perpetual peace among states' in his *Perpetual Peace* requires a federation of republican and free states, rather than a universal state, because the 'harmony of politics with morals is possible only in a federative alliance'.¹⁰ Yet the increasing importance of international institutions, especially after the Second World War, reveals a trend towards a cosmopolitan citizenship justified by more accountable ('authorised' in terms of social contract representation theories) international institutions. These range from the political (the United Nations and related organisations), the economic (including the World Bank and the World Trade Organisation) and the juridical (International Criminal Court). Globalisation, in its economic, technological and cultural aspects, is certainly contributing to the internationalisation of moral, political and economic concerns and institutions, thereby supporting moves towards a global citizenship.

Now there are considerable advantages in this conception of cosmopolitan citizenship.¹¹ We have already noted its theoretical affinity with the modern conception of liberalism, though the extent to which certain key theoretical formulations, such as the concept of sovereignty, may challenge such a trend should not be underestimated. Consider, for example, the recent debates regarding the limits imposed on state capacity by an increasingly powerful international economic order. In addition to this theoretical affinity, there are significant advantages in a cosmopolitan conception of citizenship. Such a conception provides important minimal standards for evaluating the status of individuals in states. Though minimal, and of limited practical implementation due to notions of state sovereignty, such standards will nevertheless present powerful rhetorical and political grounds for evaluating the efficacy of regimes, and therefore allow a principled basis for engaging and reforming otherwise sovereign states. In addition, cosmopolitan citizenship provides the essential intellectual framework for addressing transnational issues that are a consequence of increasing globalisation. Historically, war constituted the fundamental transnational problem. This has been exacerbated in the modern era by technological advances that have made possible the development of nuclear, chemical and biological weapons that pose a much graver, and especially long-term, risk not only to the specific parties at war, but to

humanity generally. In addition to warfare, however, we see a range of other issues and concerns now identified as transnational. The concern with the environment and the need for sustainable development has resulted in the recognition of environmental degradation that cannot be contained within state borders, and of bio-regions that extend over, and comprehend a number of sovereign states. Other such concerns include, international crime (corporate and ideological, traditional and technologically advanced); refugees (especially due to warfare and environmental destruction); and intellectual property (as a consequence of technological advances, for example, in gene manipulation, or advances in information and communication technologies).

There are, however, significant limitations to this changing conception of citizenship. At a time of increased concerns with declining social capital, societal disintegration and erosion of cultural diversity, cosmopolitan citizenship seems to provide little comfort to those who want a richer communal existence. The very ambition of such citizenship – its global reach – seems to parcel an insignificant share to each citizen, exacerbating the feeling that we have paid too high a price for the physical comforts promised by modernity. Thus, cosmopolitan citizenship seems desiccated, thin, as though stretched too far. Its formulation, derived from the political yet made into an abstract moral and ethical principle that is subsequently reinscribed and reinserted into the everyday, seems to assure only its rarefied and disengaged abstractness.

Some of these criticisms were anticipated in early political thought. According to Aristotle, the sophist Lycophron argued that law is a compact and that a city is no more than an ‘alliance’, a ‘partnership in a location and for the sake of not committing injustice against each other and of transacting business’. Aristotle sees this is a necessary but insufficient foundation for a city. A city united solely on the basis of legality and trade could not be called a city because it does not pay attention to political virtue and vice; it is no more than a type of trading partnership.¹² Following Lycophron, the concept of cosmopolitan citizenship, which seems to leave behind notions of political virtue, applies the contractual and therefore legal idea of citizen on a global scale, juridifying politics and reducing citizenship to seemingly mercantile arrangements.

Indeed, the most penetrating critics of early liberalism would find most of their claims have even greater purchase with the concept of cosmopolitan citizenship. Consider Rousseau, whose famous disparagement of such a citizen as ‘bourgeois’ provided the theoretical foundations for subsequent radical attacks on liberalism. The bourgeois, the rootless cosmopolitan who has no ties, obligations and duties, is the deformed product of commercial modernity. Always divided in his soul by a feverish *amour propre*, living for others with an eye to his well-being, the cosmopolitan is far removed from the natural virtues and wholeness of nature’s beneficence. The only way we can retrieve the natural goodness of our beginnings,

according to Rousseau, is by abandoning our large modern states and returning to small agrarian republics where nature and virtue can thrive once more.¹³ Also, consider the Nietzschean criticism of our desire to know that results in the obliteration of our historical horizon and the 'death of god'. The uniformity of cosmopolitanism is, for Nietzsche, a confirmation of a fatal human ailment that can only be cured by the creative will of the strongest. The 'last man', obsessed solely with health and comfort, is thus incapable of understanding the dangers facing humanity.¹⁴ Accordingly, global citizenship caricatured variously as the 'Americanisation' of the world, in fact, points to the limitations of the homogenised, legalised and, therefore, indifferent citizen who belongs everywhere but nowhere.¹⁵

Friendship as citizenship

I want to introduce to the contemporary debates regarding citizenship an older conception that has, due to the nature of globalisation, greater significance in modernity. This conception is based on the idea of friendship. The idea of friendship is now a commonplace notion for us, obscuring its somewhat problematic origins. It was first explored in detail in classical political thought, in opposition to those other powerful human associations: the beloved; the family; the tribe.¹⁶ In classical thought, friendship was possible and necessary, derived from the political nature of human beings. There is a rich debate regarding the personal nature of friendship, for example, whether we have as friends those who are like us or those who 'complete' us. In this light, friendship can be said to reach its highest articulation amongst a few, intimate others, especially in the pursuit of the highest goods.¹⁷ Yet, classical thinkers also acknowledged that friendship had an important political dimension. In Plato, friendship has a political aspect as the fruit of the art of justice in the cities.¹⁸ For Xenophon, friendship is the essence of politics.¹⁹ In Aristotle, we find the most extensive and detailed discussion of different forms of friendship, each taking part in an aspect of the common good.²⁰ According to Aristotle in the *Nicomachean Ethics*, friendship is founded on what is loveable, which includes the useful, the pleasant and the good. Friendship, which requires an awareness of reciprocated goodwill, can therefore be differentiated into incomplete friendships, based on utility and pleasure, and the complete, based on the good. Friendships based on utility tend to dissolve quickly, as soon as the mutually useful gain is secured. Friendships based on pleasure are based on feelings and are therefore equally variable, as one's tastes change or when a friend no longer stays the same. Complete friendships, according to Aristotle, are friendships of good people similar in virtue, where they wish goods in the same way to each other in so far as they are good, and they are good in themselves (Aristotle 1985: 1155b15–1156b30). Thus, unlike the moderns who were suspicious of the possibility of friendship and questioned the existence of a common good amongst

friends, classical political thought took seriously the political phenomenon of friendship.²¹

This older conception of friends and citizens is now of greater import due to globalisation. All agree on the internationalising aspects of globalisation. But an equally powerful aspect of globalisation has been the way it has simultaneously favoured regionalism.²² In doing so, globalisation puts into place an essential element for friendship as citizenship – the smaller community, where it is possible to know each other, however generally or indirectly. The reduction in the size of the political community, from a nation state of millions, if not billions, to hundreds of thousands, has reintroduced into modern political thought the importance of the ‘local’.²³ It is in the local that friendship as citizenship can flourish and reveal its considerable strengths and advantages.²⁴

A proper understanding of the intellectual contours of friends as citizens would require a more comprehensive treatment.²⁵ In this context, I would like to outline three important ways that the concept ‘friends as citizens’ overcomes the limitations of cosmopolitan citizenship. These can be summarised under the general headings of politics, participation, and trust. The foremost advantage of the idea of friends as citizens is the emphasis on the ‘political’ introduced by the concept. In moving away from the contractual conception of civility to one based on friendship, citizenship becomes less juridical and institutional and more organic. Friendship allows a more dynamic relationship between citizens, taking into account local exigencies and making room (due to the flexibility of friendship over ‘law’) for those circumstances that are exceptional and therefore strain the conventions of civic life.

This political conception of life encouraged by the idea of friends as citizens, overcomes an important concern about cosmopolitan citizenship, namely its tendency to disenfranchise citizens – not legally, but emotionally, socially and culturally. Cosmopolitan citizenship makes me care for the entire world and therefore care less for my neighbour; in expanding my field of concern and commitment it tends to depreciate local communities and thereby discourage participation in such communal life.²⁶ Moreover, it is not clear whether the ‘virtual’ citizenship it encourages can compensate for this tendency. My immediate and close friends and neighbours are replaced with a network of international connections, linked by planes, phones and the net. I email my colleague in Europe but may have never talked to the person next door. The artificial and almost desperate attempts to repair the lack of social and political participation due to aspects of cosmopolitan citizenship points to a need for a new conception of citizenship and citizen participation, one that is not based on ‘institutions’ or ‘procedures’ such as ‘consultation’, ‘direct referenda’, even ‘e-democracy’. Reconceiving citizenship finesses this problem by positing a richer conception of civic involvement, overcoming the need to repair or renovate a concept that is limited in its ambitions and scope.²⁷

Finally, friends as citizens re-introduces the idea of trust to political life. Cosmopolitan citizenship, derived from the modern constitutionalism based on the 'clever devils', emphasises limitless desires, ambition countering ambition, checks and balances.²⁸ The now extensive scholarship on trust demonstrates its importance for the proper functioning of institutions and healthy politics. Its efficacy for public administration, for compliance with codes and charters, and in law enforcement more generally, provides a useful reminder that we need to reconsider those aspects of citizenship that have been neglected or covered over by modern constitutionalism. It shows how fundamental political institutions presuppose trust. Yet trust, I would suggest, is merely one part of the overarching concept of friendship that is at the core of civic engagement. Friends as citizens would allow us to re-engage all aspects of citizenship, ranging from trust, to forgiveness, to love.²⁹

Limits to friendship

The idea of friends as citizens does, of course, raise a number of problems. We have already noted, above, the Platonic and Aristotelian concern that civic friendship can only approximate true friendship, which is only possible with a very few. That political friendship is perhaps no more than a shadow of those personal friendships to which we aspire does not necessarily undermine the notion of friends as citizens. Indeed, it may be a salutary reminder of the limits to politics for those who are young, ambitious and public spirited, such as Glaucon in Plato's *Republic*, who want the city to be like an individual, whole in every respect, feeling the same and acting in unison.³⁰

More problematic politically is the argument that friends necessarily define 'enemies', so that friends as citizens reintroduces a martial spirit that is opposed to the possibility of peaceful coexistence. This argument is advanced in its most challenging form by Carl Schmitt in his *The Concept of the Political* (Schmitt 1976). Schmitt's attempt to return to the 'political', which he defines especially as the idea of 'friend and foe', is implicitly a rejection of other distinctions, which include the aesthetic, the moral, the scientific and the economic. These distinctions, which give rise to their own criteria such as good–evil, beautiful–ugly, and so on, are countered by the friends–foe distinction, but in such a way that the contrary is dissolved into one of the categories – that of foe or enemy. Thus for Schmitt, it is the fundamental fact of the public enemy that takes precedence, and defines, friends and thereby all politics. Schmitt's affirmation of the political as the enemy is intended to overcome what he considers its liberal negation. It is not clear, however, whether Schmitt seeks to merely describe the political or rescue it from liberalism.³¹ Schmitt's normative defence of the political would suggest that 'enemies' may not be the essential aspect of friendship and therefore the political.³² This possibility can be seen in Socrates' discussion of the meaning of justice with Polemarchus in Plato's *Republic*.

In this subtle and complex discussion, Polemarchus starts with the poet Simonides' idea of justice as 'to give to each what is owed'. This definition yields the view that 'friends owe it to friends to do some good and nothing bad'. It also results in the proposition that what is owed to enemies is harm. Socrates, after examining with Polemarchus the meaning of 'owed', persuades him to abandon this second proposition. Because harming makes something worse, whether it be a dog, horse or human being, it is not just to harm anyone. The just person will not harm either a friend or anyone else. Socrates' moderation of Homeric spiritedness, evident in Achilles' avenging of his friend Patrokles in the *Iliad*, results in the new formulation that it is never just to harm enemies – one should help friends and harm no-one.³³

The significance of Socrates' exploration of the link between justice and friendship in the *Republic* for our discussion is that it reveals an important aspect to friendship, one we see developed by Aristotle in the *Politics*. This is the way 'friendship' as an idea actually challenges the notions of 'family', 'tribe', and in modern formulation, 'nation', all of which are founded on, and sustained by, forms of exclusion.³⁴ Friendship moderates – without recourse to the clumsiness and awkwardness of the law, rights, justice, and non-discrimination – the tendency of all political communities to close borders and impose strict limits to preserve traditions.³⁵ It reaches out beyond 'ours' to consider those who may be friends irrespective of origin or upbringing. The philosophically open-textured nature of friendship is not a limitation to friendship as citizenship but rather a corrective to our inclination to identify friends as those who are 'our own'. In doing so, it makes possible the 'stranger', someone who is between 'friend' and 'enemy'. Thus, the idea of friends as citizens provides the necessary counter to its own powerful impulse towards unity and possibly exclusion. More generally, to the extent that friendship looks towards equality – excludes both 'tyrants' and 'slaves' – it overcomes the concerns of those who see in communitarianism the origins of illiberalism.³⁶

It has to be admitted, however, that the problem of 'who is my friend' in its aporetic aspect seems far removed from the political exigencies of citizenship. How realistic is the idea of friends as citizens? Perhaps the best way to respond to this concern is by noting how complex our current political vocabulary appears when seen afresh. Consider, for example, the abstract slipperiness of the concepts of 'rights', 'contract', 'consent' and 'sovereignty', to name a few. Friendship, anchored in practical experience, but open to sophisticated multiplicity, avoids the dichotomies of theory and practice to sustain a richer notion of citizenship.

Towards a new citizenship

The classical idea of friendship challenged the traditional conceptions of community as family, tribe, kingship, even empire. It did so by positing the

possibility of a 'good man' for evaluating citizenship.³⁷ Though the idea of friendship may be conflated into these concepts by the Polemarchian doctrine of justice as desert, which becomes in effect 'helping friends and harming enemies', the Socratic correction of this principle – justice is helping friends and harming no-one – reveals the significant strength and flexibility of the political conception of justice as friendship.

Globalisation, in its cosmopolitan tendencies, is ostensibly opposed to this notion of friendship except perhaps in a 'virtual' sense: the propinquity one needs for friendship is sustained through modern technological advances. The extent to which this form of proximity can be said to sustain rich friendship is subject to debate. Leaving aside such possibilities, cosmopolitanism does appear to favour overwhelmingly the notion of a contractual citizenship, one based on juridical conceptions of rights rather than those based on friendship. In this chapter, I have suggested that the countervailing tendency in globalisation that favours the local may sustain a return to this older understanding of friends and citizens. At the very least, it now makes room for a more thoughtful and serious debate that engages the idea of friendship. It may be that friendship in its true form is a too rare and delicate thing to bear the burden we may seek to impose upon it. But its continuing strength, resilience and flexibility encourages a renewed engagement with the possibility of citizens as friends.

Notes

- 1 This chapter draws upon the article, 'Friends and Citizens: Changing Foundations of Modern Community' (Patapan 2003; published in Chinese).
- 2 On the authoritative nature of the political partnership see Aristotle, *Politics*, Book I (Aristotle 1984). According to Aristotle there is in everyone an impulse toward this sort of partnership (1253a30). Thus 'one who is incapable of participating or who is in need of nothing through being self-sufficient is no part of a city, and so is either a beast or a god' (1253a25).
- 3 For one of the first modern statements of this anti-Aristotelian conception of humanity see Machiavelli, *Discourses*, Book I, chs 1–2 (Machiavelli 1996).
- 4 The rhetorical force of a 'social contract' is recognised by Plato in his *Crito* 50a–54e (1984). Note, however, that for Socrates the contract is not between individuals but between the 'Laws' and the citizen Socrates. For the best known and influential early modern social contract theories, see Hobbes' *Leviathan* (1968); Locke's *Two Treatises of Government* (1992); and Rousseau's *The Social Contract* (1968).
- 5 See, for example, Hobbes' advice to the sovereign in chapter 30 of the *Leviathan*, 'Of the Office of the Sovereign Representative'; Locke's limitations on conquest in the *Second Treatise*, chapter XVI; and generally Hugo Grotius' *The Law of War and Peace*.
- 6 Consider the necessity of an expansive citizenship due to the dynamic and imperial nature of all republics as outlined by Machiavelli in the *Discourses*, Book I.
- 7 See his political works, for example, 'Idea for a Universal History from a Cosmopolitan Point of View'; 'Perpetual Peace' (Kant 1963).
- 8 See 'Perpetual Peace' in Kant (1963).

- 9 See generally Rawls (1971; 1999); Young (1990); Bauböck (1994). On human rights, see Lauren (1998); on global civic society, see Walzer (1995); on ethics, see Küng and Kuschel (1995).
- 10 That is, he accepts that republican governments have some inherent size limitations that cannot be overstepped (Kant 1963: 85–136).
- 11 For a review of the scholarship see Stokes (2000). Regarding its implications for community, contrast Linklater (1998) and Waller and Linklater (2003), with the discussions in Baker and Chandler (2005).
- 12 See Aristotle 1984: 1208b30.
- 13 See, in particular, Rousseau's *First Discourse* (1964), his *Emile* (1979) and generally Melzer (1990).
- 14 Consider these statements from the 'Prologue' in *Thus Spake Zarathustra*: 'One still loves one's neighbour and rubs against him, for one needs warmth'; also, 'One has one's little pleasure for the day and one's little pleasure for the night but one has regard for health' (Nietzsche 1971). The last man will be as ineradicable as the 'flea-beetle'. Beetles occupy a pedestrian and self-concerned (shelled) mid-point between the self-forgetting herd-like ants and the vain and proud individualism of the butterfly.
- 15 For a theoretical understanding of 'anti-Americanism' see Ceaser (2003).
- 16 For a general historical overview, see Konstan (1997); Riesenbergh (1992).
- 17 This open-ended nature of friendship is to be contrasted with the modern and romantic conception that 'closes' friendship by confining it to the unique 'individual'. See, generally, King and Devere (2000).
- 18 In Plato's *Cleitophon*, the interlocutor Cleitophon attributes to Socrates the notion of justice as the art that produces friendship in cities (409d). More generally, see Plato's *Lysis* on the question of friendship as 'similarity' as well as 'difference'.
- 19 Consider, in particular, one of his most influential works, *The Education of Cyrus* (Xenophon 1992).
- 20 See, in particular, Aristotle's (1985) discussion of friendship in the *Nicomachean Ethics*, Books VIII–X; and Cicero's *On Friendship* (*De Amicitia*).
- 21 On modern friendship, see generally Montaigne's 'On Friendship' (Montaigne 1992: 135–44); Montesquieu's *Persian Letters* on the troglodytes (Schaub 1995); Hobbes' famous account in the *Leviathan* of our natural 'solitariness'; and Derrida (1997).
- 22 For an examination of this phenomenon, see generally Anderson *et al.* (1997). For a European focus, see IDEA (2000); British Council (1998). For the neologism 'glocal', see Keating (1998) and Galligan (1995).
- 23 Note that this reduction need not be *de jure* – that is, a *de facto* political citizenship may co-exist, and be sustained by, present conceptions of sovereignty and international boundedness.
- 24 Because, as we noted above in Aristotle's discussion, friendship requires that we know others so that we can appreciate their reciprocal goodwill.
- 25 For example, it would require more detailed examination of the consequences of friends as citizens for defining the boundaries of political communities, its implications for national sovereignty, and finally its consequences for international relations.
- 26 The problem posed by individualism in modern democracies was anticipated by Tocqueville in his *Democracy in America*. For a modern examination of the Tocquevillian theme, see Putnam (2000).
- 27 It does so without formulating the problem as 'liberty versus community', or similar dichotomies that have dominated (and I would suggest limited) the communitarian debate: see generally Etzioni (1996: 3–33).
- 28 See generally *The Federalist Papers* (Hamilton *et al.* 1982); Patapan (2001).

- 29 On the increasing scholarly emphasis on trust see Hardin (2002) and the Russell Sage Foundation Series on Trust generally; Tonkiss and Passey (2000); Kramer and Tyler (1996); Fukuyama (1995). On the different conceptions of Platonic *eros*, Christian *agape* and *caritas* see Nygren (1982).
- 30 See, in particular, *Republic*, Book II and contrast Glaucon's ambitions with those of his more sober and civic-minded brother, Adeimantus.
- 31 Consider, for example, the presupposition or 'profession of faith' that human beings are dangerous.
- 32 For an examination of the normative aspect of Schmitt's claims, see Strauss' 'Comments on Carl Schmitt's *Der Begriff des Politischen*' in Schmitt (1976: 81–105).
- 33 *Republic*, 331e–336a. As Thrasymachus' critique suggests, it is not clear whether Socrates' position defends a friendship that is 'philosophical' rather than 'political'. Note in this context the grim reminder by Socrates that the transition from the simple 'healthy' city to the sophisticated 'feverish' city, necessitated by Glaucon's desires for luxury, requires territorial expansion and therefore war (373d–e).
- 34 On the way that friendship challenges the notion of a 'people', especially in its divine dimension in the Torah, see Bloom (2001) who explores the tension between family and the friendship as evident in the line of David.
- 35 For philosophical reflections on the problem of 'boundaries' and 'borders', see Anderson (1991); Walzer (1983); Carens (1992).
- 36 On the 'communitarian' debate, see Sandel (1982); Bell (1993); Delaney (1994); Etzioni (1996).
- 37 See Aristotle's (1984) *Politics*, Book 3, regarding the distinction between the 'good citizen' of any one regime and the 'good man' who transcends the particular, and sometimes debilitating, limitations of specific regimes. It is this distinction that introduces the intermediary 'stranger' who is not simply reduced to an 'enemy' (and may become a 'friend').

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8 Particularism, human rights and the transnational challenge

Andrew Vincent

Globalisation raises difficult questions for contemporary normative theory, and terms such as globalisation, cosmopolitanism and internationalism should not be seen as necessarily synonymous.¹ Universalism, internationalism, globalisation and cosmopolitanism are all open-textured and cross-cutting concepts. For some theorists, both cosmopolitanism and globalisation have pejorative connotations, as against the positive implications of internationalism or universalism. One might, for example, believe in international law or in the globalisation of markets, but have no sympathy with global ethics. Or one might be a legal cosmopolitan indifferent to cosmopolitan ethics or a critic of the globalisation of markets who believes in global ethics. To some, universalism appears antiquated, whereas cosmopolitanism is a product of modernity; others hold the opposite view. Universalism or globalisation can also be equated with occidental imperialism as opposed to genuine moral cosmopolitanism, which engages creatively with other cultures, eschews imperialism, claims no unique authority and does not presume any necessary commonalities.² More recent neologisms, such as interculturalism, cross-culturalism, transnationalism and postnationalism confuse matters further. In effect, there is no settled meaning or disciplinary point of reference for *any* of these concepts. In contemporary moral philosophy, cosmopolitanism and globalism are one dimension of a debate about the scope of morality. Kantianism or utilitarianism are seen as global ethical systems which can be contrasted with particularistic or communal conceptions of morality.

Nevertheless, a basic intuition underpins these terms. They all allude to *something* which transcends our particular memberships and look beyond the difference of human membership.³ For the most part, this often implies a concern with the universality of the human individual. Further, human individuals are *equally* of concern, regardless of time, place, membership, age, or gender.

During the twentieth century, one of the most influential members of this family of value words has been the concept of human rights. Human rights have always been conceived under the general rubric of universalism (as in the 1948 *Universal Declaration*). That is to say, rights are regarded as

applicable to all human beings equally. Rights are also embedded in the idea that human well-being is not linked to any *particular* membership. They are consequently seen to address something quite fundamental about what it is to be human.⁴ The opposition over the last two decades to this mode of thinking can be termed 'particularism'. Although the sources for particularism have been philosophically diverse (Vincent 2002), the central intuition underpinning the particularist argument is the irrevocable dimension of human differences and the local character of all our moral and political values. It follows that any form of universal moral judgment is impossible if not offensive as a form of moral or political imperialism.

Cosmopolitanism, globalism and universalism are also seen, paradoxically, as inverted articulations of particularity. Thus, Kant's notion of cosmopolitan reason is seen, for example by Foucault, as an accidental and not a universal phenomenon which takes little account of the contingencies of human existence. Whereas Kant and neo-Kantians to the present day think of rationality as universal and transcending contingency, Foucault considers it a particularist idea requiring genealogical investigation. Cosmopolitan enlightened reason is regarded as 'an event, or set of events and complex historical processes, that is located at a certain point in the development of European societies' (Foucault 1984: 85). This notion of reason defines humans in specific ways, namely, according to their possession of this conception of cosmopolitan practical reason. Once humans are defined in this manner it excludes *other* ways of being human. This gives rise, for Foucault, to the notion of the 'inhuman', namely, conceptions of humanity which do not conform to the cosmopolitan 'rationalist model'. Once the idea of Western adult rationality becomes the measure of being human, then, others, for example the colonised or oriental, are viewed as only partly human – irrational, immature and childish – and thus needing the educational interventions of Western colonial powers. Indeed, it is suggested that cultures, ethnicities, nations and the like remain either opaque or just unknowable to each other.

Since the 1990s, this particularist argument has resulted in a wave of criticism of human rights. On particularist accounts, rights are seen as essentially linked to membership. Even the concept humanity becomes questionable.⁵ Instead, particular membership is given ontological priority.⁶ Communitarian, contemporary nationalist, postmodern and post-structural, reflexive anthropology, postcolonial, subaltern, Asian values debates, difference theories and some group rights argumentation are all involved in the debate.

In this chapter, I focus on *one* internal aspect of particularist arguments about human rights. Despite appearances, most particularist critiques of human rights over the last two decades have been hesitant about any outright rejection of the transnational or global character of human rights. This hesitation is premised on a subtle distinction between a minimal and maximal understanding of universalism. I will argue, however, that the

acknowledgement of such a distinction raises a philosophical dilemma for particularist arguments.

Minimum problems

For particularists, moral and cultural difference simply cannot be resolved. Values remain incommensurable, and there is no development towards any kind of global consensus. The majority of particularist criticism, however, rests on a general claim that the nation, culture, ethnos or community are the crucial *particulars* through which rights are recognised, articulated and legitimised. The logic of this case is basically that the culture or ethnicity is *primary* and any right claim is *derivative*. Understanding must therefore focus on the cultural particular. The standard alternative cosmopolitan scenario is where the right or value is articulated independently of any particular attachments.⁷ This distinction is formulated clearly by Walzer. In discussing the role of the political theorist, he makes a distinction between, on the one hand, the universalist political theorist, who purports to climb a mountain, moving outside society, and, on the other hand, the political theorist as, what he calls, the ‘connected critic’, who interprets the lives of fellow citizens to and for them. For Walzer, the particularist position – that is the connected critic – is the only way to proceed. We cannot walk out of our present life and try to find any universal foundation. Walzer also admits that criticism of a society or culture can really only be done from *within* its own value structures. Thus, the ‘right’ must always be evaluated through particular communal conventions. However, for many critics of cosmopolitanism, the particular character of rights is a *fait accompli*. It is therefore a category mistake to try to identify any globalised theory of human rights.

Of the latter point, were it the key position taken by particularist critics, then that might be the end of the matter. It would be a choice between incommensurables. Human rights would appear, in this caricature, to be placed on one side and particularism on the other. At most, the optimistic particularist might be waiting for a fresh set of universal rules from a new St Benedict.⁸ However, the issues are not quite so straightforward. An examination of particularist writings reveals a subtle slippage on the question of universals. One can find many examples of this soft particularist argument in a number of theories over the last few decades – for example, in the various postcolonial, subaltern and orientalist debates.⁹ There are, what might be termed, both soft and harder-edged particularist arguments. These arguments can be brought to the surface if we focus on human rights. The root question is: are universal human rights simply an expression of particular cultures, or do they contain any universally applicable components? The hard-edged particularist would have a very direct response, namely, that human rights are always the reflection of the concerns of particular communities, cultures, groups or languages.¹⁰ The idea that human rights are universal must be treated with derision. However,

there is a pervasive, softer rendition of particularism which is not so certain. In fact, this latter position is much more characteristic of particularist arguments.

To take but one random example of the softer rendition: Michael Walzer has drawn a distinction between thick and thin moralities, or what he also refers to as minimal and maximal values and reiterative and covering law universalism. The reiterative universal implies a minimal universal code, constituting cross-cultural requirements which have become commonly accepted by all groups and states (Walzer 1988: 22). Walzer suggests that this 'minimal morality consists in the rules of engagement that binds all the speakers' (Walzer 1994: 12). Minimal (reiterative) claims are, he argues, ultimately distilled down from maximal moralities (*vis-à-vis* covering law universalism) (Walzer 1994: 13). He explicitly identifies these minimums as: the expectation not to be deceived, treated with gross cruelty or murdered, tortured, grossly oppressed, tyrannised over, or treated with manifest injustice. These might be thought of as 'limit conditions' – concerning conditions of birth, death, child rearing and the like – which every human culture must engage with. He consequently posits these as a *minimal* content for universal human rights (Walzer 1992: 136). For Walzer, 'minimalism makes for a certain limited, though important and heartening solidarity'. However, he adds: 'It does not make for a full-blooded universal doctrine' (Walzer 1994: 11).

The minimum is therefore distinct from the rich maximal moralities of cultures. In a standard communitarian move, Walzer sees the 'thicker' moralities embedded in communities and social practices. The thin universalism as reiterative acknowledges that, subject to these minimal universal constraints, there are many different and valuable ways of life that have equal rights to flourish in their respective locations and deserve equal respect (Walzer 1988: 22). Walzer therefore essentially holds onto the particularist claim of communal difference, whilst at the same time adhering to a 'thin universalism' which upholds a universal human rights thesis.

A similar argument is suggested, more indirectly, by Richard Rorty, from a pragmatic and non-foundational position. The issue of the universal nature of human beings is irrelevant for Rorty. The crucial point concerns what we make of ourselves.¹¹ One of the important factors in this self-making is the ethos, nation or culture within which humans develop (Rorty 1989). Rorty argues, for example, that the notion of 'we' or 'us' (co-nationality) is central to *any* concept of mutual obligation. Yet, this sense of 'us' can also lead, as he notes, to potential inhumanity. In responding to this potential inhumanity, we do not require rational argument. Conversely, humans need an education in sentiments (Rorty 1998: 176). The goal of a sentimental education is to get people acquainted with different ways of being. We are then inclined to include strangers in 'my people'.¹² Thus, what actually encourages respect for a 'human rights' is *not* a rationally articulated morality, but rather an imaginative 'sentimental

education', that is, imaginative stories which encourage people to include others in 'my people'. We need to encourage people to imagine what it is like to be an alien or refugee.¹³ In narrating stories, we affirm the minimum of universal human solidarity. There may be no substantive rational universal truths here; however, Rorty still acknowledges the importance of minimal universals in the way we imaginatively conduct ourselves. We may not be able to justify these minimums by reason, but we still adhere to an underlying ethic of care. Thus, a *sotto voce* universalism constitutes the minimal cross-cultural conditions for basic rights.

Minimal questions

The upshot of this brief account of soft particularist criticism is to draw attention to the point that many are wary about wholly dismissing claims to universal minimums. The usual tack here is either implicitly or explicitly to assume a distinction between a maximal and minimal conception of universals.

One general problem with the harder-edged case for particularism is that it, quite simply, undermines itself. If meaning and value lie *totally* in particular groups, cultures or states, there would be no possibility of any communication. This is absurd and flies in the face of what we do know. Communication between cultures clearly can be difficult at times, but it is not impossible and can often be fruitful. Further, even to try to communicate the meaning of the hard-edged particularist case against universalism commits one to the key assumption that others (universally) will understand your reasoning and will share your value in such enterprises. The particularist is therefore assuming (the universal value of reason and argument), what she is trying to disprove (via particularist critique). Even the seemingly innocuous deployment of common rules of reasoning for understanding arguments would appear to commit the same basic logical error, if it is used to make the strong case for particularism.

Yet, if the harder-edged argument is logically self-refuting, the soft particularist argument also has some problems. If basic human rights minimums are exempted from critique and regarded as universal, then it implies that there are apparently universal truths about humanity, which all cultures implicitly acknowledge. If this is the case, what is the *justification* for such rights for particularist exponents? One problem is that the potential candidates for justification – utilitarianism or neo-Kantianism – are rejected by the majority of soft particularists at the outset. The problem then is that in acknowledging that basic rights minimums are exempt from particularist criticism, they appear then to be admitting that universal claims have some validity. However, the key question is: how do they justify why we abhor cruelty, find starvation, extreme racial discrimination and torture as unacceptable? There seems to be a normative hole in the particularist argument here.

There are two particularist responses to this criticism. The first asserts that we should separate out the *mode of justification* of human rights from the *legal or institutional form* of human rights. Thus, the legal or institutional form of the human right (which acknowledges basic minimums) is not logically dependent on the normative background. It free floats. Thus, if the particularist argument only stresses the legal form, then it does not really matter too much what the underlying mode of justification is. The formal legal aspect is kept distinct from any comprehensive justification. Consequently, a minimum human right would hold universally, regardless of justification. Justifications, in that sense, are unimportant. This proposition, in fact, has been one classic strategy since 1948 to gain agreement on human rights.¹⁴ The central weakness here is that not many soft particularist critics of human rights would necessarily want to say this – specifically the more recent culturally orientated critics. If the critic were a Muslim, for example, who accepted human right minimums, it is more than likely that this person would want them to be justifiable, in some way, from the *Qur'an*, unless I am very much mistaken. Thus, the distinction between ‘legal form’ and ‘mode of justification’ looks shaky in terms of those making the minimalist case.

However, a second particularist response could argue that human rights minimums actually *are* (at root) a body of particular conventions, which just happen to have be ‘widely accepted’ (inductively) across different cultures and communities. Thus, there is purely fortuitous coincidence between the particular conventions of different cultures. This is what Walzer refers to as a *reiterative universalism*. One can therefore retain the credibility of both the particularist and the universalist arguments. There is some validity to this point. Prohibitions against gratuitous killing of women and children, extreme torture, and such like, *tend* to be accepted in many cultural traditions. Minimum human rights thus exist reiteratively. However, there are two weaknesses in this argument. Primarily, if one tracks across thicker cultures and moralities, the human rights minimum would clearly not be accepted for the *same* reasons. Thus nationalist, Muslim, Hindu or Confucian ‘thick’ reasoning about human rights minimums are likely to be very different. This touches, again, upon the argument concerning the first response. My question is this: can one really distinguish clearly the *acceptance* of a minimum from the *reasons* for holding to it? Further, the universalist critic could also argue that the particularist position here simply does not hold water, since the universal acceptance of the minimum is due to the fact, either, that the minimum actually *is* a universal ‘grounding experience’ or ‘limit condition’ for all human beings outside of any beliefs or reasons, or, that universal practical reason actually leads one to view it as universal. Both points would be unacceptable to the soft particularist argument.

However, if one does accept that reasons are *integral* to particular belief structures, then further problems arise. If human rights minimums are

integrated within particular belief structures, why, then, are single minimums singled out in the first place as exempt and different from any maximal morality? One way of responding to this criticism is to suggest that the distinction between minimal and maximal morality is too unwieldy. Thus, the argument would be that human rights minimums are already deeply integrated within conventional belief systems. Therefore, one might argue that the *Qur'an*, Buddhist canon or Confucian texts, already contain all the basic human rights minimums. The believer may have to search diligently in these authoritative texts, but they are nonetheless still present. This is, however, a deeply contentious argument, which would need detailed comparative textual study to confirm one way or the other. The argument suggests a deep underlying global ecumenism in all world cultures and religions. At first glance, given what we know of religious conflict, this is not persuasive.

A related problem to the above is that if one justifies human rights minimums through distinct cultural conventions, those justifications are not articulating discrete values. A belief about women's roles in society in, for example, neo-Confucianism or an Australian aboriginal culture, is not an isolated value which can simply be amputated from the body of less or more comfortable neo-Confucian or aboriginal beliefs. Values are a part of systems of values, as words are part of languages, and cannot be simply cut off at will to suit a syncretistic modern convenience. In other words, can the reasons for a minimum human right be separated from the whole structure of particularist value-based reasoning? Can a right to life, for example, be separated from the conventional norms which make the right, literally, 'come to life' for a soft particularist? One response to this is to suggest, again, that we should distinguish the maximal and minimal values and the background justifications from the legal forms. However, my query is: does this actually make sense for a Buddhist or Christian believer in human rights? This neither implies that these religious or cultural beliefs could not be internally reformed or adjusted such as to make them friendlier to universal human rights; nor does it take full account of the potential diversity of elements within these cultural categories, some of which might well have beliefs which would be more conducive to universal minimums.

Contested minimums

Another way of looking at this question of universal minimums would be to move backwards to the original intuitions again. Is there a deep intuitive global consensus about what is minimal? Is the actual meaning of a human right minimum resolved in international discourse? It is important to recall here that this debate is underpinned by a complex question, namely, what is it to be human? Or, to put it another way, what are the essential minimal preconditions for human existence? Some have suggested that the notion of a minimum is uncontested. However, this is far from the truth.¹⁵

There are four present contenders for minimums. First, there are *absolute physical minimums*, that is to say, the biological (dietary and shelter) conditions of human functioning. These correspond with the idea of basic human biological needs. The conclusion would be that human rights minimums address the most basic issues of human need, although many would see these as far too minimal. A minimum is more than simply bare survival. Second, there are the more traditional broad minimal claims to protection of life and liberties. These might be called generic *civil minimums*. These appear to underpin the soft particularist acceptance of minimums such as prohibitions against slavery, genocide, murder, torture, prolonged arbitrary detention and systematic racial discrimination. Third, there are *economic and social minimums*. Some recent soft particularists (for example, Asian values proponents) have argued that economic and social well-being are far more important than civil minimums. Generic civil human rights are all very well, but if one is living in an insecure developing economy, subject to the vicissitudes of a global capitalist market, then basic economic and social (human) rights are far more important than any civil rights (Tatsuo 1999: 34). This argument can generate anger and consternation amongst some civil rights proponents.¹⁶ Fourth, human beings can be seen to function solely through cultures. Thus, human rights should minimally embody the values of these cultures. Thus criminal law, family law, women's and children's rights can all be regarded as more culturally specific. Human life can only function in a cultural setting. These can be seen as *cultural minimums*.

What are we to make of this scenario? Contrary to the soft particularist argument – that human rights minimums can be kept distinct from particular beliefs – it appears that the idea of what actually is minimal is, in fact, deeply implicated with the whole question as to what a human right is. Each rendition of human rights can be considered as articulating a minimum, which consequently shifts between physical, civil, social, economic and cultural criteria.

Following on from the above criticism, the four conceptions of the minimum can also be seen to be in direct conflict over basic terminology. If we take, for example, a human right to life, the concept life can be viewed as just living, that is biological survival; second, it can be considered in terms of being 'left alone', or not being harmed, except via due legal process. All that is therefore required from an external agent is passive forbearance. This might well imply that *no* harm has been done, even if a person starves to death. Third, life can also be viewed as an adequate economic and social existence. Fourth, life can also be seen through the lens of cultural or religious conventions. Real life can therefore only exist under the auspices of a particular belief system. Thus, only the 'life in Christ', or, living under the eightfold path of Buddhism, is really 'life'. This issue about what we mean by 'life', *vis-à-vis* the minimum, is yet another example of the difficulty of demarcating justificatory reasons from institutional norms.

One additional problem here is that for some soft particularists, the traditional Western approach to human rights frequently entails abandoning or bracketing out religious and cultural beliefs. As Charles Taylor comments, Western human rights exponents will often 'tend to think that the path to convergence requires that others too cast off their traditional ideas, that they even reject their religious heritage'. Yet, for Taylor, other cultures have not gone through the same historical trajectory as the West. This, for Taylor, handicaps the manner in which the West views culturally embedded claims (Taylor 1999: 143–44). However, there is something odd in Taylor's argument. One of the key reasons for stressing human rights minimums is that it *allows one* to bracket out religious or moral beliefs. Torture is thus abhorrent regardless of belief system. Thus, Taylor's suggestion to take those religious beliefs fully on board, as integral to the minimum, does not solve any problems. If anything they become worse.

Finally, if, as Taylor suggests, one does view human rights minimums through the refracting lens of particular beliefs, then it seems that there are no neutral starting points to critically assess them. This path seems to be the implication of the soft particularist argument. For Walzer, for example, minimums are fundamentally important, but they are still culturally mediated. He comments that 'minimalism ... is less the product of persuasion than of mutual recognition among the protagonists of different fully developed moral cultures'. Thus, for Walzer, 'the minimum is not the foundation of the maximum, only a piece of it' (Walzer 1994: 17). In this context, the minimum does not offer a standard for criticism. The only critique possible is 'internal critique', from within a particular community. Thus, if one had reservations about the treatment of women or family customs, the only way to address these concerns would be to work from within the particular cultural norms and try to point out internal inconsistencies within that particular value system. Debate about human rights would then become largely a debate about how to interpret religious or cultural beliefs, that is, a branch of ethnography or comparative cultural studies. Human rights minimums would consequently lose their critical edge.

Minimal conclusions

I conclude that the particularist arguments on human rights are caught in a philosophical dilemma. If the critic holds to a hard-edged particularism, it is logically self-refuting. On the other hand, if it is prepared (via soft particularism) to accept the minimal claim that torture or starvation, and the like, are universally unacceptable, then the question arises as to the *relation* between soft particularist argument and the actual justification of the universal minimums. The concept of the minimum thus opens up a rift in the soft particularist position. Critics who exempt human rights minimums are committed to an apparent contradiction. They assume (that is, the

universal minimum) what they appear to deny (via their particularist argument). There are also further ambiguities concerning what is minimal in human rights discourse, and whether the minimal is immanent in all renditions of human rights. In other words, there is a general conceptual confusion about what precisely is minimal. Third, if one interprets human rights from say an Islamic or Confucian perspective, what actually comes prior in the argument, the minimal requirements or the normative justificatory reason? Can the normative justification be separated conceptually from the idea and practice of the human rights minimums? Thus, the soft particularist position appears to be enmeshed in a dilemma through the very idea of minimums. In summary, this chapter is not an argument for human rights; however, it is an argument which undermines the arguments of those who oppose them. This discussion opens a new space for speaking about the value of human rights.

Notes

- 1 The word 'internationalism' was first coined by Jeremy Bentham in the 1780s to name a part of his legal theory which was concerned with the 'laws of nations'.
- 2 See, for example, the work of Hollinger 1995 or Appadurai 1996.
- 3 In standard formulations this intuition is formulated under a singular abstract normative principle of action and reflection (such as utility), which applies regardless of human variation.
- 4 Admittedly, there have been debates, largely from the 1990s, concerning the cultural dimension of human rights – sometimes linked to the idea of 'third generation human rights'. The 1993 UN Vienna Conference focused on some of these debates. However, this latter issue is very much part of the more general cultural critique of universal human rights during the 1990s, and will thus be treated as part of that wider debate.
- 5 The older echo here is Joseph de Maistre's famous remark: 'I have seen Frenchmen, Italians, Russians, etc.; thanks to Montesquieu, I even know that *one can be Persian*. But as for *man*, I declare I have never in my life met him; if he exists, he is unknown to me' (1974: 97).
- 6 For a critical discussion of many of these diverse theoretical areas, see Vincent 2002.
- 7 See Walzer 1987: 6–7; Walzer 1983: xv, xiv. Raymond Plant summarizes the central issue in the question: 'Do we need a universal ethics to sustain our society or do we need an ethos, a set of values implicit within society which the philosopher can play a role in bringing to the surface as a basis for further critical reflection?' (1991: 329).
- 8 Although waiting for Godot might be a more apt description.
- 9 See, for example, Said 1978; Guha 1982; Prakash 1990. For an overview of these theories, see Gandhi 1998. My own fuller critique of these latter arguments can be found in Vincent 2002: ch. 8.
- 10 As Abdullah A. An-Na'im comments: 'Like all normative systems, human rights regimes must necessarily be premised on a particular cultural framework'. He continues:

Because cultural context is integral to the formulation and implementation of all state policies, including those that have clear human rights con-

sequences, [thus] detailed and credible knowledge of local cultures is essential for the effective promotion and protection of human rights in any society.

(1999: 147)

- 11 For Rorty: 'In the two centuries since the French Revolution, we have learned that human beings are far more malleable than Plato or Kant had dreamed' (1998: 175). The more impressed we are by such malleability the less we are by the idea of a universal nature (dreamed of by Kant and Plato).
- 12 The serious work is therefore in developing sentiments 'rather than increasing our knowledge' (Rorty 1998: 172).
- 13 A human rights culture would not, therefore, be caused by the spread of rational argument, but rather through increasing trust, which would be the result of the 'education of the sentiments'. This approach means minimally an increasing ability to 'see the similarities between ourselves and the people very unlike us' (Rorty 1998: 181).
- 14 This point corresponds with an important aspect of human rights in 1948. As many realised at the time, if human rights were to be based upon a justificatory agreement about universal values, there would never be a Universal Declaration. Consequently, as Michael Ignatieff notes: 'There is thus a deliberate silence at the heart of human rights culture' (Ignatieff 2003: 78). It was simply taken for granted that human rights existed.
- 15 Stuart Hampshire suggests that universal minimums are addressed to what he calls the 'great evils', that is: physical suffering, the destruction and mutilations of war, poverty and starvation, enslavement and humiliation. For Hampshire, these are perennial and *not* culture-dependent. Whereas some things need to be established as evils, with good reasons, such as a gross maldistribution of goods, other things, the perennial evils, 'are immediately felt as evils by any normally responsive person'. It is these latter evils which must be protected against by universal minimums (See Hampshire 1999: 9; 1989: 90). Part of the background for Hampshire's conception of minimums can be found in Herbert Hart's earlier work on the preconditions for any legal system. Hart commented: 'unless certain physical, psychological, or economic conditions are satisfied e.g. unless young children are fed and nurtured on certain ways within the family, no system of laws ... can be established'. Such things may explain 'why human beings have conscious aims or purposes which Natural Law takes as its starting-points' (Hart 1961: 189–90).
- 16 As Maurice Cranston commented:

a philosophically respectable concept of human rights has been muddled, obscured and debilitated in recent years by an attempt to incorporate into it specific rights of a different logical category. The traditional human rights are political and civil such as the right to life, liberty and fair trial. What are now being put forward as universal human rights are economic and social rights, such as the right to unemployment insurance, old age pensions, medical services.

(1973: 65)

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Part III

New transnational citizenships and new civil society spaces

9 Transnational citizenship and direct action

April Carter

Like national citizenship, transnational citizenship can be understood in a number of ways and implies both rights and duties, including the right to take part in political activity. Critics, however, question how far criteria used for national citizenship really apply at a transnational level. In this chapter, I argue that protest is often a central means of expressing transnational citizenship in relation both to protecting rights and performing duties, but, in particular, is a way of engaging in relevant political action. I further argue that unjust wars, dangers to the global environment, and the global impact of dominant economic institutions and neoliberal policies, need to be countered by worldwide protest. Moreover, the very absence of institutions of democratic global governance means that multinational corporations and international organisations are not sufficiently accountable for policies which result in social injustice or environmental damage. Protest can take many forms, but effective protest often involves the use of primarily non-violent direct action. Direct action at a transnational level can, therefore, be seen both as a response to a global democratic deficit, creating a form of power from below, and also as an expression of transnational citizenship.

A republican concept of citizenship is most likely to endorse robust popular protest, although some republican theorists query the idea of transnational citizenship. Many examples of direct action can also be seen as method of communication and therefore, can be understood as a contribution to transnational discourse and be justified within a deliberative conception of democracy.

The rights, duties and practices of global citizenship

There is a cosmopolitan framework for individual rights, since the UN Declaration of Human Rights and subsequent conventions on different kinds of rights endow all individuals in principle with rights to life, liberty, equal treatment and social welfare, and cultural autonomy. Although, ultimately, protection of rights still depends on nation-states, in many states the judiciary takes account of the government's international

obligations. In Europe, moreover, individuals can appeal directly both to the European Court of Human Rights to uphold basic legal rights and to the European Court of Justice to uphold certain social and economic rights guaranteed by the European Union. Where states refuse to accept or implement international charters, individuals, at least, have a recognised standard to which they can appeal.

Transnational citizenship does not yet, in the absence of transnational taxes, imply direct legal obligations upon the majority of individuals. While governments are rarely held to account before the International Court of Justice, the evolution of international law relating to genocide and crimes against humanity means that international tribunals, some national governments and the new International Criminal Court can potentially hold individuals (especially those wielding power) to account for gross abuses of human rights. This growing body of international law, originating at Nuremberg, also provides a wider framework for opposing some national military policies.

Citizen duties have, however, always been moral as well as legal. To be a good citizen often suggests voluntary social activity (as the debate about the role of civil society demonstrates) and sometimes may require resistance to bad governments or bad laws. The moral content of transnational citizenship is crucial. To call oneself a citizen of the world is to suggest a fellow feeling with all humanity and a sense of duty to people suffering severe repression or acute distress anywhere.

Citizenship also implies periodically engaging in specifically political action. Although the boundaries of what counts as political are fluid and debatable, some expressions of cosmopolitan sympathy – such as assisting victims of flood or famine – are (however vital) primarily expressions of human charity. Signing an Amnesty petition, on the other hand, is a minor political act. The main channels for expressing voluntary obligations are the numerous transnational bodies such as NGOs and social movements which, for instance, promote human rights and seek to protect the environment or campaign for economic development. Working for or supporting these organisations is an act of transnational citizenship comparable to engaging with civil society at a national level. But in the absence of global elections, there is no single symbolic expression of practical citizenship at the global level.

Moreover, since there is no elected world body, there is no universal means of ensuring accountability to the people of the world as a whole. There is a complex system of world governance through the multiple international governmental bodies (both universal and regional), so there is some degree of accountability to governments of individual member states. Global civil society bodies, which are, in many cases, formally attached to international bodies in a consultative status, and which can and do publicise their assessments of the conduct and effectiveness of various international organisations and their policies, also seek to promote

accountability. But this activity requires research and resources, as well as appropriate contacts and public status.

A form of political action available to almost everyone – though it may be very dangerous in repressive contexts – is to protest. Protest can fulfil a number of important but distinct functions: it can be a way to protect one's own rights; it can demonstrate solidarity with people struggling to defend their rights; it can express moral obligation; it can be a mode of political action undertaken in a spirit of responsible citizenship; and it can try to hold those wielding political or economic power accountable.

All this is true in relation to domestic policies within nation states. But at a global level of protest, it becomes more necessary, for example, to oppose national governments threatening world peace or the environment. Given the lack of accountability within the global economy, there is often a strong case for resorting to methods of non-violent direct action to oppose either multinationals or policies imposed by international economic organisations.

Defining transnational direct action and its targets

Within liberal states, protest in the form of petitions, lobbying, public meetings and demonstrations is a constitutional right and a recognised extension of political activity. Non-violent direct action covers a wide spectrum, but often denotes boycotts, strikes, peaceful blockades and occupations. Symbolic protest, such as mass rallies, marches or forming human chains, is on the borderline between conventional liberal tactics and direct action. Moreover, in most states, there are times when protesters challenge the injustice of particular laws by acts of defiance and by being willing to go to gaol. In illiberal states, most protest tends to be illegal, so even constitutional modes of protest become a form of civil disobedience.

Direct action has become increasingly common and accepted as legitimate within liberal polities, though where to draw the line between peaceful protest and illegitimate coercion is contested. The justification of minor sabotage, such as cutting fences or damaging equipment, is also disputed, though the tendency over the last thirty years has been for demonstrators to move away from a strict Gandhian definition of non-violence to acceptance of a more militant interpretation of direct action. Direct action is undertaken for a very wide range of causes, some highly controversial, but frequently it mobilises those without power against powerful governments, corporations or international bodies.

Many campaigns of direct action or individual acts of civil disobedience appeal to a cosmopolitan morality or have global implications. There is a long tradition of protesting nationally to oppose one's own government, but doing so as a 'citizen of the world', to preserve the rights of people elsewhere and to uphold universal moral principles. Campaigners against weapons and war have, in particular, made this claim (Woolf 1947: 197).

One striking development is the increasing tendency of those disobeying the law in their own countries to appeal to international law, a right which some courts began tentatively to uphold in the 1990s (Carter 2001: 4, 185).

Social movements have always had a transnational thrust, as the earlier history of peace, socialist, anti-colonial and feminist movements illustrates. Increasing global interconnectedness, including the revolution in communications, has not only created a flourishing transnational green movement but also intensified the links between environmentalists and today's campaigners against wars, neoliberal capitalism, or abuse of human rights.

Thus protest in one country often inspires similar action in others, and can sometimes spark a transnational movement. Moreover, local and national campaigns often have transnational implications – for example, when directed against neoliberal economic policies. For instance, the people of Cochabamba City in Bolivia took part in general strikes in January and April 2000 to resist the privatisation of their local water supplies, which the government had contracted to a consortium headed by Bechtel. These protests led to a reversal of government policy, and Cochabamba became a symbol of global opposition to IMF-sponsored policies of privatisation (Kingsnorth 2003: 77–81).

Strictly transnational protest, however, involves coordinated action across national frontiers. The targets are also transnational – multinationals or international organisations such as the World Bank, or else national governments engaged in policies damaging at a transnational level. French nuclear testing in the Pacific, for example, led to widespread opposition in the Pacific region and transnational resistance, symbolised by Greenpeace's attempt to sail the *Rainbow Warrior* into the testing area in 1985 and the further attempts to enter the Mururoa testing area in 1995.

Transnational direct action campaigns may centre on local or national crises – for example, drilling for oil or mining – and be supplemented by constitutional, symbolic and direct action protests in other countries, such as brief occupations of relevant offices. One of the best known examples of local resistance which turned into a transnational campaign, was the resistance by the Ogoni people in Nigeria to the operations of Shell, which were destroying their local environment and producing no local economic gains. The mass resistance by the Ogoni was savagely repressed by the Nigerian military government in the mid-1990s, but led to transnational protests and consumer boycotts and had longer-term repercussions on Shell (Carter 2005: 129–32; Cooper 1999: 189–202).

Conversely, direct action may begin at a transnational level. The boycott of goods produced under sweatshop conditions in developing countries, for example, the campaign against Nike sports wear (Klein 2000: 365–97). Transnational agitation and boycotts can also sometimes, in turn, encourage localised strikes – for example, in a factory linked to Nike in Mexico (Klein 2002: 60–63).

Protest may take place within national borders but have a common transnational goal and be coordinated to take place at the same time. The mass mobilisations against the Iraq War in February 2003 are obvious examples. Coordinated direct action across frontiers, as opposed to marches and rallies, tends to be on a smaller scale, but is quite common. It is often directed against multinationals to protest about specific human rights, such as targeting of trade unionists, or about wider environmental and economic concerns. There is, for example, an annual worldwide day of protest against McDonalds, involving pickets, dumping McDonalds rubbish in its outlets, gluing locks, and local strikes (Carter 2005: 122).

Finally, transnational protest often involves people from different parts of the world joining together in one place to participate in a common action. Sometimes individuals come from different countries to express solidarity with a particular group suffering from abuse of their rights. The Solidarity Movement activists, who have tried by their presence and actions to protect Palestinian homes from being bulldozed and Palestinians from arbitrary shooting – and have in several cases lost their own lives – provide a good example. Often people come together to promote a common cause, such as resisting war, damage to the environment or neoliberal economic policies. There have been numerous demonstrations at economic summits around the world to protest against the nature of the economic policies of the international economic organisations – including the Jubilee 2000 human chains of tens of thousands demanding debt relief at G8 summits in Birmingham (1998) and Cologne (1999); the bringing of the WTO meeting to a halt at Seattle in December 1999; the confrontations at Genoa in 2001; and the mass mobilisation, including Korean trade unionists and farmers and thousands of Mexican peasants, at Cancun when the WTO met in 2003.

Democratic deficit, accountability and transnational protest

The case for direct action as countervailing power is particularly strong at a transnational level because of the lack of democratic channels. There are, as the examples of protest above suggest, three key areas where policies have a global impact: war, the environment, and the global economy. Nation-states, multinational corporations and international economic organisations can all act in ways which inflict major harm. States are often constrained by international agreements and membership of international bodies, but not all states sign up to agreements or respect them, and international bodies can be ignored by powerful states. The world superpower – the USA – has, for some time, resisted signing or ratifying international agreements, especially on environmental and arms control issues, and this unilateralist tendency has become even more prominent under the Bush administration.

When nation-states make decisions on defence or broader security issues, which impinge on the rest of the world, such states are sometimes open to

a degree of internal pressure or restraint. But these are areas of government often least open to parliamentary votes or public scrutiny, and where governments are most prone to secrecy and to misleading justifications, as the run-up to the Iraq War well illustrated.

Therefore, transnational protest against military policy has a dual role: to help mobilise internal dissent within the relevant state(s), and to create a transnational public opinion and forms of pressure encouraging these governments to reconsider. The scale of mass demonstrations against the Iraq War did not prevent the war, but the ferment of dissent may have been one factor (among other issues of national interest and international law) in promoting opposition by some governments. Public opposition may also discourage governments from supporting further military action which lacks clear international legitimacy. Direct action, in the form of blockades of airbases or 'human shields' travelling to Iraq, did occur, but was a relatively minor part of the total protest. There was no immediate resistance within the armed forces. But the mounting problems faced by the occupation forces in Iraq have encouraged growing doubts within both public opinion and the armed forces – a British Territorial Army lance corporal called on colleagues to refuse to go to Iraq in January 2005, and individual US soldiers have also refused to serve or deserted.

Multinational corporations, which increasingly exert economic and political dominance in most parts of the world and sway national governments, are primarily responsible to their shareholders and are guided by profits. Although they are subject to some national regulation, the aim of global neoliberal policies is to remove legislation or taxation relating to social welfare or the environment, and to bind governments to give multinationals a free hand. The growing web of free trade agreements provides a legal basis for multinationals to sue governments for compensation, as Bechtel is suing the Bolivian government for reneging on the privatisation of water in Cochabamba.

Corporations are, however, potentially responsive to public protest, because it can damage the corporate image. Corporations selling branded goods worldwide are also potentially sensitive to widespread or well publicised consumer boycotts. Third, although decentralisation and sub-contracting, and corporate ability to shift production round the world, has reduced the effectiveness of the traditional labour tool of strikes, unionisation and local strikes can still give workers greater bargaining power. Protest has also focused on the role of shareholders and promoted a greater emphasis on the social responsibility of corporations. At least partly in response to transnational campaigns, many multinationals have adopted codes of conduct, though the effectiveness of such codes or the extent of commitment to environmental and social goals is highly contestable.

Neoliberal policies are promoted principally by the IMF, World Bank and WTO, and through new trade agreements such as the North American Free Trade Agreement implemented since 1994, and the Free Trade

Agreement of the Americas still under negotiation. International organisations are especially remote from general popular influence – although such bodies are, in principle, directed by member governments and, in practice, usually by the most powerful governments. Even where there are formal democratic institutions, as in the European Union, the gap between the peoples within the Union and the central decision-making bodies creates a democratic deficit. Most international bodies are much more insulated from any semblance of democratic control, strongly influenced by corporate pressure, and often conduct policy negotiations behind closed doors. Moreover, the substance of these negotiations, as in the eventually aborted Multilateral Agreement on Investment (MAI) sponsored by the Organisation for Economic Cooperation and Development (OECD), is often arcane and the real meaning for people's lives obscured. The MAI provisions would, campaigners feared, have limited governments' ability to impose health and safety and also environmental requirements on corporations, and the negotiations were so little publicised that a British government minister professed on television to know nothing about them (Monbiot 2000: 302–9, 313–15).

The role of protest is often crucial in both exposing the content and implications of these negotiations and challenging their fundamental neo-liberal assumptions. Protest does not always have to entail direct action, especially in the USA. The campaign against the MAI was sparked by information released on the internet, publicly opposed by civil society groups in sixty-seven countries and resisted by some churches, trade unions and also some local authorities. The French government's withdrawal from MAI sealed the fate of the OECD negotiations (Sklair 2002: 287–91). But they were, in effect, transferred to the WTO – one reason for the transnational protests at Seattle in December 1999, which did involve direct action. Mass protests at economic summits seemed to peak in 2003. The summits now tend to be in remote places inaccessible to demonstrators, and opposition to the Iraq War has engaged some of the protesters. But by 2005, there were renewed summit protests, for example, the mass anti-poverty demonstrations at the time of the G8 meeting in Edinburgh. The protests have also prompted a flourishing literature about MNCs and neoliberal policies, and have coalesced in the loose transnational anti-capitalist movement represented by the World Social Forum and regional counterparts (Fisher and Ponniah 2003).

Direct action and citizenship

Protest is central to a republican concept of citizenship, as one expression of citizen responsibility and civic courage – especially when there is a danger of injustice or tyranny. Courageous protest can simply mean voicing highly unpopular opinions, but it often entails actively defying an unjust law or putting one's body on the line. Republican theorists have,

ever since Machiavelli, tended to endorse the value of popular ‘tumults’, and seen popular forms of direct action or civil disobedience as a guarantee of civic vitality and political freedom. Indeed, such action is sometimes a duty (Arendt 1973; Walzer 1970).

Some contemporary civic republican theorists are sceptical whether an ideal of citizenship forged first in the city, and then in the nation-state, can be transferred to the transnational realm (Miller 2002: 96; Walzer 1996). But, it can be argued that in a globalising world, even if close community is impossible, social responsibility, individual initiative, social cooperation across borders and political courage are even more necessary. Benjamin Barber has sought to transfer an ideal of national citizenship to a transnational level to oppose the sway of ‘McWorld’, stressing the need for new forums for debate (Barber 2003: 268–300). Indeed, Miller and Walzer are not necessarily opposed to direct action on global issues such as the environment or war – but distinguish transnational protest from citizenship.

Protest does, however, foster attitudes linked to citizenship. It helps to empower those taking part in it and create a new sense of dignity, solidarity and possibility. These effects can apply at a transnational level, as the growth of the global campaign against neoliberalism demonstrates. Protest also encourages innovative forms of democracy, both in organising the protest itself, or in running occupied land or factories or in local neighbourhoods, or in popularly initiated referenda and forums for debate. Although constructive democratic experiment is less applicable at a transnational level, a global movement can encourage participatory democracy. Whether protest or its unifying and empowering effects can last over a long period at either a national or transnational level is more questionable. One problem is the demands it makes on those taking part – especially if their livelihood is at state (as in strikes) or their liberty or safety, as in many occupations, blockades and acts of civil disobedience.

Direct action can also be relevant to another version of participatory politics, but one with a somewhat less demanding concept of citizen obligation than strict civic republicanism, and one which is also more easily transferred to a global level – deliberative democracy. There are differing interpretations of this concept, but it is particularly associated with Jürgen Habermas, who accepts the plurality of values and beliefs in today’s societies and the impossibility of the strong community suggested by civic republicanism, but also stresses the need for a common understanding of common problems. The focus in deliberative theory is on promoting public arenas for reasoned debate on important political issues – as opposed, for example, to bargaining between major pressure groups. Legislatures and courts are important in contributing to public deliberation; but, in addition, most advocates of deliberative democracy seek to create a more reflective and enlightened public opinion which will have an influence on government decision-making. Ideally, all citizens should have equal access to the deliberative process. In practice, deliberative theorists tend to look

to civil society groups and to creating appropriate forums such as citizen juries.

The emphasis on both the fact of cultural plurality and the need for overarching dialogue and agreement is clearly appropriate at a global level in relation to issues such as global warming, dwindling natural resources, preserving human rights and social justice across borders. John Dryzek has argued for the importance of transnational deliberation, which he argues can sometimes occur within international bodies and at international conferences. National and transnational civil society groups and networks have a crucial role to play in promoting discourses, which can challenge a dominant discourse based on particular national and corporate interests and influence the outcome of agreements. Dryzek (2000: 124–25) cites the Montreal Protocol on the Ozone Layer. Margaret Keck and Kathryn Sikkink argue that transnational advocacy networks can create new channels of communication and give a voice to those who have been suppressed (Keck and Sikkink 1998: 2).

Deliberative democracy seems to suggest strictly reasoned and impartial debate; but some of its proponents see a role for different forms of communication and persuasion. This broader interpretation allows a role for direct action or civil disobedience undertaken primarily as an appeal to public opinion. Strict interpretations of civil disobedience, from Gandhi to Rawls, stress its persuasive as opposed to coercive intent. Indeed, one theorist of global civil society, Paul Wapner, has suggested that transnational direct action (for example, by Greenpeace) has an impact by creating a new sensibility and by influencing norms and discourses (Wapner 1996: 42).

Some deliberative theorists, who accept the inequalities of power and influence in the political process, also see a role for direct action which goes beyond being a mode of persuasion to providing a potential source of popular power to challenge this inequality. Mark Warren, for example, recognises that strikes or civil disobedience are a legitimate response to urgent problems or serious injustice (Warren 2002: 176).

Thus, it is possible to argue that there is a dual role for transnational direct action: both as a contribution to discourse and as a way of resisting huge inequalities. To take such action often suggests, at least, an embryonic sense of being not only a national but also a transnational citizen.

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10 Social movement unionism

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Introduction

Social movement unionism is a strategy that unions deploy to attract community support, build alliances with other activists, and mobilise workers' common cause with other campaigns for social and economic justice. It is a form of political activism in which worker-citizens direct unions to act within the channels of national or transnational civil society. Such a strategy includes, for example, efforts to organise consumer boycotts against anti-union global corporations, organising community rallies to protest against anti-union legislation or against the neoliberal policies of the World Trade Organisation, or to urge members to support community campaigns for justice in developing countries. It also includes the unions' central role in campaigns to bring down apartheid in South Africa, end dictatorship in Poland, Brazil, the Philippines, and South Korea, and promote the World Social Forums for diverse networks of protest against neoliberal forms of economic globalisation. Since the end of the Cold War and the rise of the internet and globalised communication, social movement unionism has become an increasingly transnational strategy adopted by unions on both the right and the left.

It is widely argued that social movement unionism can help reverse falls in unionisation densities, address local and transnational problems of neoliberalism, and help to realise the potential that computer-mediated communication offers for greater activism at local, national, and transnational levels. The strategy has its origins in a rejection of the service model of business unionism in favour of mobilising greater activism among members, in a revival of civic republican ambitions to revitalise communities and promote active citizenship, and in a revival of social-democratic ambitions to decommodify labour and expand the domain of democratic decision-making. As a strategy, transnational social movement unionism is sometimes regarded as an attempt to move beyond the 'old' politics of an industrial era to the 'new' politics of a globalised network society (Castells 1997). It offers the hope that unions can operate among the new networks of social movement protest against environmental degradation, sexism,

and global capitalism. It, arguably, also dispels Robert Michels' view that central organisations operate at the cost of local activity and that the centralisation of union activity inevitably degrades members' direct participation. This chapter draws upon recent work on the dynamics of contention and social movements by MacAdam *et al.* (2001) which implies that structural tension between the industrial bureaucracies of the 'old' labour movement and the postindustrial networks of the 'new' social movements (Meyer 1995) can be overcome. Social movement unionism goes beyond the familiar patterns of the labour movement and radically reengages with citizenship as a practice of political activism within and across nation-states.

Citizenship, democracy and solidarity

Citizenship was not a central concern of most early labour movements in the industrially advanced countries. The socialist tradition in Europe regarded citizenship as a bourgeois concern with the rights of individuals in courts, parliaments, and electoral arenas. This tradition endorsed Marx's critique of citizenship as a deployment of nation-state power to secure the abstract rights of supposedly natural, isolated, and egoistic individuals (Marx 1972a: 41–45). After the Bolshevik breakthrough in Russia, Marx's comments about local forms of direct democracy during the rebellion known as the Paris Commune were entertained during the first few years of building a new form of government (Harding 1992). However, Lenin's new government soon instituted an economic policy that emulated the scientific management techniques of Taylorism in capitalist workplaces and heralded the authoritarian procedures that stifled all semblance of workers' participation in decisions that affected their work (Polan 1984). State communism rejected liberal citizenship, but it also stifled radical democracy. Today, however, citizenship is crucial to extending the continuing relevance of trade unions.

Democracy has a rather more robust history in the traditions of labour movements, but the record suggests that the specific trajectory of individual countries is decisive for social and political outcomes. In the nineteenth century, the idea of workers' self-emancipation inspired high expectations of direct participation and active citizenship within unions and the workers' political parties. Such expectations fired Michels' (1962) well known critique of the tendency to oligarchy among leaders and passivity among members of the newly formed Social Democratic Party in Germany, and by extension unions and all parties competing for advantage against hostile opponents (Lipset 1962; Lipset *et al.* 1977). Other expectations about the internal operation of unions and their members' activity arose in Britain after the First World War, and more prominently in the USA after the Second World War (Archer 1995: 25). The political pluralism advocated in various ways by Figgins, Cole, and Tawney in Britain,

and later by Dahl, Lindbom, Lipset and many others in the United States, regarded unions as crucial to the good functioning of representative democracy in modern states with large territories, large populations, and complex policy problems. From the perspective of a pluralist model of democracy, unions were something like a permanent opposition to management as the permanent government of workplaces (Rustin 1981; Crouch 1992).

Even after the split between communism and social democracy, democratic socialism in continental Europe continued to look askance at liberal limits to citizenship. Elsewhere, the tradition of labourism (within the right wing of English-speaking labour parties) regarded citizenship as an abstract political matter, not important to union members' primary concerns with fair wages and employment conditions. Indeed, a leading proponent of social citizenship, T. H. Marshall, 'made short shrift of industrial citizenship', regarding it as a matter of union rights to bargain collectively and a minor complement to social citizenship (Gersuny 1994: 211). In the United States, in contrast, the Knights of Labor, along with both the left and the right of mainstream politics, were deeply concerned with the 'political economy of citizenship' (Sandel 1996: 168–200, 211–16). This civic-republican tradition remains an important source of social movement unionism in the United States, where it is sometimes called community unionism (Brecher and Costello 1990; Eimer 1999; Robinson 2000; Godard 2004), even though a liberal emphasis on a minimal state and a procedural conception of democracy has gradually displaced civic-republican ideas to the disregard of the political, social and economic rights of workers as citizens.

In Europe, especially after the Second World War, public policy moved towards inclusive views of citizenship. Both democratic socialists, such as Otto Bauer in Austria (Bottomore and Goode 1978) and Ernst Wigforss in Sweden (Higgins 1985a), and labourists, such as Anthony Crosland (1956) in England, focused more attention on social and industrial democracy. After the achievement of universal suffrage and universal access to a minimum of education, unions sought to persuade social-democratic, labour, and other left-of-centre parties in government to introduce legislation for universal child benefits, health insurance, and retirement benefits. Rendering such benefits universal made them an institutional right of citizenship, rather than a meanstested privilege or a charity targeted at the deserving poor on the margins of society (Korpi 1983: 184–207). Unions also sought to persuade governments to institute various means of limiting managerial prerogatives and increasing workers' influence over decision-making in the workplace.

Sweden of course was the country where unions went furthest towards the 'decommodification' of labour in order to secure social and industrial rights of citizenship for wage-earners (Esping-Andersen 1985) in contrast to the liberal minimalism of the USA and the cautious social liberalism of

the European welfare state builders (Meidner 1980; 1993; Vandenberg 2000). In Sweden, solidaristic wages policy saw the blue-collar Confederation of Unions (*Landsorganisationen*) reject both Beveridge's liberal argument that union wage negotiators should take responsibility for inflation by policing blanket wage restraint, and Keynes' liberal argument in favour of aggregate demand stimulation during recession, and against any intervention into private decisions about the supply of goods and services. In the early 1950s, *Landsorganisationen* developed a wages policy that increased the pay of the lowest paid, and restricted the pay of the better paid, in an effort to bankrupt low-wage firms and promote job-creation in well paying firms. The unions sought to create a labour market that was more efficient than any free or capitalist labour market because it could combine full employment with low inflation and stable economic development. In the 1990s, this policy came unstuck partly because the rise of globalisation emboldened the employers' federation to abandon nationwide collective bargaining, and partly because the blue-collar federation of national unions could no longer moderate the claims of better paid unionists.

Industrial citizenship was pursued more rigorously and for longer in Sweden, partly because the unions developed an ideologically effective policy of solidaristic wages. Nonetheless, even in Sweden, economic globalisation saw unionisation densities falter in the early 1990s, while tensions between unions and parties of labour have increased. Swedish unions, however, have defended their past achievements more effectively than elsewhere. They have achieved this because both their vertical links between local, national, and international levels of union bodies and their horizontal links with political groups opposed to further integration into the European Union, have proven themselves superior to the comparable vertical and horizontal linkages developed by anti-union international corporations. This underlines the continuing importance of national politics and local activism for the success or failure of transnational activism.

Since 1982, however, there has been a turn away from continued welfare state building and towards neoliberal policies of privatisation, blanket wage restraint, wider distributions of wealth between the rich and the poor, abandoning control over international currency exchange, and abandoning full employment. These policies saw the government lead the country into joining the European Union in 1995. In the 1990s, membership of the Social Democratic Party plummeted while membership of trade unions declined only to recover strongly in the late 1990s (Kjellberg 2000).

In the rest of the industrially advanced countries, unions' attempts to institute first social citizenship and then forms of industrial citizenship faltered sooner than in Sweden. The aim to expand workers' rights of industrial citizenship receded in the 1980s and 1990s, during neoliberal cutbacks to welfare policies and enhancements to managerial prerogatives. It is now widely argued that economic globalisation threatens the existence of union movements and welfare states (Castells 1996; Held *et al.* 1999).

On this view, unions will need to transform themselves from bureaucracies into networks (Lee 1999; Kochan and Locke 2004) if they are to avoid tensions between 'old' and 'new' social movements and adjust to the economic, political and cultural transformations wrought by globalisation. A longer-term perspective on the history of the labour movement suggests, however, that unions have long had international connections and the rise of globalisation has simply reinforced the need to regard transnational connections as a serious aspect of industrial conflict rather than merely grand rhetoric.

Labour cosmopolitanism and union internationalism

Labour cosmopolitanism dates back to the Communist League (1836–52), which adopted the *Manifesto of the Communist Party*, and the Working Men's Association, subsequently known as the First International (1864–76) and led by Karl Marx in London. Disputes between anarchists and socialists saw the First International dissolve in acrimony. The Second International (1889–1917) arose at the initiative of Belgian and German social democratic parties and became a 'loose federation' (Walters 2001) of a wide range of Marxist and reformist political parties and unions. Labour cosmopolitanism gave way to a union internationalism in the 1900s when the International Trade Secretariats (ITS) founded in the 1890s (Windmuller 2000) came to embody an international civil society of voluntary organisations that mediate between the individual and the state and corporations (Hyman 2005). After the First World War, the International Trade Secretariats figured prominently in the affairs of the International Labour Organisation (ILO), which was formed in association with the ill fated League of Nations. By the 1930s, it was clear, however, that neither the socialist internationalism of unions nor the liberal internationalism of nation-states could resist either the rise of fascism or the rise of protective tariffs on agricultural imports within many industrially advanced countries.

After the Second World War, there was a renewed interest in liberal internationalism, and the foundation of the United Nations in 1945 saw fifty-six national union confederations from Britain, France, the USA, the USSR, China, South America, and Oceania meet in London to form the World Federation of Trade Unions (WFTU). By 1949, however, the former allies against fascism in the Second World War had fragmented with the development of the Cold War. British and US delegates walked out and led delegates of thirty-eight national and international union bodies to found the International Confederation of Free Trade Unions (ICFTU) based in Geneva (Gordon 2000). It aimed to represent unions that could negotiate with employers 'free' from state interference. During the 1950s and 1960s, the ICFTU pursued an intense rivalry with the communist remaining members of the WFTU. Any sense of unions embodying an international civil society withered as international union bodies became vehicles for the

international diplomacy of large and powerful nation-states. Since the 1970s, the Anglo-Saxon labourist model of 'free' collective bargaining over narrowly industrial matters has lost favour within the ICFTU, while the European social-democratic concern with the economic, social, and political context of workers' rights gained favour. In addition, the International Trade Secretariats (ITSs) re-dubbed themselves Global Unions (2006) in 2000.

In recent years, extensive amalgamations have taken place among the Global Unions as the density of unionisation has declined around the world (Visser 2003). Many of the Global Unions have moved beyond the traditional activity of coordinating international support for national industrial conflicts in favour of three wider ambitions. First, they have become much more involved in educating and assisting officials of unions in developing countries. A second, older ambition was to negotiate global employment contracts with global corporations. The ITSs long harboured a vision of negotiating with the very large transnational corporations on behalf of national union bodies. To this end, the International Metalworkers Federation, for example, established transnational automobile manufacturing councils in the 1950s, but they never became a force for the international car companies to reckon with. The rise of neoliberalism among the governments of rich and poor countries, as well as international institutions such as the World Trade Organization, significantly diminished the prospect of moving towards the vision of global unions negotiating with global corporations. In the 1990s, however, attempts to institute industrial negotiation were displaced by contestation and protest in the form of transnational networks of activism between unions enabled by computer-mediated communications. The Global Unions established significant transnational networks of information and support to highlight the corporations' practices and put pressure on strongly anti-union corporations. These include networked campaigns against Wal-Mart, Toys 'R' Us, Bridgestone, and Rio Tinto (Walker 2001). The key aspect of this strategy stemmed from their activity in civil society rather than only in the workplace.

The third ambition of the Global Unions has been to complement these campaigns against anti-union corporations with broader resistance to the policies and ideologies that allow corporations to degrade workers' rights and working conditions. This strategy meant challenging neoliberal and free market ideologies and institutions – such as the World Trade Organisation, the International Monetary Fund, the World Bank, the spread of bilateral and regional free trade agreements, and neoliberal economic policies of privatisation and deregulation – via the practice of social movement unionism (see the Global Union Research Network (2006)). Their transnational engagement with various social, environmental and religious NGOs and social movements critical of free-market capitalism marked an important development in union activism.

Networks of social movement unionism

It is crucial to realise that the wider concerns of contemporary transnational unionism are consistent with multi-layered and effective networks of social engagement. Thus, although Swedish unionism is sometimes associated with 'corporatism' (Goldthorpe 1984), in fact, Swedish unions are the most successful in the world at local organisation (Kjellberg 1983; 2000) and in the history of the Swedish unions, decentralisation has been equally as important as centralisation (Hadenius 1976; Higgins 1985b). It was the articulation between local, national, and global levels of organisation that allowed Swedish unions to overcome opposition from even the most hostile of anti-union global corporations.

The Toys 'R' Us dispute of 1995 is a significant example of activism with both national and transnational aspects (Vandenberg 2006). During 1991–92, unemployment in Sweden rose above 3 per cent for the first time in fifty years and peaked at 9 per cent. The refusal, in 1995, of Toys 'R' Us to negotiate a collective contract with the employees of its newly established outlets was widely regarded as test of what might be possible in a new era. As a consequence of economic globalisation, both relations between unions and parties of labour and the densities of unionisation have declined in most industrially advanced countries since about 1980 (Piazza 2001). In 1995 Toys 'R' Us employed 50,000 people around the world in 1,000 outlets, and had never signed a collective contract or been involved in any industrial conflict. After four months of the commercial workers' surprisingly successful coordination of a consumer boycott, and escalating sympathy boycotts of services to Toys 'R' Us by workers in other unions, the final straw came when an international conference of the global union of commercial workers called for an international boycott and the share price of Toys 'R' Us suffered in the United States.

Two lessons about the effectiveness of social movement unionism can be drawn from this conflict. First, the commercial employees' horizontal links to protestors against Sweden joining the European Union were much stronger than the company's non-existent links with other Swedish employers or any sort of links into Swedish politics. Second, the union's vertical links between new members, local activists, its national office, and the international union body proved to be stronger than comparable links between the local Swedish managers, the European managers in London, and the American managers of the company. Furthermore, social movement unionism points to both public pressure and conciliation. Indeed, as the General Secretary of the International Confederation of Free Trade Unions, Bill Jordan, argued in debate with a radical commentator:

We must be both in the streets and at the bargaining table. ... Seattle is a good example of what we are all about: confrontation, when necessary

and engagement, when possible. It is not always easy to take this approach, but it is not impossible. It just takes a certain amount of co-ordination.

(Waterman and Jordan 2000)

In short, to have any chance of being politically significant and being taken seriously by international corporations, the strength of the links between national union confederations and local unionists, along with links to transnational protest networks, are crucial.

Unions are not only interacting with each other; they are also making connections with other actors in civil society. As ongoing organisations that are capable of deploying power in the labour market and are informed by a coherent ideology of solidarity, union bodies typically organise many more members and employ many more officials, organisers, and researchers at local, national, and international levels than do single-issue networks of protest. Particularly in respect to the development of the anti-capitalist movement, unions can be especially effective at resisting the policies and consequences of neoliberalism because they are strongly organised; have more resources to deploy, and furthermore have a long historical record of realising positive social change. Obviously, between fifty and hundred years ago in most of the industrially advanced countries, unions played significant roles in the process of democratisation and the achievement of universal suffrage (Therborn 1977; Rueschemeyer *et al.* 1992). Importantly, unions have also played a leading role among the social movements that brought a peaceful end to communism in Poland (Touraine 1983), to apartheid in South Africa (von Holdt 2002; Wood 2004), and to dictatorships in the Philippines, South Korea and Brazil (Scipes 1992; Robinson 2000; Seoane and Taddei 2002).

Unions were also closely involved in the anti-capitalist movement and the wave of protests against neoliberalism and global capitalism at meetings of the World Trade Organisation, European Union leaders, the World Bank, the International Monetary Fund, and similar bodies since the 'battle of Seattle' on 30 November 1999. Union leaders organised and participated in rallies and alternative seminars but obviously did not take part in the riots in Seattle 1999, Gothenburg 2001, or Genoa 2001. Unions also played a significant role in the successful opposition to the Multilateral Agreement on Investment (MAI) before other groups realised what member states of the OECD were negotiating.¹ It is less well known that international and national unions have also participated in and contributed to the organisation of the very large gatherings at the World Social Forums in Porto Alegre, Brazil (2001–03, 2005), Mumbai, India (2004), and Karachi, Pakistan (2006).

To move from resistance against neoliberalism to a constructive programme for achieving solidarity among workers around the world, unions need to campaign for means of reducing unreasonably wide distributions

of wealth and income between the rich and the poor both within nation-states and across the world. Collaborating with the International Movement for Democratic Control of Financial Markets and their Institutions, ATTAC (2006) and its campaign for an international Tobin tax on all financial transactions to finance development aid for poor countries might feature in such a programme. It would no doubt also feature campaigns to transform 'free trade' agreements into 'fair trade' agreements. Union involvement in the Clean Clothes Campaign (Clean Clothes Campaign 2006) exemplifies this. To develop links with protest networks, union leaders need to abandon old prejudices about radical activists and unionists in poor countries. On both these points, Peter Waterman (2001) argues persuasively. Contemporary labour internationalism needs to depart from any Northern sense of superiority over poor countries, and instead incorporate a willingness to learn from the successes of unionism and activism in the South. As unions have embedded their organisational strength in broader transnational concerns of social justice, social movement unionism has become a significant means of defining and promoting workers' interests in an era of neoliberal globalisation.

Conclusion

The way that worker-citizens attempt to influence political life has taken a significant step away from unions only operating within the workplace or public policy forums, to include wider forms of transnational activism. If unions are to move from protest to wielding significant influence over the formation of public policies, then they must sustain their campaigns against the spread of neoliberal policies as well as policies and businesses that adversely effect workers. Unions must also seek to achieve global solidarity among workers of the world and strengthen both the vertical links within union bodies and horizontal links to allied social movements. This action requires creating and being part of a transnational ideology that is broader than the interests of workers, and addresses the alarming differences in wealth between the rich and poor around the world. An ideology of solidarity is crucial because unions are organisations with a long history. Pride in that history is important to their capacity to constitute their members' sense of identity, to organise potential members, and to counter the effects of alternative ideologies of neoliberalism and attendant social injustices. With their history, an effective ideology, an effective power to withdraw labour, and long-standing organisations, unions have a considerably sharper capacity for effective action than do the newer networks of protest spawned in the 1960s and recently revived by the radically democratic possibilities of transnational activism. Transnational social movement unionism offers an important starting point for strategies that give a voice to working people around the world in an era of accelerating globalisation.

Note

- 1 For a detailed account about the role of unions and others groups in stopping the MAI, see Goodman and Ranald 2000.

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11 Can corporations be citizens?¹

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The term ‘corporate citizenship’ is increasingly used to extend certain aspects of corporate social responsibility under conditions of globalisation. However, the introduction of this relatively new terminology raises important questions about the role of corporations, at a time when there are growing demands for a critical review of the institutions of business and society. Jeanne Logsdon and Donna Wood (2001; 2002) offer a well known model for analysing corporations in terms of a political concept of citizenship. Their approach, however, fails to take advantage of the range of theoretical possibilities offered by the concept of citizenship. In this chapter, in contrast, we offer an alternative conceptualisation of corporate citizenship, grounded in contemporary political theory. This conceptualisation enables an understanding and evaluation of a wide range of corporate roles and responsibilities. It also provides a basis for delineating the conditions under which citizenship roles and responsibilities should and should not be undertaken by corporations.

Theorising corporate citizenship

The work of Wood and Logsdon (2001; Logsdon and Wood 2002) marks a major turning point in the corporate citizenship literature. They introduce and develop a theoretical treatment of corporate citizenship that draws substantially on the political concept of citizenship. In doing so, they offer a means for understanding business–society relations, and in particular for identifying specific roles and responsibilities for corporate, governmental, and other actors in society. Significantly, the growth of corporate citizenship as a label and as an area of business and management inquiry has coincided with uncertainties about the civil location and attachment of corporations, concerning the social responsibilities of business and the relative powers of corporations. Logsdon and Wood, however, fail to adequately examine the underlying metaphorical nature of the application of citizenship to corporations. As a result, they are unable to delineate with any certainty whether corporations can actually ‘be’ citizens, or whether they are more simply just ‘like’ citizens in the societal roles they play. This

distinction is important, for if one argues that corporations are mainly 'like' citizens, it may be quite reasonable to accept the nomenclature of 'corporate citizenship', but certain reservations – about affording corporations specific rights and responsibilities appropriate for constituents that actually 'have' the legal and administrative status of citizens – are in order.

Second, Logsdon and Wood rely on fairly simplistic and dated notions of citizenship that do not allow them to explore the normative and conceptual potential of the term. Their view of citizenship is basically dichotomous, differentiating a liberal and a communitarian view. However, much contemporary political theory has moved away from considering citizenship in such terms; rather, it suggests a continuum comprising various aspects of liberal and communitarian citizenship, in which the liberal element is present throughout, though in different intensities. As Abbey argues, there is an ambition in much contemporary political theory 'to both go beyond and conserve the liberal tradition' (2002: 151). This is because political theorists recognise both the richness and complexity of the liberal heritage as well as the critical insights that communitarianism has brought to liberalism. Hence, political theorists have increasingly taken a more nuanced view that recognises the debate within and among conceptions of citizenship (see Isin and Turner 2002). This is important, not simply because such developments are newer or richer in themselves (although they are) but, as we shall see, because this nuanced view offers a much more powerful way of examining the question of whether corporations can be (or be like) citizens. The crucial issue here for us is the range of forms and norms of participation that can inform notions of citizenship, rather than simply its legal and administrative definitions. This makes it possible to flesh out a greater range of potential citizenship roles and values for corporations.

Third, Logsdon and Wood's approach simply does not add anything to our existing understanding of business–society relations. Indeed, at the crucial point where they apply communitarian thinking and admit corporations into the category of citizens, they even acknowledge that 'this view is compatible with early definitions of corporate social responsibility' (2002: 162). If this is so, and corporate citizenship is equivalent to early philanthropic views of corporate social responsibility, why do we even need to think seriously about the concept of citizenship? In contrast, our view is that citizenship thinking can be utilised to develop important new theoretical insights into corporate participation in society, even though Logsdon and Wood's approach does not enable them to do so.

Fourth, by conflating corporate citizenship with a limited form of discretionary corporate social responsibility, Logsdon and Wood's approach does not offer any new normative basis for the social role of corporations. In their analysis, corporate citizenship is seen as having a relatively narrow range of obligations (for example, to pay taxes, obey laws) and as otherwise

being essentially voluntaristic (Wood and Logsdon 2001: 86, 95). We believe that given the ongoing questions over corporate power and accountability, a new, and far stronger, normative basis is necessary to legitimately locate corporations in the purview of citizenship.

Fifth, Logsdon and Wood's approach also substantially limits the scope of corporate activities that can be critically examined through the lens of citizenship. Whilst they can accommodate actions such as charitable donations and community development, Logsdon and Wood's model is not able to examine actions such as corporate political donations, lobbying and involvement in rule-making, even though these would seem to be clearly relevant to questions of citizenship and appropriate corporate participation in society. Finally, and also in keeping with a more developed normative basis, the application of notions of citizenship to corporations also requires a clearer elucidation of specific conditions under which the status of citizenship can be reasonably extended to corporate bodies. It is one thing to say, as Logsdon and Wood do, that 'a company can be viewed as a corporate citizen' (2002: 161), but surely we also need to know the particular circumstances under which this conditional attribution is, or is not, acceptable. To do this, we need clear evaluative criteria of corporate roles and behaviour, and of social, economic, and political context.

The application of citizenship terminology from politics to corporate actors, represents a move to the metaphorical. Alluding to corporations in terms of citizenship does not literally mean that corporations are citizens or have citizenship, but that their substance or their actions can be understood as being in some meaningful way similar to that of citizens or citizenship. As such, the term corporate citizenship is one of many metaphors used in the analysis of organisational life and in the projection of business images and brands. As Morgan (1980) argues, the metaphors of the machine (for example, Weber, Taylor) and the organism (for example, Spencer, Parsons) have been at the heart of organisational analysis. However, since the 1960s other metaphors have been used in order to understand organisations in new, and specifically non-functionalist, ways. Importantly, Morgan notes that:

The most powerful use of metaphor arises in instances in which the differences between the two phenomena are seen to be significant but not total. ... [T]he logic of metaphor ... suggests that no one metaphor can capture the total nature of organizational life. ... Different metaphors can constitute and capture the nature of organizational life in different ways, each generating powerful, distinctive, but essentially partial insights. ... [N]ew metaphors may be used to create new ways of viewing organizations which overcome the weaknesses and blind spots of traditional metaphors, offering supplementary or even contradictory approaches to organizational analysis.

(Morgan 1980: 611–12)

This signals that the facet of business behaviour in question should not be expected to be synonymous with the metaphor being applied. However, in an era in which corporate branding is both a central strategy for many businesses and a source of suspicion among critics of business (see Klein 2001), it behoves analysts to have regard to the conceptual and analytical possibilities and limitations of metaphors in business.

One of the new sorts of metaphor for business organisations that Morgan cites is the political system, which he sees as highlighting the social dimensions of business. This has been used to draw attention to conflicts of interest and the role of power in organisations (see Crozier 1964). In addition to the metaphor of politics itself, other political concepts have been deployed as metaphors in economic and organisational analysis, including democracy (as in stakeholder democracy) and sovereignty (as in consumer sovereignty). Again, whilst these are metaphorical in essence, their selection is generally intended to convey some substantive meaning or value to the organisation or activity in question. In the case of corporate citizenship, this meaning is ostensibly one of community membership and participation.

It is important to recognise here that the metaphorical use of concepts from politics does not necessarily mean that the concepts are 'givens'. In their political context, they are frequently the subject of considerable contestation concerning their definition, scope and operation, and this contestation can transfer to the organisational context. Indeed, the meaning of citizenship within political debates has been transformed in the space of the twentieth century alone. This has been due to, for example, women's enfranchisement, growth in multiculturalism, and changes in political boundaries and institutions. Thus, as Parry notes, '[A] totally uncontested and uncontestable concept of citizenship appears to be particularly problematic' (1991: 168).

It follows that corporate citizenship cannot be a value-free description. Moreover, corporate citizenship is internally complex in a number of respects. It is often difficult to extricate from such other corporate activities as reputation building; marketing; knowledge acquisition; and human relations, for example. Hence there are difficulties in accounting for corporate citizenship's discrete social contribution or its financial value, and in settling on an understanding of its relationship to for-profit activity. Then, corporate citizenship is open because its different advocates attach particular importance to its different facets. Corporate citizenship is not just a matter for individual firms to pronounce upon. Governments, business associations, business consultants, NGOs, shareholders, employees and consumers have all shown a propensity to attempt to define corporate citizenship as they seek to endorse, encourage or criticise it. There is no single authority on its definition.

In our view, debate about the meaning, merits and appropriateness of corporate citizenship will continue. Moreover, there is an internal dynamic

to this debate, as new models of corporate citizenship are developed against which practices are judged. The nature of these debates reflects social and business contexts within firms, among firms, within countries and among countries. Recognising that, like its related political concepts, the metaphor of corporate citizenship is essentially contested does not, of course, obviate the need for closer investigation into its theoretical appropriateness, normative implications, and the conditions under which it can reasonably be deployed. It also suggests that we need a new way of theorising corporate citizenship that can acknowledge and conceptualise the distinction between corporations having the legal identity 'of' citizens, and of them participating in society 'like' citizens do. In sum, a new approach to theorising corporate citizenship is called for.

A new theoretical approach to corporate citizenship

In the previous section, we examined the disputed status of the concept of citizenship, and the difficulties this poses for identifying and deploying an uncontested conceptualisation for the purposes of theorising corporate citizenship. However, the important qualifications are that the conceptualisation: (i) allows us to distinguish between citizenship identity (that is, corporations 'are' citizens) and citizenship activities (that is, corporations are 'like' citizens); (ii) takes advantage of the full conceptual potential of the citizenship concept; (iii) offers new insights on business–society relations; (iv) suggests a new normative basis for business–society relations; (v) encapsulates a full range of corporate social activities; and (vi) suggests clear conditions under which citizenship can be attributed to corporations.

In reviewing the literature on citizenship in political science, one of the more promising avenues for development appears to be Stokes's (2002) taxonomy of citizenship and democracy. Stokes's (2002) framework takes a broad view of citizenship, recognising that it is not only about status but also about 'accountability, legitimacy and participation' (2002: 44). This admits a much wider range of citizenship roles than envisaged in the corporate citizenship literature in general and by Wood and Logsdon (2001; Logsdon and Wood 2002) in particular. Further, Stokes locates his analysis of citizenship in the context of democracy and regards democracy not only as an ideal, but also as a problem associated with disillusionment, declining participation and claims of exclusion of certain groups. Hence, Stokes not only considers the positive norms associated with different views of citizenship but also their civic deficits. Although the specific deficits for corporate citizenship may differ, it is appropriate to regard the linkage of democratic citizenship and corporations as, at least, potentially problematic in theory and practice. Finally, Stokes's approach is developmental and he is concerned with the unfolding of normative possibilities that the concept of citizenship offers. This is most radically articulated in his

analysis of ‘deliberative’ citizenship, which intrinsically exposes participants to new norms through discourse and critical self-reflection.

We draw from, and build upon, Stokes’s (2002) four main models of democratic citizenship – ‘liberal minimalist’, ‘civic republicanism’, ‘developmental’ and ‘deliberative’ – to elucidate different modes of societal participation, and to provide a more developed theorisation of corporate citizenship (see Table 11.1). As Stokes himself observes, his is still a process of ‘historical and conceptual simplification’ but it not only provides a far richer conceptualisation than that offered by Logsdon and Wood, but also ‘serves to isolate the key characteristics and normative principles ... and enables their comparison’ (2002: 27). Therefore, once we have briefly outlined the approach, we shall detail its normative and evaluative dimensions, and provide an overview of its theoretical contributions to corporate citizenship.

Liberal minimalism

Liberal minimalist theories see citizens as in need of protection from arbitrary rule and oppression by government (Stokes 2002: 27–31). These are either rights- or utilitarian-based. Rights-based conceptions of citizenship owe most to John Locke (1963) who assumed that citizens have natural rights to ‘life, liberty, and property’, that these are the duty of government to secure and the basis for citizen protection from government. When government fails to uphold these, the citizens have the right to withdraw their consent. The utilitarian view is premised on similar expectations of government but in the absence of rights as normative guides. In his application to the politics of Adam Smith’s assumption of the relationship between the free expression of preferences in markets and public goods (the ‘invisible hand’), Bentham argued that the only conception of public good is as an aggregation of individual goods.

Schumpeter (1976) developed a minimalist (and utilitarian) theory of citizenship for the democratic age (that is, in which there is political as well as legal equality). He prized systems of representation in which citizens participate merely by selecting among elites who contend for office. The elites perform the basic functions of governing. He assumed that the very desire of the elites to secure and retain office would make them responsive to citizens’ preferences as expressed by their choice of representatives at periodic elections (or, by extension, through opinion polls in between elections). Although Marshall’s (1950) version for the age of welfare accorded a wider set of rights to citizens, his model was still premised on the primacy of individual rights and the political division of labour between citizens and government which are both central to the liberal minimalist model.

There is, therefore, little reminiscent of the corporation in this minimalist conceptualisation of citizenship. Incorporation, by definition, creates

Table 11.1 Four models of citizenship and their potential as a metaphor for corporate citizenship

	<i>Liberal minimalism</i>	<i>Civic republicanism</i>	<i>Developmental democracy</i>	<i>Deliberative democracy</i>
<i>Nature of citizenship</i>	Citizenship as a bundle of rights or utilities	Citizenship as participation in a community, involving obligations towards the public (or 'civic') good	Citizenship as a dense network of interpersonal relations in society for individual and social flourishing	Citizenship as free deliberation over public decisions in a community
<i>Basis for citizenship</i>	Legal and political status	Legal and political status Process of participation	Legal and political status Process of participation	Legal and political status Process of participation
<i>Nature of participation by citizens</i>	Extremely limited; mostly by electoral choice of governing elites	Obligation to governments and sharing governance with elites: <ul style="list-style-type: none">• Pressure group activity• Direct participation in governing	Fulfillment of obligations to society (rather than just to government) and enactment of direct relations to fellow citizens	Direct involvement in collective problem-solving on basis of equality and plural values to address complex problems
<i>Potential as metaphors for 'corporate' citizenship</i>	Offers no space for CC: Corporations do not share status of citizens	<ul style="list-style-type: none">• Corporate lobbying of government• 'New governance': business as partner of civil society actors• Governance through everyday economic activities	<ul style="list-style-type: none">• Corporate involvement with all stakeholders beyond the bottom line rationale for societal and corporate flourishing	<ul style="list-style-type: none">• Corporations assume deliberative role in societal governance• Corporations enable and open up to processes of deliberation by members of society: development towards 'stakeholder democracy'

Source : Stokes 2002.

legal corporate identities with attendant rights and responsibilities, and corporations are generally assumed to have national identity for jurisdictional purposes. Business contributes to various aspects of democratic political processes, perhaps most conspicuously in American campaign funding. Notwithstanding these points, corporations nowhere are classified in terms of human citizenship. The justification for the status of an individual as a citizen on legal and administrative grounds, whether based on rights or utilitarian perspectives, offers no metaphor for corporations. Given that Logsdon and Wood primarily subscribe to a status-based deployment of citizenship, they reach a similar conclusion. However, in following Stokes' second, third and fourth views of citizenship, we can move beyond this limited conception of citizenship based on legal status, and thereby unpack the forms and normative dimensions of participation that are eclipsed in Logsdon and Wood's catch-all 'communitarian' model.

Civic republicanism

Civic republicanism (Stokes 2002: 31–34) shares the assumptions of equal legal rights and political equality with liberal minimalism, but it also prizes the public or civic good, rather than assuming that the public good is simply an aggregation of individual goods. Civic republicanism is often underpinned by a set of communitarian ties (for example, McIntyre 1984; Taylor 1992; Walzer 1983) or 'moral bonds' (Oldfield 1990: 148) that provide a motivational basis for civic virtue. Accordingly, it prizes obligations such as obeying the law, paying taxes, performing jury duty and even military service. Valuing the civic good and meeting one's obligations is described as 'civic virtue'. In contrast to the political division of labour noted above, in this model, citizenship is a political activity which both forms and expresses the will of the people and which expresses one's commitment to the community (Stokes 2002: 32).

Although corporations cannot share in the obligations of jury service, obedience to the law and paying taxes are clearly criteria of citizenship that they can fulfil. While tax payments would normally be a question of compliance – and thus a given – the framework of civic republicanism provides a more compelling normative lens on the ascription of citizenship to corporations. As one example among many, recent research on the oil companies Chevron and Texaco identified that they managed to avoid the payment of more than US\$8.6 billion of income tax between 1964 and 2002 by setting up a complex systems of transfer pricing with their Indonesian subsidiaries (Gramlich and Wheeler 2003). Though perfectly legal, a perspective of civic republicanism would expose such practices as largely incompatible with corporate citizenship, since tax payment would be one of the criteria against which such claims could be measured. Moreover, in broader terms, there is evidence that corporations are capable not only of recognising public goods, but also that business success is critically

dependent on this and that corporations can contribute to their maintenance and revival. Moon (1995; 2002) argues that this recognition informs a shift from concerns with internal social prerequisites of business captured in the managerialism of Coase (1937) and Williamson (1967) to a concern with the external social prerequisites of business.

This recognition of mutual dependency is precisely the sort of sentiment that underpins Stokes's civic republicanism, which not only presumes the recognition of public goods but also expects the citizen to pursue these through civic participation. This raises the thorny question of whether and, if so, how any form of participation beyond the minimalist version of periodic voting can be achieved in modern mass societies, be it by individuals or corporations. A great deal of political science has been devoted to unpacking the concept of participation and, in particular, to thinking about its possibilities in modern, mass societies in which many liberals have thought direct participation either impossible or, in the case of Schumpeter, undesirable. In the business ethics literature, however, there seems to be some optimism for corporations participating in governing, not only on a descriptive level, but also on a normative level. In particular, the work of Fort (1996; 1997; Fort and Noone 1999) highlights the role of business as a 'mediating institution' in society which, next to, for instance, the family or the church, serves as the institutionalised social link between individual citizens on the one side and society and the public good on the other. As a mediating institution, business provides an environment where many, previously otherwise allocated, needs are met. Consequently, Fort (1997: 156) argues that one of the key responsibilities of business is to provide a non-discriminatory internal working environment. In a citizenship context, Fort's argument, then, would spell out the role of the firm as one of the key arenas where civic participation takes place. As the history of affirmative action policies or the example of the Sullivan Principles (Sethi and Williams 2001) shows, by providing space as mediating institutions, corporations can directly participate in societal governance, not only initially within their own boundaries, but indirectly reaching out to wider society in general. In our further discussion of the civic republican model of citizenship, we distinguish two levels of participation for individuals and corporations: in the form of pressure group activity; and in sharing in governing.

Participation in governing

Whereas Dahl identified political participation through and by pressure groups as constituting a modern equivalence of classical direct participation, more recent debates in democratic theory have led to the identification and valorisation of more direct forms of political participation in governing itself. Ironically perhaps, some of these arguments initially drew on experiences of participation in industry (see Pateman 1970). However,

there have also been more thoroughgoing attempts to retrieve for modern times the classical assumption that citizens rule as well as being ruled. Often these attempts have been associated with an increased individual level of participation in local politics and in national politics through the increased use of referenda or participation in public hearings on environmental matters, for example. In these cases, the political division of labour between government and citizens is maintained but the citizens avail themselves of increased opportunities to inform agendas and the definition of issues.

Once again, we find evidence that corporations are participating in this more direct form of citizenship. We identify two broad ways in which corporations can participate in governing: (i) sharing in new governance in developed political systems; (ii) assuming neo-governmental roles within the corporation's usual economic activities. The first form is in the complex relationships that arise in 'new governance' in developed political systems. Moon (2002) argues that this is in the context of governments seeking to share responsibilities and to develop new modes of operation, whether as a result of overload or of a view that they do not have a monopoly of solutions for society. This relationship is often in the form of 'social' partnerships with non-profit and for-profit organisations (Waddock 1988; Moon and Sochacki 1998). Though some of these partnerships are premised on market and contractual relations (Cashore 2002; Earles and Moon 2000), others (which fit into citizenship models) are based on reciprocity and consensus-building (Moon and Willoughby 1990; Orts 1995; Renn *et al.* 1995; Ronit 2001). These partnerships have brought non-profit organisations (such as NGOs, pressure groups, or societal associations) into governance roles in the delivery of social services for which governments retain legislative and fiscal responsibility. They have also brought corporations into aspects of the delivery of programmes in such areas as economic development, environmental improvement, or education, for example.

Second, corporations participate in governing by sharing in the administration of individual citizens' rights, both within companies, and more broadly within the boundaries of companies' external economic relations. For example, Matten *et al.* (2003) argue that corporations increasingly administer the citizenship rights of their employees and their families, such as in the case of pay and working conditions, health, and education. This engagement is especially likely to be the case where government regulation is weak, or where the welfare state is fragile or in retreat, and corporations might be expected to assume some of the burdens of ensuring that basic rights are met. Similarly, Matten *et al.* argue that consumers, investors, and others might rely on the actions of corporations to ensure that their fundamental rights to property and basic services are protected. In extreme cases, particularly in developing countries, multinational corporations (MNCs) are increasingly expected to participate in governing where there was previously a governance vacuum, thereby undertaking to institute and

enforce entirely new rules and norms to safeguard individual rights. We can, therefore, see that corporations are able to participate in ways that are also assumed of citizens in civic republicanism. This extends from their propensity to operate like pressure groups in raising and defining issues and pressing claims through to participating in decision-making, and to sharing responsibility for governing.

There are two ways in which corporations share in governing: first by contributing to societal governance issues outside the firm, often in partnerships with governmental or non-governmental organisations; and second, by administering rights within the normal operations of the firm. The particular benefits of applying this conceptual framework of citizenship to corporations are that it accommodates a full range of social and political participation, and by predicating participation on obligations towards the common or 'civic' good, provides a means to examine the legitimacy of ostensibly citizen-like behaviour. While corporations normally are willing to participate in governing when it is in their self-interest, as the example of the Gulf Co-operative Council (GCC) shows, a republican perspective would ground the normative basis of citizenship in participation that is enacted for the common good, even if it is not in their immediate self-interest. Indeed, under this model, a 'corporate citizen' would be expected to readily and actively participate in lobbying and governance for the civic good across a reasonable span of its operations and influence. However, there are numerous instances of supposedly 'good corporate citizens' desisting from such participation; for example, the current debate on the corporate responsibility for attending to escalating rates of obesity illustrates a common pattern. Corporations such as Coca Cola (which has enthusiastically embraced the notion of corporate citizenship) have been seen to be extremely reluctant to readily accept a role in participating for the civic good when the political solutions are unlikely to be in their favour. Although many commentators have observed that 'the [US] sugar industry has its hands wrapped around the political system' (Revill and Harris 2004), the normative basis of the civic republican framework would demand that such political involvement was harnessed for achieving social good, rather than simply fending off legislation.

Developmental democracy

Thus far we have seen that, whereas the classical view of political participation entails citizens ruling and being ruled, liberal democracy and mass society have combined to yield a political division of labour, such that Schumpeter assumes the only appropriate form of participation to be periodic voting. This minimalist view has been extended within civic republicanism, which envisages wider opportunities for citizen involvement in informing or even participating in policy-making and in governing. We have seen how corporations can be drawn into such forms of participation.

Conceptions of citizenship within developmental democracy (Stokes 2002: 34–39) offer the view that, to flourish, democratic polities require citizens who are highly participatory and who have very close bonds with one another. This is because advocates of developmental democracy, such as Alexis de Tocqueville, J. S. Mill and G. D. H. Cole, see participation as the principal means of personal and intellectual development as well as for societal flourishing (another illustration of the possibility of individual benefit being consistent with social benefit). Indeed, Cole sees such increased societal capacity as an alternative to state administration (Hirst 1989). Thus, participation is not merely a manifestation of citizen obligation, or a prerequisite of good government, but also a basis for individual human and societal improvement.

Interestingly, Stokes expressly identifies this developmental model of citizenship with corporate citizenship because it entails fulfilling obligations to society rather than just to government (2002: 38). There is much in the use of the term sustainability by corporations which gestures in this direction. In particular, we suggest that ‘triple bottom line’ thinking, with its commitments to social justice, environmental responsibility and economic development, is predicated on an assumption that business can and should provide a major contribution to society through a long-term commitment to social participation (Elkington 1999).

The developmental perspective on corporate citizenship contrasts to extant views of corporate citizenship, particularly in the breadth of roles and commitments that a citizenship role would entail for the corporation. It certainly goes well beyond the limited philanthropic view of corporate social responsibility mapped out by Logsdon and Wood. Furthermore, it allows a critical assessment of the relations between corporations and governments, in that the notion of developmental democracy suggests that rather than delegating the responsibility for the governance of contested societal issues to governments, corporations as citizens can be rightly expected to become an active protagonist in those governance processes. A negative example would be the attitude of the corporations united in the GCC towards the Kyoto Protocol (Levy and Kolk 2002). While the consent of most countries globally to the treaty could well be interpreted as the expression of the majority, members of the GCC still refuse to take this preference seriously. In a developmental perspective this action stands in clear contrast to, for instance, ExxonMobil’s claim to act as a ‘global corporate citizen’ (ExxonMobil 2003: 41).

A positive example of corporations living up to a citizen role in a developmental democratic setting could be seen in the voluntary initiative of UK supermarkets in the late 1990s to ban GM food from their shelves. This occurred in response to public anxieties about this technology, even though the UK government still had not established any regulatory framework for the issue (Kolk 2000: 96–97). We will return to the questions of whether the assumption of human flourishing within the developmental

model offers a metaphor for corporations, and the compatibility of this notion with wider assumptions about societal flourishing.

Deliberative democracy

Stokes' fourth view of citizenship is in the context of deliberative democracy (2002: 39–44). This not only emphasises citizen participation in public affairs but also assumes that they participate in a deliberative fashion, enabling them to better address issues of complexity, pluralism and inequality in decisionmaking. Reference to the reality of pluralism constitutes scepticism about a single moral view uniting the polity, which civic republicanism tends to assume. Cohen (1997: 73) suggests that the outcomes of deliberative democracy are only legitimate 'if and only if they could be the object of free and reasoned argument among equals'. This is in greatest contrast to the representative model, which is incapable of involving the citizen in the resolution of the complexities of decision-making. Adherents argue that deliberative participation constrains the articulation and pursuit of self-interest as well as contributing to individual flourishing. The citizen would become used to and good at listening to and understanding other perspectives (see Boman 1996; Dryzek 1990; Fishkin 1991). This model emphasises equality, which raises the issue discussed above of the significance of corporation-specific resources in political processes.

The model of deliberative democratic citizenship specifies a style of engagement which emphasises a problem-solving approach rather than one based on a show of hands or a meeting of wills. The emphasis is less on the resolution of competing interests and more upon the identification of solutions through deliberative participation. In the literature on business and society relations, such a concept has been discussed for some time, though under different labels and assumptions. For example, in application of Habermas' (1983) concept of discourse ethics, Steinmann and Löhr (1994) have proposed corporate dialogues, mediation processes, and other fora, to both involve citizens in corporate decisions as well as making corporations active and accountable members of their respective communities. As befits a deliberative democracy model, discourse ethics prescribes rules for a process of participation in governance. As such, the main criteria for those taking part in participative discourses are impartiality, non-persuasiveness, non-coercion, and expertise (Preuss 1999), thereby underscoring the appreciation for individual freedom and autonomy in the deliberative model.

The idea of discourse participation has been used quite widely especially in environmental disputes, for example by America's EPA in regulatory negotiations (Fiorino 1995). One major challenge for such discourses, though, is in overcoming conflicts about values. On the positive side, such debates have the potential to enable collective decisions which are

informed by the expertise and values of all those who are affected by a decision. The proximity of deliberative citizenship and discourse ethics from a business perspective lies in the fact that both specifically envisage the direct involvement of citizens in the governance of public affairs. Ultimately, deliberative democracy also comes close to ideals developed in stakeholder theory, especially in relation to the term 'stakeholder democracy' (Freeman 1984). The actual extent to which corporations engage in the various participatory forms of governance in a deliberative way is an empirical question. Interestingly, the model does have a strong resonance with the call for increased stakeholder participation and dialogue. Even though this is advocated for strategic as well as ethical reasons, Freeman's expectation is that stakeholder relations should be on the basis of voluntary negotiation of corporations with multiple stakeholders on critical issues to secure voluntary agreements and, more broadly, that corporations should serve stakeholder needs (1984: 78–80).

A new evaluative agenda

A number of evaluative issues remain for corporations to be recognised as acting in citizenly ways, participating in debates, sharing in decision-making, and sharing the responsibilities of governing. The first evaluative issue concerns the significance of citizenship as a metaphor or as a legal-administrative status. It could be argued that this is inappropriate, and citizenship is essentially a legal-administrative question; those without the requisite legal and administrative attributes should not be accorded citizenship status. The problem with this move is that in order to accommodate the notion of increased participation in modern liberal polities, other organisations have been recognised as conforming to citizenship processes and thus surrogate citizens. This status is true of pressure groups, societal associations and new social movements. The question therefore arises as to the basis for excluding corporations but not other collectivities. It is an empirical question as to the closeness of the bonds that develop among corporations and between them and other participants, which the developmental view of democracy would presume. There are, however, other theoretical questions which follow.

One argument for admitting other collective organisations to citizenship processes but excluding corporations could assert that the former are essentially composed of aggregates of citizens and that the latter are composed of special resources and interests. If we come back to the example of a multinational corporation such as ExxonMobil and its efforts to participate in the governance of environmental issues, such as the reduction of greenhouse gas emissions, this problem becomes rather visible: an multinational oil corporation has some very specific interests which are quite opposed to those of other societal actors. However, the problem is also that many societal organisations whose engagement in governance is

valorised by participatory models of citizenship do not reflect participation either in their own operations or, moreover, represent interests which transcend aggregates of individual citizens (for example, the environment, religious norms, rights claims). Moreover, corporations also represent aggregates of human interests (for example, of shareholders, consumers, employees, business customers and suppliers). One could argue, then, that corporations actually are participating in governance anyway, in the same way as other surrogate citizens. ExxonMobil donates to political actors and parties, builds pressure groups such as the GCC or tries to influence public opinion through massive communication efforts (Livesey 2002). The key strength of placing these activities in a framework of corporate citizenship, as proposed here, is that it not only conceptualises these different functions and furthers our theoretical understanding of the corporate role in society, but – even more importantly – provides a normative basis for evaluating corporate responsibility which the assumption of a citizen-like role implies – that is, that corporations should participate in governance.

This leads to a second evaluative question, that of corporations' accountability to the constituencies or stakeholders who represent those aggregates of human interests. The issue of corporate accountability to a broader constituency than shareholders alone has been a strong theme in recent business ethics research (see Cumming 2001; Gray *et al.* 1997).

If corporations participate in governance in the respective frameworks, their accountability should be analogous to those other actors with whom they share in governance. Returning to our earlier example, ExxonMobil as a corporate citizen then, in turn, would be obliged to account for the ways in which it lives up to its obligations to the public good. The fact that we know about their donations is due to the fact that these standards of accountability exist for political parties. A corporate citizenship framework would suggest that the application of those standards to corporations as well, with the result of disclosure of a far broader range of activities, such as lobbying or influences on regulatory processes.

A third issue emerging from the above is that of the private interests that corporations bring with them. Clearly, there is business proclivity for engaging directly in the political process in order to press its case on public policy questions (see Reich 1998). But it is unclear that this uniquely applies to corporations. As noted, the major premise of liberal citizenship is self-interest, and although this is less a driving motivation in the supra-minimalist models, contributors all point to the individual benefits of participation. Stokes endorses Phillips' (2000) contention that republicanism is capable of providing an insecure resolution of 'that tension between insisting that different groups do have distinct and different interests and nonetheless projecting a vision of politics as something more than looking after yourself' (Stokes 2002: 34).

This suggests that in political theory, as in debates about business, there is an acceptance that participation entails tolerating some overlap between

private and public interest. Again, the example of the multinational oil corporations in the GCC illustrates the point. The European corporations such as BP and Shell, which pulled out of the GCC in 1996, did not do so only because they suddenly changed their views on the issues. One could rather argue that, as the developmental view of democratic citizenship suggests, because they work in a dense network of interpersonal relations in society, these corporations perceived that they could not act against seemingly well established societal preferences. Admitting them into the role of citizens then ultimately leads to a situation where corporations align their self-interests in a controlled and accountable way with interests of society. The typical result, as seen in the cases of BP and Shell, is processes of self-regulation, which allow corporations to pursue societal demands in a fashion that is still compatible with their own corporate interests and goals.

A fourth criterion for excluding corporations from the category of citizenship entirely could be their relative power premised, for example, on wealth, on the structural dependencies that they create (for example, for work, income), or on their access to other key decision-makers (for example, in government). Indeed Dahl himself (1985) recognised problems with his own earlier arguments as he came to the view that businesses possessed such economic power that such organisations could not be equated with surrogate citizens. Rather, in the same way as governments need to be constrained for liberals, Dahl argued that firms need to be subject to democratic processes. It is not clear that Dahl's argument is conclusive. As indicated in his earlier work (1956; 1961), different political resources are efficacious in different contexts. In other words, corporate power does not always trump the mobilisation of ideas; popular majorities, other coalitions and, moreover, corporations are often aligned against each other in policy debates (Vogel 1983; 1986).

Certainly on a global level, the example of the GCC is quite a good example of corporations finding themselves restricted and controlled by other corporations, if we think particularly of the transatlantic divide in the corporate take on global warming. Therefore the issue of power differentials in civic republicanism may not be as straightforward as first thought. However, as indicated by the deliberative view of citizenship, it may, nonetheless, be appropriate to consider either the extent to which the powerful, be they corporations or otherwise, have incentives to exercise self-restraint or whether arenas for free and fair deliberation are institutionalised. Again, we would argue that citizenship theory – though not prescribing immediate answers to these anxieties – nevertheless provides a conceptual framework of discussing these issues in a systematic and consistent manner.

Ultimately, these evaluative issues associated with granting corporations the role of citizens as discussed in this section, refer to problems around the contemporary role of corporations in society – regardless of whether

they are framed as corporate citizens or not. A framework of corporate citizenship as discussed here, however, opens up the possibility of assessing this role in a way that systematically conceptualises the potential benefits as well as the constraints of that role: it also ultimately provides an opportunity to apply to corporate actors duties and obligations analogous to those of individual citizens.

Conclusion

All political models of citizenship share the assumption that citizens stand in some sovereign relationship to the government and the direction of the activity of governing or 'governance'. This raises immediate questions about the appropriateness of the term for corporations. We have seen that there are no strong grounds for applying the minimalist conception of citizenship to corporations, as they do not meet the legal and administrative status test. Corporations are manifestly not bearers of the political rights that are characteristically seen as fundamental to liberal citizenship. As we move through the different models of citizenship, it is clear that roles and responsibilities, corporations aside, become more blurred. In the minimalist view, it is taken for granted that the political division of labour operates (between elections, governments rule and citizens are ruled). In modern variants of civic republicanism, governments do not disappear, but there is still an expectation that representative bodies participate in decision-making, be they defined as organised interests (Dahl 1961) or societal associations (Hirst 1993). The legitimacy of these participants is principally functional. The developmental and deliberative citizenship models both assume that participation combines individual and social benefits, although the deliberative model assumes that the former are suppressed in the activity of engaging with substantive approaches to problem-solving rather than continuing to assert particularistic ones. This all suggests that, corporations apart, lines of responsibility and issues of legitimacy are in flux. These models of citizenship emphasise not only legal and administrative status, but also a more metaphorical conception of citizenship based on engagement in participatory processes. We suggested that in their engagement in 'new governance' (Moon 2002), particularly through partnerships with governments and societal organisations, and in their role in the administration of rights, corporations are sharing in the doing of government 'like' citizens.

We conclude that the proposed framework of corporate citizenship discussed in this chapter confirms the concerns that we raised at the outset with Logsdon and Wood's approach. We concur with them in that the metaphor of citizenship on grounds of legal and administrative status through the minimalist model is not appropriate for corporations. While corporations 'are' not citizens (in the sense of status), we contend that corporations could reasonably claim to act 'as if' they were metaphorically citizens in that their engagement in society resembles that of citizens.

Our proposed framework better reflects the richness of the citizenship debate. It also offers a more powerful conceptual lens with which to analyse corporate roles and responsibilities. In particular, it conceptualises a broad range of corporate political activities, and thus moves clearly beyond a view that sees corporate citizenship just as a re-branding of a rather narrow version of corporate social responsibility. We would argue that a particular benefit of our thinking is that it provides the basis for a fresh normative perspective on the corporate role in society. If corporations can 'be' citizens (or even if they claim to be 'like' citizens) then, we would argue, that there are certain conditions for them to respect, certain criteria to be fulfilled, and certain obligations to be met. Consequently, this approach goes beyond a mere voluntaristic view of corporate citizenship. In fact, we argue that this conception of corporate citizenship focuses on the forms and norms of corporate participation in governing society that includes a plethora of activities beyond the rather narrow and local scope of activities in the Logsdon and Wood model. In referring to well defined concepts of citizenship, finally, we regard our framework as far better equipped to elucidate the conditions under which corporations can reasonably be admitted into the sphere of citizenship.

Note

- 1 A version of this chapter was previously published in *Business Ethics Quarterly* 15(3): 429–53, July 2005. The publishers have given their kind permission for publication in this volume.

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12 Transnational activism and indigenous rights

Implications for national citizenship

Ravi de Costa

Introduction

Indigenous mobilisations took on a global character amid the growth of other new social movements (NSMs) in the 1960s and 1970s. Two developments in particular forced states to rethink their relations with their indigenous inhabitants and the ways in which collective orders of citizenship have been grounded. First, the geopolitics of decolonisation laid bare the self-serving doctrine of benign imperialism. Second, liberal ideas found many proponents worldwide, with discussions about the international human rights system becoming more substantial and ideas of civil rights creating space for new political and cultural expression. Moreover, the global infrastructure of communications and mobility meant that the first two developments were easily and widely circulated. This chapter reviews the global radical turn in Australian indigenous politics from the 1960s and the institutions within the UN system that the new global movement brought. It evaluates the achievements of those institutions in developing and promoting a doctrine of indigenous rights and provides a critical discussion of the outcomes of this politics and its consequences for national citizenship.

The formation of a global movement of indigenous peoples

On his visit to Nigeria as a delegate to the Pan-African Arts Festival in 1977, the Western Australian Aboriginal leader Ribnga Green took with him a handful of earth from Halls Creek, ‘a little of the real Australia’, which he shared with the other peoples that he met. He felt that he had alerted those struggling elsewhere with the same problems to the existence of the Aborigines:

the far-reaching implications of the mere fact of our presence there ... we were all of one mind and one spirit ... [but] greater numbers of people overseas are now learning first-hand from Australian Blacks of conditions here, past and present; of the genocide of the Tasmanian

Blacks; and others express surprise that such a race as ours exists on this continent.

(Green 1980: 388)

But Green could see that transnational politics is multi-directional and transformative, describing:

a new forum for ideological rejuvenation, where our parochial views can be eliminated.

(Green 1980: 392)

In particular, Green saw that an indigenist politics and movement would not conform to simple dichotomies of left and right or Marxist and capitalist, although its exact direction was very much under development: Australian Aborigines still have the important opportunity of determining the paradigm of such a movement.

Green also saw that transnational politics came with a responsibility to be conscious of how the new contacts could be used to advance the position of Aborigines (Green 1980: 389). Underlying Green's thinking was over a decade of work organising and articulating an indigenous experience and movement. George Manuel, a Shuswap man and revered indigenous leader from British Columbia, was central to this development. His book, *The Fourth World* (Manuel and Posluns 1974), articulated the unique and global character of the indigenous experience.

Manuel's book drew on the links that he had forged with other indigenous peoples and colonised peoples in Australia, New Zealand and Africa. In it, he stressed that the universal spiritual experience of indigenous peoples was the source of the identity of the Fourth World, and described the politics that it would need to pursue. Indigenous peoples' 'primary identity' had been denied by European modernity and its denial had produced 'resistance identities'. That, and the realisation that imperialism had been a global phenomenon, underwrote the conflation of primary identities with a global resistance identity.

This conflation of resistance and culture or spirituality was visible all over the indigenous world. The Yirrkala petitions, the Gurindji walk-off, and the Aboriginal Tent Embassy in Australia all exemplified this, as did the occupation of Alcatraz by the American Indian movement, massive Maori mobilisations in the early 1970s, Saami hunger strikes, and the confrontationist politics of First Nations in British Columbia and elsewhere in Canada. Such demonstrations shifted the ground on which politics was taking place, from campaigns for the rational distribution of resources, to a struggle for meaning and purpose. The American Indian Movement's occupation of Pine Ridge in 1973, where state violence was used to repress indigenous traditionalism, revealed that the basic power structure in the liberal and democratic countries was no different to anywhere else. But it also was a breaking-point for the old consciousness:

What was accomplished at Wounded Knee? First of all, we won recognition by the world that we are native and sovereign and have treaty rights. The world now knows that the Indian people are alive and well. We are not buried in the past.

(Ahrens 1976: 10–14)

The numerical inferiority and marginalisation of indigenous peoples needed to be translated into a different type of power. The scholar Robert Paine observed among the Saami ‘an appeal to values which are widely recognized as intrinsic and thus supra-transactional ... much of Fourth World politics is about turning physical powerlessness into moral power’ (Paine 1985: 190). Just as the Aboriginal Tent Embassy enacted landlessness and poverty, Saami hunger strikes in the 1970s and early 1980s rejected ‘the politically dominant reality’ to the world outside them and ‘attained their reality in the very act of portraying it’ (Paine 1985: 201).

As well as wanting to recast the nature of their struggle, indigenous peoples felt an urge to formalise their aspirations. An important early text came from Latin America and the Caribbean in 1971 – the *Declaration of Barbados for the Liberation of the Indians* (25–30 January 1971). This was a meeting sponsored by the European Conference of Churches Programme to Combat Racism (Stevens 1972: 10–15). The Declaration stressed that it was ‘impossible to emphasise in all its historical significance, the growing ethnic consciousness observable at present throughout the continent’ amongst all the indigenous peoples of the Americas. It called for ‘the liberation of the Indians ... a total rejection of colonial relationships, internal and external’, and set out seven rights: ‘the right to be and to remain themselves’; ‘the state must recognize and guarantee each Indian society’s territory in land’; rights of self-governance, and full citizenship in the nation-state; the need to protect ‘first contacts’ where there were still isolated groups the frontier needed to be regulated; protection against military and police outrages; a designated ‘National Public Authority’ to deal with Indigenous peoples (IWGIA 1971: 1–8).

The Declaration also called for a new relationship between indigenous peoples and white supporters and advocates, particularly anthropologists and religious groups. The new relationship was to be directed by indigenous peoples towards their own interests and needs. In fact, a new generation of activists was already establishing organisations that were founded on respect for the new indigenous politics. The International Work Group on Indigenous Affairs (IWGIA) was established in 1968; Survival International in 1969; the Society for Threatened Peoples in 1970; and Cultural Survival (International) in 1972. IWGIA, based in Copenhagen, was the most research-focused, with the other organisations based in the US oriented to political campaigning (Coates 2004: 248). Also during the early 1970s, scholars and activists established the Indian Law Resource Center in Washington, and Indigena, an education and

documentation centre at Berkeley, which published a widely circulated newsletter.

A UN report in 1977 laid out the valuable work done by such NGOs. They were a source of information and documentation, both initiating their own research and sponsoring others to do it, as well as funding regular publications and sponsoring conferences. NGOs could also provide experts in public advocacy, particularly where executive members had legal and anthropological training. And finally, NGOs with official UN standing could present complaints on behalf of indigenous peoples (Discrimination Sub-Commission on Racism, Apartheid and Decolonization 1977: 26).

Indigenous peoples met at conferences where they discussed common problems and learnt how to engage the UN system. The North American Conference on the Protection of Human Rights for Indians and Inuit was one such meeting. Held in Racine, Wisconsin (2–4 November 1973), it offered sessions on culture and law, health, criminal justice, governance, and relations with the international community. Speakers explained the range of UN activities then underway and workshops were dedicated to making sure indigenous peoples across the Americas would know how to submit their research to the Special Rapporteur who was then compiling the first major UN study of indigenous peoples (Galey 1975: 21–39). The new global networks tapped into long-standing regional formations amongst indigenous peoples, including that in the US prairies and Great Lakes region which began in 1961 with a meeting in Chicago, where representatives from ninety tribes delivered a ‘Declaration of Intent’, in which they resolved ‘to reaffirm their sovereignty as Indian Nations’. In June 1974, the first International Indian Treaty Conference was held at Standing Rock Sioux reservation in South Dakota. Four thousand representatives from ninety-seven tribes across the US and Canada met and formed the International Indian Treaty Council (IITC) (Centre de Documentation, de Recherche et d’Information des Peuples Autochtones 1982).

In 1972, George Manuel as leader of the National Indian Brotherhood took the decision that his organisation needed to get United Nations Economic and Social Council (ECOSOC) consultative status in order to reposition itself for the Canadian government’s attempt to introduce an assimilationist agenda. The decision led to the formation of the World Council of Indigenous Peoples (WCIP) in 1975 at a meeting on Vancouver Island, attended by indigenous representatives from fifteen countries (Manuel and Posluns 1974). The WCIP met biennially in places where the movement was gaining strength through local actions: 1977 in Kiruna, Sweden; 1979 in Montreal; and 1981 in Canberra, the theme of which was ‘Indigenous Freedom Now’. Five hundred delegates came from twenty-seven countries, including Argentina, Killasuyo-Bolivia, Canada, Costa Rica, Chile, Dominica, Kalaallit Nunat-Greenland, Honduras, Mexico, Nicaragua, Panama, Peru and Saamiland (Finland, Norway and Sweden).

Indigenous peoples and the united nations system

Many scholars have sought to explain the rapid growth of human rights and other transnational social movements from the late 1960s. Social movement theorists have not only observed the 'push' towards the international realm that comes from domestic denial and repression, but also 'pull', as both international norms and institutions draw the marginalised into their orbit (Hawkins 2002). Indeed, the growth of transnational social movement networks is strongly correlated with the signing and particularly the activation of the two main covenants of human rights in the mid-1970s (Sikkink and Smith 2002). Transnational actors could 'gain greater access to and influence over states when they identify their cause with prevailing international norms, defined as standards of appropriate behavior for actors with a given identity in world politics' (Thomas 2002: 71).

Adapting Charles Tilly's argument that the state had been central in the earlier shift in the level of protest from the local to national, Florence Passy suggested that the 'creation of supranational political structures leads to an analogous transformation of protest from the national to international level' (1999: 149). The UN acted as a crucial 'deliberative space' for the construction of international regimes; and initiating and stimulating the creation of 'normative rules'. The UN also played an important role in monitoring existing norms and assisting in 'diffusion' of norms through the warehousing and distribution of information (Passy 1999: 151). It was in this space that the varied concerns of indigenous peoples could be examined against the existing norms of international human rights law.

Though there was sporadic United Nations interest in indigenous populations from the earliest days of the organisation, it was not until the rise of the decolonised nations within many UN bodies that the focus of the UN was directed towards the specific concerns of indigenous peoples (Thornberry 1991: 375). UN ECOSOC Resolution 1589(L), draft III (21 May 1971), was the beginning of a formal interest in indigenous peoples, by authorising the Sub-Commission on the Promotion and Protection of Human Rights (hereafter the Sub-Commission) to take action to investigate discrimination against indigenous peoples worldwide. Shortly afterwards, Sub-Commission Resolution (XXIV) (18 August 1971) appointed a Special Rapporteur, Jose Martinez-Cobo, who began preparing his lengthy and comprehensive report.

Martinez-Cobo's 1975 report (the first of a series) introduced a quite different mode of definition, in which ancestry, culture, communal identification and acceptance, residence patterns and group consciousness were considered. Though there was still a major emphasis on reaching a universal formal definition that emphasised the socio-economic development of the population, it signalled an opening to the issue of indigenous culture and difference (Martinez-Cobo 1975). Over the next five years, the UN staged a series of conferences as part of its decision to make 1973–82 the

'Decade for Action to Combat Racism and Racial Discrimination'. In September 1977, the International NGO Conference on Discrimination Against Indigenous Populations in the Americas took place in Geneva. Representatives of more than sixty nations attended. Two further seminars on indigenous peoples were held in Geneva (1979) and Managua (1981). In September 1981, the International NGO Conference on Indigenous Peoples and the Land was convened in Geneva by the Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization, and was 'the biggest and most significant ever held' to that point. These meetings were opportunities for indigenous peoples to develop shared positions and to lobby UN agencies.

Martinez-Cobo referred to all these meetings in his reports. In 1977, he wrote that after assessing indigenous peoples' access to existing human rights instruments,

a fairly dismal picture emerges of continuing dependence on appeals to the compassion of sovereign states. Protection of indigenous populations may have evolved into a customary international law to the extent other human rights have achieved that status.

(Discrimination Sub-Commission on Racism,
Apartheid and Decolonization 1977)

Where there were clear legal and procedural remedies, he continued, these measures remained 'bogged down in politics and diplomacy, in requirements such as the exhaustion of domestic remedies' (Discrimination Sub-Commission on Racism, Apartheid and Decolonization 1977: 31). By 1983, he had concluded that existing human rights standards were 'not fully applied', and 'not wholly adequate' for indigenous peoples' interests. He called for a separate declaration on the rights of indigenous people. Indigenous peoples felt that the conception of human rights was itself shifting: the roughness of liberal constructions of equality was giving way to an altogether more subtle texture, in which culture might inform a differentiated conception of equality.

The Working Group on Indigenous Populations, a subordinate body of the Sub-Commission on the Promotion and Protection of Human Rights in the United Nations Economic and Social Council, became the key site for indigenous peoples to attempt to develop this nascent understanding into a new doctrine and instrument of indigenous rights. There are two modes of human rights work in the United Nations: the treaty-based system and the charter-based system; the former concerns existing instruments and their supervision, the latter the political activity of creating and reforming international instruments. In its first decade, though formally in the charter-based system under the Sub-Commission, the Working Group on Indigenous Populations also became a *de facto* body for hearing claims of the infringement of indigenous peoples' human rights.

As a logical consequence, the Working Group on Indigenous Populations put renewed energy into a formal and comprehensive document setting out the rights of indigenous peoples. The initial push for a comprehensive document appears to have come from two directions simultaneously. As noted above, Martinez-Cobo had been moving steadily towards that view in his series of studies, which set the frameworks for discussion at the UN. However, it was indigenous organisations that mobilised to ensure that this happened. The Working Group on Indigenous Populations in 1983 had circulated a 'Draft Covenant on the Rights of Indigenous Peoples', which included self-determination, civil and political rights, economic rights, and social and cultural rights, as well as measures on ratification and implementation.

In 1985, the National Aboriginal and Islander Legal Services Secretariat (NAILSS), the Indian Law Resource Center, the Four Directions Council, the National Indian Youth Council, the Inuit Circumpolar Conference and the International Indian Treaty Council created a drafting group and published a Declaration of Principles. Indigenous nations were to be considered:

positive subjects of international law. ... If there is still conflict after negotiations, then the indigenous nations and peoples must have equal standing to appear in the International Court of Justice. Hopefully this approach would elevate the land concessions we now have to the basis of land rights and be binding as such on successive governments.

(NAILSS 1985)

As with other international human rights instruments, the assumption was that a new general statement could not only provide the framework for the development of new national policies, but also recast existing commitments. At the fourth session in 1985, the Working Group on Indigenous Populations formally decided to begin work on a comprehensive Draft Declaration, adopting a series of principles to guide the discussions. By 1988, there was a draft circulated that came out of extensive consultations amongst indigenous peoples, and in 1989 a revised draft was published for discussion (Pritchard 1998: 45).

National Aboriginal and Islander Legal Services Secretariat asserted in 1988 that indigenous peoples had 'entered a crucial and creative phase' and that from now on indigenous peoples must use a language:

which draws on the inherently collective nature of Indigenous Peoples, Society and their integral relationship, as a political entity, with their territory ... securely based in the recognition that Indigenous Peoples and Nations possess the Right to Self-Determination. ... Relations with Indigenous Peoples and Nations must be conducted through their own authentic institution as *determined* by themselves. States should

not be permitted, by the Declaration, to unilaterally impose 'solutions' or decisions.

(NAILSS 1988)

According to Russel Barsh, the international legal problems of indigenous peoples can be viewed two ways: as a problem of 'either discrimination or assimilation, i.e. the lack of equality or forced equality with the population of the administering state' (Barsh 1986: 369–85). Roderic Pitty separated the two approaches as 'minimal' and 'inspirational' (Pitty 2001: 44–71). As the discussions at the Working Group on Indigenous Populations unfolded, neither interpretation dominated, with a growing number of states adopting the former view, and the majority of indigenous peoples' representatives calling for the latter.

However, the text remained that agreed to by indigenous peoples' representatives, and retained a strong statement on indigenous peoples' right to self-determination. The Working Group on Indigenous Populations completed its work in 1993 and at its twelfth session in 1994 transmitted the extant draft to the Sub-Commission. Sub-Commission Resolution 1994/45 contained in its annex its 'Draft United Nations Declaration on the Rights of Indigenous Peoples'. That resolution also asked the UN secretary-general to invite governments, NGOs and IGOs in consultative status with ECOSOC to comment on the draft declaration. With Resolution 1995/32 (3 March 1995), the Commission on Human Rights agreed to establish an open-ended inter-sessional working group of the Commission to 'elaborate' the Draft Declaration, and ECOSOC formally established the Inter-sessional Working Group (IWG) on a Draft United Nations Declaration on the Rights of Indigenous Peoples (Pritchard 1998).

At the first meeting of the new body, Australia's Aboriginal and Torres Strait Islander Social Justice Commissioner, Mick Dodson, laid down what were to be the principles for discussing the Draft Declaration. His argument dealt with the taken-for-granted understanding of what human rights are and the limitations that these placed on the exercise of indigenous aspirations:

no human rights instrument to date, either domestic or international has adequately dealt with the specific human rights of Indigenous Peoples. We assert and will continue to assert that as Indigenous Peoples we are unique peoples. ... The rights of Indigenous Peoples must not be permitted to fade into the general morass of other human rights issues. Nor must their definition be taken out of our hands. There are a number of core principles which I see as crucial in relation to achieving justice for Indigenous Peoples. Those are: Firstly, non-discrimination. Secondly, difference or distinctive status. Thirdly, group rights. Finally, self-determination. Non discrimination means not depriving Indigenous Peoples of the basic rights which belong to all peoples on this

planet. ... 'Difference' refers to the principle that we are distinct peoples with distinct rights. It amounts to the ability to set up and control social and legal institutions, and to have them operate according to our belief systems and needs, as we define them. The third principle concerns the recognition of group or collective rights ... the most significant and unrecognised rights for which Indigenous Peoples are seeking recognition concerns our rights as peoples ... it could be said that at the heart of all the violations of our human rights has been the failure to respect our integrity, and the insistence in speaking for us, defining our needs and controlling our lives. Self-determination is the river in which all other rights swim.

(Dodson 1995)

Consequently, most states came to see the value of a UN General Assembly Declaration that could provide a new context for dialogue with indigenous peoples and resolution of the social, economic and cultural concerns they faced. General Assembly Declarations, with the exception of the Universal Declaration of Human Rights, are not usually considered to have standing in municipal law. Some indigenous peoples and their advocates do see the Declaration as a prelude to a more legally robust instrument, a seventh Convention on human rights. It must be said that even instruments such as the International Covenant on Civil and Political Rights have an ambiguous status in many jurisdictions.

However, several influential states including the USA, the UK, and Australia resisted the core of the Declaration – a right of self-determination – and ensured that no consensus could be reached at the last session of the IWG in 2005–6, even though there was explicit agreement on a range of other issues. Lacking any consensus, the IWG chair sent a revised draft to the Commission on Human Rights early in 2006 for its consideration. However, as the latter body is to be abolished in June 2006, the status of the entire Declaration is uncertain.

Indigenous transnationalism and consequences for national citizenship

Clearly, there are limitations and restrictions to the effectiveness of these transnational networks of indigenous peoples, which stem from the domestic political context of particular nation-states. A key example of these limitations is the relationship of the new politics of indigenous transnationalism and rights and Australian citizenship and the political culture. We can see the political consequences of transnational activism by considering recent debates in Australia, where in 1996 a conservative government led by John Howard took power and was unwilling to accept the new developments and thinking in the WGIP and other indigenous international institutions. This was couched in common sense and realism,

though the government stroked a strand of the political culture in which transnational work was presented as anathema to the national order.

What the discourse and practice of transnationalism faced was the national commitment to a notion of undifferentiated citizenship, liberal assimilation and a robustly bounded political culture. Historically, the critique of outsiders was shaped by ideological goals resembling anti-communism, such that the views of any non-Australians are 'forever open to the charge that the group is infiltrated by, or manipulated by, 'other' dark and mysterious forces' (Nettheim 1974: 177). A second stance was patriotism. As ATSIC chair Gatjil Djerkurra explains, any critical presentations to international bodies drew:

the usual domestic chorus of complaints about going overseas to talk Australia down. But we are not talking Australia down, we are talking up our rights which is our obligation and responsibility under the ATSIC Act. We would be derelict in our legal and moral responsibilities not to take this action.

(Djerkurra 1999)

Mick Dodson saw the hypocrisy of such an argument made in a globalised Australian culture and economy:

The strange thing is, these very same people are desperate to keep up with the latest international developments in technology, television and takeaway. It strikes me as a strangely convenient irony that these all too keen internationalists suddenly discover their national pride when it comes to the abuse of human rights.

(Dodson 1998: 19)

In the late 1980s and early 1990s, the creation of ATSIC and the Human Rights and Equal Opportunity Commission (HREOC) Aboriginal and Torres Strait Islander Social Justice Commissioner, suggested that Australia had entered a new phase in the process of inclusion of indigenous peoples into Australian political institutions. Yet, the new national government swept away these lines of connection between the national and international. In 2004, the only indigenous Australian contributions at UN forums were from ATSIC and the Foundation for Aboriginal and Islander Research Action (FAIRA) (National Aboriginal Community-Controlled Health Organisation 2004). By abolishing ATSIC in 2004–5, Australia not only took away a major source of funding for indigenous peoples' participation in these bodies, but retarded indigenous peoples ability to express themselves in a forum they had helped establish.

As a consequence, the transnational politics described in the opening sections is, in the Australian context, very much in retreat. In 2005, David Marr wrote of the 'strange silence' that had attended the latest critical verdict of the Committee on the Elimination of Racial Discrimination

(which monitors adherence to the International Convention on the Elimination of All Forms of Racial Discrimination). Obviously the abolition of ATSIC was significant but there was a wide problem: 'These days Australia's perceived shortcomings are causing more angst in Geneva than they do back home' (Marr 2005). In Australia, the caravan of indigenous affairs has moved on, and to talk of indigenous rights or international obligations is to risk being seen as part of the problem; the only problem worth talking about is the dysfunction of indigenous communities, and the abuse of individual indigenous peoples' rights and opportunities, particularly due to domestic violence and passive welfare. The rectification of the social and economic marginality of many remote indigenous communities, in particular, came to be a synecdoche for the conclusion of the 'unfinished business' of Australia's usurpation and abuse of indigenous peoples. The Howard government has called this 'practical reconciliation'.

As Tim Rowse recently observed, the federal government recently argued in its submission to a senate inquiry on the progress of reconciliation that 'a concern with "rights" was not merely irrelevant to "practical reconciliation" but in tension with it' (Rowse 2005). Rowse concluded that practical reconciliation could be carefully shown either to be failing or succeeding, in a way that the previous concept of self-determination could not:

Practical reconciliation has a calculable financial cost, but is the Howard government willing to pay it? As long as there is research showing the benchmarks of adequate public provision, the relatively new idea that citizens may fail their governments will still have to compete with the older idea that governments have persistently reneged on their responsibilities to indigenous Australians. By defining 'social justice' in terms of 'practical reconciliation', the Prime Minister has set governments a formidably difficult target. By emphasising indigenous 'responsibility' he is readying the public for the failure of practical reconciliation.

(Rowse 2005)

We can see that the broader success of the transnational movement in achieving discursive and some institutional coherence has, in Australia at least, not assisted indigenous peoples in asserting their rights and restraining governments and society. In this case a conservative and suspicious national political culture has effectively portrayed transnationalism not simply as irrelevant but as a species of global threat that would overturn national stability and would effect a radical redistribution of the resources and entitlements available to Australian citizens. This view clearly demonstrates the continuing salience of national politics in relation to the operation of transnational activist networks. Indeed, elsewhere, indigenous peoples' striking transnationalism and global mobilisation has led to new forms of dialogue between particular indigenous peoples and their respective

nation-states, over citizenship regimes as well as constitutional orders. Transnational activism assisted First Nations to force the Canadian federal government to include aboriginal rights clauses in the patriation of the Constitution in 1982. Similarly, it is hard to understand the capacity of the Zapatistas to alter radically their relationship with the Mexican state without appreciating their self-presentation to a global audience as a people struggling against injustice. Indeed, throughout Latin America, there is now a transnational politics of inspiration that can be seen in indigenous struggles in Bolivia, Brazil and elsewhere.

Conclusion

Indigenous peoples' transnational activism draws its ongoing vitality from an inchoate sense of a collective worldview that incorporates equality and recognition of peoples with a similar historical legacy. This vitality is also manifest in efforts to embed this worldview both within the indigenous transnational networks themselves, but also through formal articulations such as international human rights law and in the institutions of global governance. Indigenous peoples working towards a more coherent summation of their collective experiences and aspirations thus suggest that their transnationalism has a more radical intention than simply being an attempt to reorganise relations within an existing order. While there is a long history of non-indigenous romanticisation of indigenous peoples as ecologically harmonious and spiritually balanced, worldwide mobilisation indicates that indigenous globality is more than a figment of the Western imagination. Scholars have long understood that it is when the state tries but cannot dominate the processes of reform that radical new forms of politics can flourish within and across their societies.

For the nation-states from which indigenous peoples are mobilising, the practice of indigenous transnational activism presents a significant challenge. While the ongoing significance of national politics cannot be overstated, as the Australian case demonstrates, indigenous peoples' assertions in the global arena expose nation-states to criticism and offer new spaces in which to address indigenous-settler conflicts and discursive tools with which to resolve them. Such assertions also open up the potential for reconstructing national orders of citizenship. Indeed, we can say that the challenges to the authority of nation-states are many, and that their capacity to organise their societies and distribute resources through the mechanism of citizenship is under great strain. How then, can states re-imagine the communities over which they seek to assert their legal authority? National traditions are no longer the source of unity, given the multicultural character of modern societies. As such, the transnational spaces that indigenous peoples have developed point to new ways of representing people who have been marginalised in traditional nationalist conceptions of citizenship.

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13 Globalisation and practical utopianism

Wayne Hudson

Introduction

In this chapter I draw attention to limitations of the current discourses on globalisation and citizenship and argue that we need to pay more attention to practical utopian perspectives if we are to arrive at effective organisational forms. Proposing practical institutional arrangements, and not merely normative frameworks by which institutional arrangements can be judged, has more merit, I submit, than the bulk of the literature suggests,¹ but it does not imply that normative contributions are without value. Rather, my point is that there are levels at which actual institutional architecture is needed. In much of the current literature, actual institutional architecture is little addressed and the fact that real world arrangements are frequently not theodicy is largely, and not by accident, ignored.

Current discourses

The current discourses on globalisation and citizenship are not, themselves, very globalised. Indeed, much of what is written is over-generalised and Eurocentric, as consideration of the cases of China and Japan makes plain. It is also 'idealist' in the sense that it assumes that ideals come before institutions and in best cases shape them. Much of the time, Kantian ethical language and an ontology of individualism are applied to situations in which nation-states and transnational corporations rather than individuals exercise effective power.² Contemporary Western political and ethical theory still largely prefers the analysis of normative frameworks to thick institutional description, partly because it assumes, wrongly I believe, that the genius of successful institutions lies in the principles that they evidence rather than in the technical nature of their institutional forms. Nonetheless, while a form of moral idealism is arguably needed to facilitate the reform of the international order, there is little reason to suppose that moral idealism alone will lead to the successful regulation of political, social, economic or religious conflicts either within or between states. A growing internationalisation does not necessarily imply a commitment to a workable

global order, and appeals to international law, governance and treaties frequently prove ineffective unless they can be brought within the purview of an appropriate administrative body. The vogue for what is loosely called 'global governance' (O'Brien *et al.* 2000; Prakash and Hart 1999) is also likely to prove only partly adequate as a response to the challenges now emerging, unless it achieves flexible institutional specificity and becomes better integrated with thick local cultures.

Nor can the master term *globalisation* unify in any obvious way the many matters to which it is applied. Globalisation remains in many ways an unsatisfactory concept, and tends to confuse economic, technological, informational, political and cultural changes and their logics, as if globalisation was a *single process* with a *single logic*, leading to teleological outcomes (Robertson 1992; Sassen 1998). In the longer term, sharper conceptual analyses and more work on exact causal connections are needed. Many discussions of globalisation suffer from inflationary nomination and discursive entity construction, as if the nomination 'globalisation' stood in an aesthetic relationship to something called 'cosmopolitanism', and if 'democracy' or 'neoliberalism' could enter as pleasing shapes into the same poetically configured field. Aesthetic effects substitute for analysis, even though changes in the organisation of production within a nationstate do not necessarily imply that interaction between nation-states has increased, just as global capital flows do not necessarily imply that nation-states are less able to shape national politics, as the case of China shows. The notion of a global process of integration, co-temporal with modernisation and a neoliberal phase of capitalism, may be myth, especially if it implies that nation-states and their cultures are about to disappear.

Nor do increased migration and easier electronic communication necessarily promote a single world society. Again, it hardly follows that new ways of doing business, finance and travel promote global identity in any strong sense. Some economies have opened up to global markets. Goods, services and capital may move more freely around the world without the states of the world uniting with both neighbouring and distant states to form a universal state. Similarly, economic interdependency and the integrative effects of communicative technologies will not necessarily produce a global order and the world, which is not currently unified in any simple sense, may never become a single place with distinctive properties.

Globalisation is also widely conflated with 'cosmopolitanism' (Heater 1996: 1–26; Vertovec and Cohen 2002; Brock and Brighouse 2005), as if they were connected by magnitude and scale.³ The standard potted history from the Stoics to Kant plays up the notion of a universal moral order, but then misses the historical point that for the Stoics the *kosmos* was the universe, not the world of public affairs in a Roman sense. The slip goes with a general failure to notice that cosmopolitanism can easily imply comportment towards the universe rather than merely towards the earth. There is no doubt considerable merit in the current fashion for moral

cosmopolitanism (Beitz 2005) or the claim that we have moral obligations to those who are not members of our nation-state, but much less merit in the widespread tendency to confuse cosmopolitanism as a liberal project with alleged socio-cultural realities, many of them primarily found in national social and cultural contexts. Cosmopolitanism cannot refer indiscriminately to a cultural shift found in cities, to the activism of various NGOs and social movements, and to changes in law and governance.⁴ Further, the Romantic dimension of many cosmopolitan visions is varied rather than overcome when cosmopolitanism is declared to be 'rooted' and to involve pluralist allegiances to national as well as transnational values (Cohen 1992; Ackerman 1994). Nor is it useful to characterise cosmopolitanism as a normative theory of citizenship if there are no institutional and administrative regulators of such citizenship (Hutchings and Danreuther 1999). Perhaps, as Gerard Delanty argues, cosmopolitanism needs to be understood as a recurrent social mechanism, and not as a new feature of an emergent global or post-national space,⁵ but a more transhistorical definition still fails to embed specific cosmopolitan claims in specific institutional frameworks. Upgrading of 'cosmopolitan' to 'cosmopolitical' (Chataway 1999) helps, just as the articulation of a global political thought on cosmopolitan principles is a major contribution (Caney 2005). However, the institutional architecture still needs to be built (Zolo 1997).

It may also be an illusion to imagine that spreading *democracy* will of itself generate the organisational forms required, even though David Held's 'cosmopolitan democracy' has provoked significant discussion and debate.⁶ The attempt to understand contemporary political and economic worlds in terms of 'democracy' may be mistaken, especially since non-democratic world institutions and inadequately democratic nation-states are dominant. It is not merely that it is not useful to endlessly reiterate the need for more democracy, given that democracy itself is currently functioning quite badly in Britain, France and the United States, to give only three examples. Many Anglo-American theorists, however, take democracy to be an assumed good, and suggest that many of the world's problems can be addressed by spreading democracy to other parts of the world. However, if democracy is to be a realistic option for the highly diverse types of states emerging around the world, let alone a model for some future form of global government, it will need to be understood in less idealised and more contextually plural institutional terms. Rousseauian accounts of democracy which emphasise the right of every citizen to participate in the life of the community may encourage global referenda and assemblies, but it is less clear that they can be usefully applied to the workings of individual nation-state regimes. Democracy itself does not guarantee global cooperation, and it is possible to support a framework of law, governance and policing based on universal human rights, while opposing global democracy.

There are also serious problems with Anglo-American attempts to tie democracy to secularism, understood as the marginalisation and ultimately

trivialisation of religion in public life. Here, the defence and promotion of secularity requires a sophisticated multifaith approach, and not the institutionalisation of Western apostasy which is unacceptable to large parts of the Islamic world.⁷ Even if democracy is desirable in very many instances, the case needs to be made in contextual terms as well as generally. Existing major international institutions such as the World Bank and the IMF are manifestly neither representative nor democratic, and it may be important to distinguish between what is desirable at the nation-state level, which in turn may be variable from case to case, and what is desirable at the regional, international and global levels. Of course, it may still be the case that global democracy is an important transformative ideal which will be concretised institutionally in stages,⁸ but if so, then it needs to be shown that democratic institutions work better, not that they are better because they are democratic.

Nor does talking up *liberalism*, even in the form of a liberal conception of justice (Rawls 1999), necessarily contribute much organisationally to the solution of global problems such as terrorism and environmental catastrophe, even though a doctrine of universal human rights will almost certainly figure prominently in future global doctrine. A liberalism based on the freedom of the individual to select his or her own goals does not address some of the central issues raised by globalisation, and this does not change if the same liberalism is applied to nationstates. Similarly, a liberal conception of justice may be too thin. There is little evidence that liberalism possesses an adequate account of the state, and such an account cannot be deduced from an ontology of individuals. Cultural accounts of liberalism, while they certainly have rhetorical merits, are also of limited utility.⁹

Global civil society is also, in part, a chimera, a rhetorical construction and an emerging moral idea with only a delimited basis in organisational reality. In many discourses, the term 'civil society' has little analytical purchase, and attempts to characterise it by reference to an ensemble of institutions standing between the private sphere and the macro institutions of the state and the economy are topographic, not analytic (Walzer 1995; Keane 2003; Korten 1999; Taylor 2004; Baker and Chandler 2005). Again, attempts to confine the term 'civil society' to liberal institutions, or to institutions that are 'civil' and foster social peace, need more justification than is currently offered for them. Even within the nation-state, civil society is not a single unified domain; nor is civil society driven by a single social logic. Similarly, far from being independent of government, civil society is often the by-product of governmental or inter-governmental action or inaction (Keane 2003: 8). Further, Negri and Hardt (2001) are probably correct to argue that some forms of global civil society may promote rather than restrain empire.

To have more political as well as theoretical purchase, civil society needs to be understood in contextually specific institutional terms, and not merely as a political project, as a normative ideal, as the space of activist

social movements, or in terms of Tocquevillean associationalism. Actual civil society regimes need to be described accurately and in real world terms. Multiple forms of civil society exist within states, including both modernising and communalist forms of civil society, and civil society in some countries is not separate from the state. Likewise, civil society may not be secular but mainly made up of religious institutions, or it may be characterised by strikingly unethical practices. Those who attempt to anchor global civil society in a progressive narrative about the role reason plays within liberal enlightenment appeal to Western audiences, but they do not necessarily change minds in less liberal polities; they also tend to be thin on institutional specifics. Thus for Mary Kaldor, global civil society is primarily about civilising globalisation by enabling the free and rational dialogue among different civil society actors and interests to take place and in this way encouraging global legality, justice and the empowerment of global citizens (1999; Kaldor *et al.* 2003: 12). This notion seems to confuse the global citizen with the good global citizen, and to set up the ideal of civil society as a post-natural realm of civility above any actual civil societies which may have appeared. For Kaldor, voluntary and participatory activity is central to global civil society, and nationalist and fundamentalist movements cannot be part of it. She supports a framework of law, governance and policing based on universal human rights, but is sceptical about global democracy.

There is no single model for either democracy or civil society, and it is increasingly conceded that European models cannot always be applied to Asian civil societies (Hann and Dunn 1996; Chambers and Kymlicka 2002; Schak and Hudson 2003). It is also unsatisfactory to confuse civil society with the public sphere, especially in its quasi-redemptive Habermasian version;¹⁰ nor will moralised accounts of civil society suffice, even though many civil society spaces obviously do embed forms of ethical universality (Alexander 1998; 2006). Increasing social capital (Putnam 2000) and teaching respect for one's fellow human beings is no substitute for powerful state instruments able to restrain actual violence and oppression. A less idealised conception of civil society will, in turn, have implications for any conception of global civil society. Idealised accounts of civil society give misleading accounts of the situation on the ground, especially since many Islamic civil societies are opposed to some or all forms of liberalism (Colás 2002).¹¹

At a global level, civil societies often do not consist of groups, individuals and institutions which are independent of the state and state boundaries. Nor is there any actual (as opposed to putative) civil society made up of actors who organise themselves across borders, with the deliberate aim of drawing the world together in a new way, even if forms of 'counter-hegemonic globalisation' (de Sousa Santos and Rodriguez-Garavito 2005) may be documented. It probably needs to be admitted that some forms of civil society have been created by forms of imperialism, just as some

mercantilist nation-states exercise hegemony through international agencies. Certainly, civil society cannot be equated with what John Keane dubs 'cosmocracy', or a new form of governmental power, and a system of world wide webs of interdependence (Keane 2003: 8, ch. 2). On the other hand, the disarray of actual real world arrangements might suggest that the less global civil society is associated with civility, plurality and democracy, the easier it will be to identify its explanatory potential and its political and ethnical limitations (Colás 2002). However, the notion of global civil society cannot bear the weight currently put upon it, especially since civil society has an open historical character and is likely to change profoundly in the next century, just as it has changed many times in the past.

Citizenship too has become a liturgical topic in much of the literature, rather than a matter for specific legal and administrative reform. Often some inflation of Western European nation-state citizenship is proposed as a response to the impacts of globalisation – for example, *postnational citizenship*, *international citizenship*, *transnational citizenship*, and now *global citizenship*. However, these nominations threaten to strain the potential of Western European doctrine beyond its rational limits, and do not provide significant additional resources of the type needed for problems of the scale to which they are applied. The existing literature on citizenship is weak on specifics as to how the core values of citizenship should be recast in global, cosmopolitan, international, transnational and regional contexts, and there is less literature than one might expect on the significance of globalisation for citizenship as a practice.¹² The literature on *world citizenship* is especially elevated and lionises the person who maintains a global perspective on the obligations they owe to others or who is concerned with issues that impact upon world or global society (Nussbaum 1996; Brown 2000). Although there are critics of such citizenship (Miller 1999; Walzer 1996), it is difficult to deny that we have moral obligations 'not to harm' (Pogge 2002; 2005). It is less clear that these moral obligations amount to a strong form of citizenship or that world citizenship can be effectively invoked in the face of force and violence deployed by nation-state governments.

Accounts of *international citizenship* are also often meliorist and emphasise that nation-state actors should be bound by treaty obligations and universal moral law. These accounts of citizenship have real but limited value in so far as they project national citizenship into the international arena. It is not obvious that a proper ethical regime for international citizens can be generated by arguing that nation-states should not be allowed to break basic rules as international citizens which corporations or voluntary associations are not allowed to break as internal citizens of a polity. It is also arguable that the ethical burdens placed upon such states should differ in some respects from those placed on citizens.

Transnational citizenship is also something of a mark up, even though transnational practices of citizenship are documented, both in the form of

direct action and the form of international unionism and workers citizenship, while in the case of corporate citizenship a proper regulation of the transnational activities of corporate citizens has not been achieved (Baubock 1994; Florini 2000). It is not clear that the hybrid cultures arising from transnational movements of peoples and cultures result in structural changes at the political or economic levels. In sum, transnational forms of citizenship have not, at this point, consolidated into major threats to existing nation-states, and there may be a case for not theorising them by reference to nation-state citizenship (Batliwala and Brown 2006).

Global citizenship sounds more impressive, but is not yet precise enough to save refugees from detention, or to prevent arbitrary imprisonment, or the torture of alleged terrorists (Falk 1994; Carter 2001). Indeed, there are multiple attempts to characterise global citizenship in Kantian terms, with almost no administrative or legal institutionalisation of the status conferred by such accounts (cf. Linklater 1998; 1999; Hutchings and Dannreuther 1999). Clearly it is important to acknowledge that some forms of citizenship may exist independently of the nation-state. There is also a strong case for exploring accounts of citizenship based on the capacities and attributes of persons, on characteristics they have as persons, wherever they live (Sassen 1992; Soysal 1994). However, to be effective, global citizenship has to be institutionally specific and must involve obligations as well as rights. It needs to be embedded in actual institutions able to enforce the performance of such obligations. Further, global citizenship should not be confused with all manner of ethical goods, and may not bring only benefits in its wake. For example, there may be global citizens who exercise citizenship beyond the state without accepting global democracy or cosmopolitan democratic law (cf. Held 1995: 227–29). On the other hand, global citizenship cannot merely be putative membership of a virtual global society. Attempts to posit global or, for that matter, transnational society (Shaw 1994; Germain 2005) arguably weaken many accounts of global citizenship, since this ‘society’ is protean and the very notion ‘society’ is, to a degree, anachronistic under conditions of globalisation.¹³

A global republican alternative

Such reservations may seem pedantic. It is difficult to deny that the world is changing, whether or not one chooses to posit ‘drivers’ of global processes (Held 2004). Moreover, these changes are clearly changing the theory and practice of citizenship, even as they create new civil society spaces of many different kinds. That contemporary attempts to think through the civic implications of globalisation have limitations is hardly surprising. Often, these limitations point to *organisational deficits* at the national, the regional and the global levels. In this context, I argue that the bias against practical utopianism in the current literature is mistaken, and suggest that *practical or constructive utopianism* can make a positive

contribution in a period of transition by laying out alternative institutional arrangements for discussion and debate. Emphasising the laying out of arrangements has precedent in both the utopian and the republican traditions in the West, and can also find comparative support in Chinese, Islamic and Indian political thought.¹⁴ Nonetheless, it involves a strategic focus on institutional form which qualifies, and in some respects contests, the emphasis placed on political theoretical doctrine and ethical principles in the bulk of the Anglo-American literature.

There are historical precedents from Plato on for admixing utopianism and republicanism (*The Republic*, *The Laws*). In the Western political tradition some utopians envisaged republics (for example, Campanella), while some republicans wrote utopias (for example, Henry Neville). The utopia of setting up a republic did not remain in fictional texts: it was striven for in actual political and legal arrangements. Nonetheless, it is a mistake to assume that utopian approaches to republicanism only took the form of politically dangerous fantasies. Students of Renaissance utopias have noted for some time that some humanist utopias were technical and practical rather than fantasies of ideal societies or human perfectibility – just as there were works on the perfect moral commonwealth, such as Sir Thomas Elyot's *The Booke named the Governor* (1521) and Sir John Eliot's *The Monarchie of Man* (1622), which envisaged moral renewal on the basis of existing institutions. Moreover, these utopias included republican utopias concerned with detailed models for the arrangement of the political order. Thus, James Harrington famously exemplified the 'political architecture' approach to republicanism in *The Commonwealth of Oceana* (1656).¹⁵ Harrington's *Oceana* was a technical republican utopia offering a series of constitutional proposals designed to be implemented in Oliver Cromwell's England. Harrington's strategy was to design a better institutional order on the basis of the complexities of actual historical experience, not to deduce a polity from first principles, and he assumed that republican technical innovations were required because human beings were imperfect, not perfectible.

Today, again, a case can be made for a technical and organisational republicanism, based on a practical utopianism which seeks to propose workable arrangements, and not merely high-sounding political or ethical principles. In contrast to neoliberalism, which attempts to solve contemporary social and political problems by relying on autonomous individuals, a market economy and a procedural state, republicanism rejects neutrality as an approach to governance and accepts the need to pursue substantive ethical objectives through institutions and organisational forms. Again, unlike neoliberalism, republicanism takes institutions to be political actors and potential structuring agents as well as empowering habitués which enable individuals to exercise agency. Unlike neoliberalism and many forms of cosmopolitanism, republicanism advocates a strong active state that structures some of the spaces in which actors pursue their life chances, and attempts to promote organisational concepts such as mixed government,

universal access, rotation of office, and wider distributions of different types of political, economic, social and cultural power. On a republican view, only powerful institutions can ensure civility and concord in the long term. These institutions are also the best means of promoting co-associational relationships and intercultural pervasion across the world, even though institutions only succeed when they are aligned to ethnical cultures of a thick kind, which may differ substantially from place to place.

In contemporary contexts, however, republicanism needs to be rethought to take account of globalisation, without underestimating the need for strong states at the nation-state level, and in ways that take account of contemporary social differentiation and complexity. Granted that modernist historicism (Linklater 1998) should be rejected as a philosophy of history, globalisation has reduced the effectiveness of older political and economic arrangements and has confronted us with problems of *scale*, *temporality* and *supraterritoriality* which our existing institutions find difficult to encompass. To this extent, it challenges us to reform our existing system of government in ways adequate to the scale of the challenges we face. The question is whether it also provides us with some of the means which allow us to do so.

A global republican approach assumes that organisational arrangements can be developed which tend to good outcomes both because of technical features of their organisational forms, and because they resonate with real and emerging distributions of wealth and power, even though in the longer term republicans seek to promote dispersions of power. Such an approach is a form of practical utopianism because it emphasises the need to change situations by *constructing institutional arrays* which then become part of those situations. It is controversial because *it regards the detail of actual arrangements as more important than philosophical justifications which may be provided for them*. Just as a traffic light is an efficient organisational arrangement for reasons that do not depend upon any complex political theoretical or philosophical justification which can be provided (Pettit 1997: 239), so a global republican approach is overwhelmingly concerned with institutions and their structuring effects. It does not need to subscribe to the pieties of civil society movements with little actual institutional power. Nor does a global republican approach need to gesture towards utopias of world government, while denouncing existing nation-states. On the contrary, it can interact with real organisations and their interests and propose institutional arrangements which are consistent with the self-interest of nation-states and global corporations – even though they shift decisively towards globalist arrangements (cf. Slaughter 2005). Global republican design pursues equality, non-domination and global justice as goals, but can be dialectical about the extent to which actual organisations in particular countries conform to such norms. Indeed, it can shamelessly work with oligarchic regimes which style themselves democracies (the United States, Britain) as well as with a range of dictatorships

(the Russian Federation, China) because it seeks ethical outcomes, but does not presuppose that organisational forms must themselves be ethical in all instances, or in the same sense, or in every respect. Because of its technical institutional bias, a republican approach can accept the technical superiority of ethically mixed regimes in some, but not all, domains, while remaining committed to realising ethical goals in stages, when and as they become possible.

In response to globalisation, a global republican approach can propose institutions which would operate both inside and outside the nation-state. These institutions would need to be accepted by, and in many cases to form part of, nation-states, even though they would not need to be grounded ideologically in Western political *doxa* or Western historiosophical *a priori*s. Further, nation-states could embrace such institutions without necessarily accepting democracy or the moral and juridical principles of liberalism at the political theoretical level. These global institutions would be 'global' in their structural reference to other global institutions and to relevant global covenants, but they would have context-specific and in many cases local characteristics; they would not be 'cosmopolitan' in the sense of 'from nowhere', and in some respects these global institutions might not be theodic or perfect. Embedding the global, on this view, is more important than getting the global into ideal form. All these institutions would be 'republican' in the sense of being formative of strong and preferably virtuous, citizens and polities; and, in the case of institutions beyond the nation-state, they would seek to have impact on the trajectories of nation-states. Conceived along these realistic and practical lines, the case for global republican institutions is stronger than is often suggested.

On a republican view, however, more emphasis needs to be placed on the role of agency both as a crucial feature of real institutions, albeit a feature neglected in liberal theory, and as a link between institutions and the individuals who inhabit them. Contemporary Anglo-American political theory is heavily biased towards formal individualism and needs, in my view, to be corrected by a realist philosophy of institutions. The same theory gestures, rightly I think, towards what individual citizens can do through their actions to change existing arrangements. It does not, however, provide a proper account of the agency of institutions, and it seldom explores to what degree institutions able to exert agency on spaces and domains may actually strengthen the agency of individuals involved with them. In contrast, when both the agency of institutions and the agency of individuals who operate in and through institutions are taken into account in the design of institutions and arrangements, the case for republican as opposed to liberal approaches to citizenship and civil society is plain.

Consider the cases of sovereignty, civil society and citizenship. A global republican approach which seeks to strengthen and enhance the nation-state could exemplify *a distribution of sovereignties* within nation-states. The limitations of an international system which accepts that there should

be an absolute power in every state, that sovereignty should be indivisible, and the notion that acts of sovereignty should be free from rules as well as from any form of positive or natural law are obvious, just as the traditional attempts to legitimate a nation-state of this kind by reference to a specific construction of the Thirty Years War and the Treaty of Westphalia are now widely challenged (Hudson 2006). A global republican approach could reinstitutionalise an expanded, but no longer absolute, form of nation-state sovereignty. In the longer term, nation-states will find it in their own interests to adopt more flexible models of sovereignty than those Bodin envisaged in the seventeenth century.¹⁶ In the same way, other forms of sovereignty, such as corporate sovereignty and individual sovereignty, can be recognised and in some respects regulated by the nation-state. Here, David Held's notion of cosmopolitan democratic law is useful, although it is important to stress that it is the availability of real institutional embodiment including actual legal processes and forms of enforcement which matters, rather than the transfer upwards of ethical objectives into the legal domain without allowances for the brokenness and ethical ambiguity of human affairs.

Likewise, given a technical institutional perspective, *civil society* could be restructured within nation-states in ways which energise civil society by integrating local- and global-perspective institutions designed to strengthen agency. Specifically, global republican moderations of civil society can be instituted and reinforced by a network of interlocking institutions which change the pattern of civil society/state relations. A strong state able to provide structuring contexts for the promotion of individual and corporate life can build in cosmopolitan horizons at legal and administrative levels. Similarly, civil society can be cosmopolitanised, not only by links between national civil society and global civil society (for example, through NGOs), but by specific legislation impacting on nation-state and civil society interactions. Thus institutions linking local governments by city worldwide would serve to empower the agency of individuals within them and also exemplify relevant institutional agency at the local and the regional levels. In the same way, arrangements reframing the institutional reality of public corporations would serve to integrate local and global concerns. For example, corporations could be required to adopt and adhere to legally enforceable global republican charters requiring them to act in a civically responsible manner within all of the national contexts in which corporations are active,¹⁷ and this could be embodied in institutions associating corporations at the local, the regional and the global levels.

Global republican institutions within the nation-state could also be used to more effectively institutionally embed *citizenship* in all its current complexities, and not merely in its traditional political citizen-of-a-nation-state form. Today, citizenship is understood as plural and multi-levelled, and as based on evolving capacities as well as rights. Many current forms of citizenship, however, can be given global dimensions, and economic, social and cultural citizenship can be monitored by global institutions. Similarly,

practices of transnational and global citizenship can be inscribed within nation-state structures not designed to accommodate them, in ways which modify the administrative calculations of nation-states. Here, arrangements to make such citizenships institutionally visible and able to be reported upon and accounted would arguably enhance the agency of individuals, just as these arrangements would help nation-state institutions more willing to take systemic account of such new forms of citizenship.

From a broader perspective, global republican institutions could also be proposed to partially address malfunctions within the nation-state caused by respatialisations of power and influence associated with globalisation. For example, technical institutions with global as well as nation-state features could be constructed to better manage security, crime and environmental issues, and also in the longer term educational and population management issues. To take only the last two, major improvements could be made to secondary education by global republican institutions working within the nation-state which encouraged individual teachers to register their educational concerns as both national and global citizens, and which encouraged students to construct their own education in global as well as national terms. The crucial change, of course, would be to attempt to strengthen the nation-state in the area of education by embedding the global within it in ways which enhanced both institutional and the individual's agency. Here, it would be crucial to establish institutions which promoted actual convergences between closer global ties and institutional solutions to the problem of how nation-state regimes can afford the level of infrastructure needed to provide appropriate education for ever larger cohorts. Of course, global republican institutions which were technically efficient and low-cost might well be adopted if they solved the nation-states' problems in a way which also appealed to its citizens.

Beyond the nation-state, even if we are not ready to risk the ambition of global government, the case for global institutions with budgets, administrative structure and organisational constitutional form is compelling. For example, the case for some kind of global standing army, large enough and sufficiently well equipped to be more than a symbolic peacekeeping force, is overwhelming, given the disasters in the Middle East and the clear failure of unilateral interventions as a response to recalcitrant nation-states. In the same way, global warming mandates international management and regulation of climate policy, even if this policy is largely implemented with regard to competing interests, both intra-nation-state and transnational, by nation-states. It is also increasingly accepted that global institutions may be needed to regulate the internet and the organisation of international finance, even if concrete constructive proposals are sometimes lacking – for example, institutionally specific models for a new version of the Bretton Woods agreement, taking full advantage of the greater flexibility made possible by contemporary electronic technologies. Related cases can be made for global institutions to facilitate the nation-state's regulation of

security, crime and health. In each case, a global republican approach seeks to exemplify actual organisational arrangements – for example, by getting NGOs to implement organisational forms which, once they are shown to work well, could then be realised at both the nation-state and the global level.

Global bodies designed to activate and institutionalise the agency of individuals can also be constructed, promoted and exemplified in this way. Here the crucial move is to question the tendency to use old European institutions as the model for global ones, and to seek instead to invent and test on a small indicative scale institutional forms with historically new logical organisational features, including, where technically relevant, cosmopolitan features. For example, major advances could be made by modelling institutions using non-partitional organisational forms and invoking a new doctrine of the sovereignty of the individual. Such institutions would not be primarily representative bodies for civil society organisations. Bodies of the latter kind (such as the World Social Forum) already exist and make contributions of a different kind. Instead, global republican participatory bodies would promote contemporary procedural equivalents to the Renaissance republican emphasis on the division of powers and rotation of office. Global republican participatory bodies would seek to generate, educate and record global public opinion using procedural innovations, and not utopias of popular debate and assembly. And wherever possible, these bodies would be inscribed within and hence reinforced by nation-states. Given this level of institutional experimentalism, a World Parliament of Peoples could be constructed as a parallel organisation to a reformed United Nations. This World Parliament would enrol as members human beings who are citizens of nation-states and issue them global passports requiring validation by nation-states; if a person's nation-state refused to validate, such citizens would not be enrolled. Enrolled human beings would then elect representatives and vote electronically on a range of issues, but only in hierarchised and technical ballots.¹⁸

Of course, the long-term aim of the World Parliament would be to give every human being status as a unit of moral concern and to extend the institutional spaces in which they can be active as agents. However, in contrast to various cosmopolitan schemes, a global republican approach would seek to do so by testing and exemplifying relevant organisational technicalities, not by allowing persons to register their opinions on matters that they have not mastered. This implies an emerging capacity model for global democracy, for which individuals acquire institutionally recognised capacities in more domains over time, rather than the internet discussion type of constitutionalism currently promoted by a range of civil society organisations.

Conclusion

The critique of current discourses on globalisation and citizenship offered here is designed to foreground the need for greater institutional inventiveness

as we, almost despite ourselves, edge towards elements of a future global republic. The global republican alternative introduced in this chapter may still seem too insubstantial or even utopian in the bad sense. This is a risk that a republican utopian has to run. On the other hand, the reflections offered do suggest that relevant institutional changes are not technically impossible, even if some of the conditions of the practicality of specific proposals are still lacking. I do not, of course, pretend that various difficulties of technical realisation, not to mention problems of political will, can simply be waved away. I do suggest, however, that individual nation-states are likely to endorse proposals which are successfully exemplified by rivals, whether other nation-states or transnational corporations. I also imply that institutions can be constructed which successfully apply republican principles to both nation-state and emerging global orders (Slaughter 2005), and that a better global order may be achieved by institutional arrangements accepted by still imperfect nation-states, if we place more emphasis on actual institutional forms which promote the agency both of institutions and of individuals acting within them, rather than merely normative principles.

Notes

- 1 For a detailed introduction to this type of utopianism, see my *The Reform of Utopia* (Hudson 2003b).
- 2 It is not controversial that Kant made outstanding contributions to international relations theory as well as to political thought. Kant's approach to international civil society, however, postulated but did not adequately integrate a confederalism (based on sovereign republics with strong constituent civil societies) and a global republic which recognised all citizens as citizens of the world.
- 3 For literature on cosmopolitanism, see Vertovec and Cohen 2002; Brock and Brighouse 2005; Hutchings and Dannreuther 1999; Delanty 2006. Cf. Pogge 1992.
- 4 The literature is riddled with indefiniteness. John Urry (1999), for example, refers to an ability to be mobile, the capacity to consume diverse cultural symbols and goods, a willingness to take risks by virtue of encountering 'other', the ability to reflexively observe and judge different cultures, the possession of semiotic skills to interpret images of others, and general openness to other people and cultures – none of which involves specific administrative or institutional architecture. For an attempt to relate cosmopolitanism to counter-hegemony and emerging law, see de Sousa Santos and Rodriguez-Garavito 2005.
- 5 Delanty defends a post-universalistic cosmopolitanism, based on different kinds of modernity and processes of societal transformation that do not presuppose the separation of the social from the political, or postulate a single world culture. He sees cosmopolitanism not as a singular condition or as a goal, but as a cultural medium of societal transformation based on the principle of world openness. See Delanty 2006.
- 6 Held argues that it is necessary to re-theorise democracy in the light of the interconnectedness of nation-states and the growth of international networks. He speaks of a 'framework for utopia', based on extensions of democracy in economic life and entrenching cosmopolitan democracy in democratic public law. Held combines a socialist version of liberalism with the claim that

- government can be subjected to inviolable principles if the institutional framework for the regulation of states is expanded. He relies on a Kantian liberal notion of democracy at both the national state and the global level. See Archibugi and Held 1995; Archibugi *et al.* 1998.
- 7 On the whole problem of 'good' versus 'bad' secularism, see the useful treatments of Indian secularism as involving national intervention in religious affairs in Bhargava 1998.
 - 8 David Held has recently moved to flesh out his version of cosmopolitan democracy. See Held 2004. Held calls for a cooperative, multilateral, democratic world governed by rule-based principles of justice. He envisages the globalisation of social democratic politics, and offers social democratic tests by which policies can be judged. Many of his institutional proposals, for example, an international human rights court, are excellent.
 - 9 Thomas Bridges (1994) attempts to salvage liberalism from what he dubs the wreck of the Enlightenment and its modernist vocabulary. Instead, he offers the utopia of a postmodern liberalism which no longer claims universality or attempts to legitimate its institutions from first principles; but detotalising liberalism in this way does not generate strong institutions or the resources needed to handle global problems.
 - 10 According to Habermas, a civil public sphere (*bürgerliche Öffentlichkeit*) emerged in the eighteenth century in *The Structural Transformation of the Public Sphere* (1989 [1962]). Habermas, however, paid very little attention to religious organisations, and none at all to religious orders. For him, the public sphere is about the emergence of an institutionally realised public opinion that is critical of the state and monitors its activities in a secular, reformist spirit. He takes no account of the experiences of Asian societies. Gerard Delanty argues, however, that the public sphere is prior to civil society as the domain of civic communication and cultural contestation, and therefore advocates a cosmopolitan public sphere rather than a cosmopolitan civil society. See Delanty 2006.
 - 11 There are related problems with attempts to associate global civil society with the creation of multiple international public spheres. The sociality of such spheres requires more careful theorisation and the contested term 'society' has little theoretical purchase in such domains.
 - 12 See, however, Davidson and Weekley 1999.
 - 13 For critiques of the notion of 'society' see Urry 2000.
 - 14 For a fuller discussion of a reformed practical utopianism which responds to the constructivism of Roberto Unger, see *The Reform of Utopia* (Hudson 2003b: chs1 and 2).
 - 15 See Hudson 1993: ch. 11. For useful comparison, see Hume 1994.
 - 16 For discussion of Bodin's work, see Engster 1996; Salmon 1996.
 - 17 For further discussion, see Hudson 2003b: ch. 5.
 - 18 Such a proposal does not detract from the need to reform the United Nations, even though the United Nations may not be able to affect its own reform on the scale required, and a better strategy may be to create additional global institutions with the capacity to coerce it in specific areas of concern (such as the proliferation of nuclear weapons).

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Index

- Aboriginal Tent Embassy 173
 absolute physical minimums 120
 accountability 131–33, 154
 Adelphia 68
 Anderson, Benedict 37
 anti-capitalism movement 144
 antipower 89
 Archibugi, Daniele 86
 Arendt, Hannah 65
 Aristotle 103; *Nicomachean Ethics* 104; *Politics* 107
 ATTAC 145
 Australian Aborigines 172–73

 Barber, Benjamin 134
 Barlow, John Perry, *A Declaration of the Independence of Cyberspace* 56
 Barsh, Russel 179
 baseline units 95
 Bauer, Otto 139
 Bauman, Zygmunt 81
 Beck, Ulrich 81
 Bentham, Jeremy 122
 Bobbio, Norberto 6, 79
 Bretton Woods 197
 Buddhism 32

 Canada 21
 causality 101
 Chafee, Zechariah 71
 China 43–51; civic responsibility 46; definitions of citizenship 45–48; *dute* (unique) 49; *geti* (individual) 49; *gexing* (personality) 49; *gongde* (civic virtue) 46; *gongmin* (citizens) 44, 45; *guomin* (nationals) 45; *hao gongmin* (good citizen) 47, 48; history of citizenship 43–45; identity politics 45; *jingji fazhan* (economic development) 47; Law of Election of the People's Republic of China 46; *liuxuesheng wenxue* (overseas student literature) 47; *meisu* (vulgarity) 49; *renmin* (people) 45; *shangye pian* (business dramas) 47; *shimin* (citizens) 45, 46; *Super Girl* 48–50; *suzhi* (quality) 44, 49; *The Citizens Handbook* 46; *wenhua shuiping* (cultural level) 44; *xiaofeizhe* (consumers) 45; *zhenwo* (true self) 49; *ziwo gaizao* (self-remoulding) 48; *ziwo* (individuality) 49; *ziwo piping* (self-criticism) 48; *ziwo sheji* (self-designing) 48; *ziwo shixian* (self-realisation) 48
 cities of refuge 64
 citizenship 5–6, 100, 191; corporate 17, 150–71; cosmopolitan 20, 24, 25–27, 100–104; cultural 16, 20–23, 23–25, 36; definition 16; and ethnicity 37; friendship as 104–6; as membership of nation-state 6–7; as normative prescription 7–8; origins of 15; participation in transnational civic life 8–9; transnational 8–9, 127–36, 191–92; *see also individual types*
 civic republicanism 155, 156, 157–58
 civic rights 16
 civic virtue 157
 civil disobedience 16–17, 129
 civil minimums 120
 Clean Clothes Campaign 145
 Cole, G. D. H. 161
 collective identity 26
 communication poverty 59–60
 Communist League 141
 communitarianism 15, 20, 26

- community unionism 139
- Confucianism 32
- conscription 16
- constructivism 24
- consumer sovereignty 153
- contested minimums 119–21
- corporate citizenship 17, 150–71;
 - evaluative issues 163–66; exclusion from 164–65; role in governing 160; theories of 150–54
- corporate power 60
- corporatism 143
- cosmocracy 4, 66–68, 191
- cosmopolitan citizenship 20, 24, 25–27, 100–104
- cosmopolitan democracy 7–8, 188
- cosmopolitan democratic public law 88
- cosmopolitanism 23–25, 86–89, 93–97, 187; labour 141–42
- cosmopolitan reason 114
- cosmopolitisation 113
- counter-hegemonic globalisation 190
- Cranston, Maurice 123
- creolization 80
- crime 103
- Crosland, Anthony 139
- cultural citizenship 16, 20–23, 23–25, 36
- cultural conflict 19
- cultural identity 23
- cultural minimums 120
- cultural mix 61–62
- cultural rights 16, 25
- Cultural Survival (International) 174
- culture 15, 16–20; acquisition by birth 32

- Dahl, Robert 67
- Dai Junhua 47
- Davidson, Alastair 6
- Declaration of Barbados for the Liberation of the Indians 174
- deculturation 81
- Delanty, Gerard 188, 199
- deliberative citizenship 155
- deliberative democracy 155, 156, 162–63
- deliberative theory 134
- de Maistre, Joseph 122
- Dembour, M.-B. 23
- democracy 69, 138–41; cosmopolitan 7–8, 188; deliberative 155, 156, 162–63; developmental 155, 156, 160–62; liberal 18, 101; republican 89–93; stakeholder 153, 163
- democratic deficit 4, 131–33
- democratic revolution 55
- Deng Xiaoping 44, 47
- deregulation 5
- detritorialisation 81
- de Tocqueville, Alexis 57, 161; *Democracy in America* 110
- developmental democracy 155, 156, 160–62
- Dewey, John 57
- digital divide 9
- direct action *see* transnational direct action
- discourse ethics 162–63
- discourses, current 186–92
- disjunctures 4, 6
- distribution of sovereignties 195
- diversity 20–23, 24
- Djerkurra, Gatjil 181
- Dodson, Mick 179, 181
- Dryzek, John 135

- Earth Watch 64
- economic and social minimums 120
- education 16
- Eliot, Sir John, *The Monarchie of Man* 193
- Elyot, Sir Thomas, *The Boke named the Governor* 193
- enemies 106
- Enron 68
- equality, denial of 22
- Eriksen, Thomas Hylland 23
- ethnicity 32; and citizenship 37
- European Conference of Churches Programme to Combat Racism 174
- European Court of Human Rights 128
- European Court of Justice 128
- European Union 66, 133
- ExxonMobil 163, 164

- Falk, Richard 7, 9, 79, 86, 95
- Ferrajoli, Luigi 79
- flexible accumulation 33
- Forster, E. M. 72
- Foucault, Michel 114
- Foundation for Aboriginal and Islander Research Action 181
- Four Directions Council 178
- Four Theories of the Press* 57, 70
- freedom 101; of information 70
- Free Trade Agreement of the Americas 132–33

- friendship: as citizenship 104–6; limits to 106–7
 Frosh, Stephen 24
 Fukuyama, Francis 94–95

 Galeano, Eduardo 59
 gas-and water-works republicanism 90
 German Social Democratic Party 138
 Giddens, Anthony 2
 global citizenship 78–84, 191, 192
 global civil society 66, 67, 189
 global communication 56
 global constitutionism 79
 global cultural homogenization 59, 61
 global culture 80
 global governance 4, 187
 globalisation 187; and politics 2–5
 globalism: judicial 78; legal 78, 81–82; political 81–82
 global journalism 62
 global publics 63–66
 global republicanism 194–97
 global social space 56
 global terrorism 81
 Global Unions 142
 global village 80
 governance 166; new 159, 166
 Greenpeace 130, 135
 Green, Ribnga 172–73
 Griffiths, Anne 22
 Grotius, Hugo, *The Law of War and Peace* 108
 Gulf Co-operative Council 160, 165
 Gurindji walk-off 173

 Habermas, Jürgen 80, 134, 200
 Hampshire, Stuart 123
 Hardt, Michael 82
 Harrington, James, *The Commonwealth of Oceana* 193
 Held, David 3, 4, 7, 85, 86, 87, 95; cosmopolitan democracy 7–8, 188, 200; cosmopolitan democratic law 88, 196; *Global Transformations* 2
 heterarchy 95
 Hobbes, Thomas: *Leviathan* 108
 Hobsbawn, Eric 81
 Howard, John 180
 human rights 101–2, 113–14, 127; justification 118
 Human Rights and Equal Opportunity Commission 282
 Hutchins Report 57, 71
 hyperglobalisation 2

 identity politics 45
 Ignatieff, Michael 123
 imagined community 37
 imperial citizenship 82–83
 inclusion 19–20
 independent non-governmental organisations 64, 68
 Indian Law Resource Center 178
 indigenous rights 172–85
 indigenous transnationalism 180–83
 individualism 33
 industrial citizenship 140
 information technology 33
 intellectual property 103
 interconnectedness 2–3
 international citizenship 191
 International Confederation of Free Trade Unions 141, 143
 International Court of Justice 128
 International Criminal Court 102, 128
 International Indian Treaty Council 178
 internationalism 122
 International Labour Organisation 141
 International Metalworkers Federation 142
 International Monetary Fund 4, 94, 132, 142
 International NGO Conference on Discrimination Against Indigenous Populations in the Americas 177
 International Trade Secretariats 141
 International Work Group on Indigenous Affairs 174
 Inuit Circumpolar Conference 178
 in-vitro fertilization 32
 Iraq War protests 131, 132

 Japan 30–42; citizenship in 31–32, 36–37; Comfort Women 39; impact of globalisation 33–36, 37–38; *Jiyushugi Shikan Kenkyukai* (Liberal Historiography Research Group) 39; Meiji Constitution 30; *Nihonjinron* (theories of Japaneseness) 36; political identity 32; school textbook revision 39; *shimin* (citizen) 30; *Shin Shukyo* (new religions) 38; *shutaisei* (new citizen's subjectivity) 37; *taishu shakailtaishu bunka* (massification of society and culture) 34; women as non-political citizens 34–35; world cities 34; *zaibatsu* 31; *zoku* (tribes) 34

- Jiang Zemin 44
 Jordan, Bill 143
 journalism 55–77; global 62; global
 publics 63–66; market-driven 61
 judicial globalism 78
 judicial sovereignty 91

 Kaldor, Mary 9, 190
 Kant, Immanuel 79, 86, 101; *Perpetual
 Peace* 102
 Keane, John 191
 Keck, Margaret 135
 Kelsen, Hans 79
 Kymlicka, Will 20
 Kyoto Protocol 161

 labour cosmopolitanism 141–42
 labourism 139
Landsorganisationen 140
 language 9
 Lasswell, Harold 71
 Latouche, Serge 81
 League of Nations 141
 LeBlanc, Robin 34
 Lee Kuan Yew 79–80
 legal globalism 78, 81–82
 legal pacifism 79
 legitimacy 154
 liberal communitarianism 20
 liberal democracy 18, 101
 liberalism 189
 liberal minimalism 155–57
 lifestyle politics 35
 limit conditions 116
 Lippmann, Walter 57
 Liu Xiaobo 49
 Live-Aid 65
 local 105
 localism 33
 Locke, John 155; *Two Treatises of
 Government* 108
 Logsdon, Jeanne 150
 Lycophron 103

 McDonalds protests 131
 McGrew, Anthony 7, 85, 86, 88
 McWorld 59
 Mahatir, Mohamad 80
 Manuel, George 175; *The Fourth
 World* 173
 Mao Zedong 44, 46
 market liberal policies 56
 Marr, David 181
 Marshall, T. H. 7, 17, 139

 Martinez-Cobo, Jose 176
 Marx, Karl 138, 141
 maximal values 116
 mediating institutions 158
 Michels, Robert 138
 migrant groups 18
 Miller, David 85
 Mill, John Stuart 161
 Milward, Andrew 27
 minimal questions 117–19
 minimal values 116
 minority rights 21–22
 monoculture of the mind 59
 Montgomery, Heather 22
 Montreal Protocol on the Ozone
 Layer 135
 moral bonds 157
 multiculturalism 16, 18, 24
 Multilateral Agreement on Investment
 133, 144
 multinational corporations 33, 132,
 159

 National Aboriginal and Islander
 Legal Services Secretariat 178
 National Indian Youth Council 178
 nationality 17
 nation-states 6–7
 natural rights 101
 Negri, Antonio 82
 neo-liberalism 4, 7
 Neville, Henry 193
 new governance 159, 166
 new social movements 172
 Niebuhr, Reinhold 71
 Nietzsche, Friedrich 104; *Thus Spake
 Zarathustra* 109
 non-domination 89
 non-governmental organisations 3, 7,
 9, 175; *see also individual
 organisations*
 North American Conference on the
 Protection of Human Rights for
 Indians and Inuit 175
 North American Free Trade
 Agreement 132

 Ohmae, Kenichi 2, 83
 Ong, Aihwa 35
 organisational deficits 192
 organised crime 4
 Organization for Economic
 Cooperation and Development
 133

- Paine, Robert 174
 pariah states 70
 participation 15, 16, 26, 154,
 158–60
 particularism 33, 114, 115, 117
 Passy, Florence 176
 patriotism 17, 93
 peace through law 83
 performative difference 49–50
 Pettit, Philip 85, 89
 Pew Global Attitudes Project 71
 Pine Ridge 173
 Pitty, Roderic 179
 Plant, Raymond 122
 Plato 104; *Cleitophon* 109; *The Laws*
 192; *The Republic* 106, 193
 pluralisation 19
 Pogge, Thomas 86
 political globalism 81–82
 political identity 32
 political rights 16
 politics 2–5; and globalisation 2–5;
 identity 45; lifestyle 35; of pity 65
 postnational citizenship 64, 191
 Post Washington Consensus 94
 privatisation 5, 140

 refugees 103
 reiterative universalism 118
 religion 188–89
 republican democracy 89–93
 republicanism 15, 93–97, 193;
 gas-and-water 90
 Reuters 56
 rights 16–20; civic 16; cultural 16, 25;
 human 101–2, 113–14, 127;
 indigenous 172–85; minority 21–22;
 natural 101; political 16; social 7,
 16; statutory 101
 Rorty, Richard 116, 123
 Rousseau, Jean-Jacques 103–4; *Emile*
 109; *First Discourse* 109; *The Social*
 Contract 108
 Rowse, Tim 182

 Saami hunger strikes 173, 174
 Sandel, Michael 85
 Saward, Michael 95
 scale 194
 scepticism 2
 Schlesinger, Arthur 71
 Schmitt, Carl, *The Concept of the*
 Political 106
 Scholte, Jan Aart 4

 secret ballots 69
 secularity 188–89
 Sikkink, Kathryn 135
 Skinner, Quentin 85, 89
 Smith, Adam 155
 social class 18
 social contract 101
 social movement unionism 137–49;
 networks of 143–45
 social rights 7, 16
 societal governance 160
 Society for Threatened Peoples 174
 Socrates 107
 solidarity 138–41
 Solidarity Movement 131
 sovereignty: consumer 153;
 distribution of 195; judicial 91
 Sovereign People 71
 stakeholder democracy 153, 163
 statutory rights 101
 strangers 107, 116
 Sullivan Principles 158
 supraterritoriality 4, 194
 Sweden, unionism in 139–40

 Tarde, Gabriel 57
 taxation 16
 Taylor, Charles 85, 121
 Taylorism 138
 temporality 194
 terrorism 4
 Tilly, Charles 176
 Tönnies, Ferdinand 57
 Toys ‘R’ Us dispute 143
 transborder pollution 4
 transformationalist perspective 2
 transnational activism 172–85
 transnational citizenship 8–9, 127–36,
 191–92
 transnational corporate cultural
 domination 59
 transnational corporations 3, 88
 transnational direct action 127–36;
 and citizenship 133–35; definition
 129–31
 transnationalism 27
 turbo-capitalism 59
 Tyco International 68

 UNESCO: *Our Creative Diversity* 23
 union internationalism 141–42
 United Nations 66, 82; Declaration
 for the Elimination of Violence
 Against Women 65; Declaration of

- Human Rights 127; and indigenous peoples 176–80
- universalism 22, 113
- universal peace 79
- Urry, John 199
- USA, global journalism 62
- utilitarianism 117
- utopianism 192–98

- Viroli, Maurizio 89, 90

- Wagner, Adolph 58
- Walzer, Michael 115, 116, 118, 121
- Wapner, Paul 135
- war 102–3
- Warren, Mark 135
- Waterman, Peter 145
- Wigforss, Ernst 139
- Wolff, Christian 79
- women as non-political citizens 34–35
- Wood, Donna 150
- Working Group on Indigenous Populations 177, 179

- World Association of Community Radio Broadcasters 64
- World Bank 4, 33, 66, 94, 102, 130, 132, 142, 144
- world citizenship 191
- WorldCom 68
- world constitutionalism 80
- World Council of Indigenous Peoples 175
- World Federation of Trade Unions 141
- World Parliament 198
- World Social Forum 144, 198
- World Trade Organisation 33, 102, 132, 137, 142, 144

- Xenophon 104; *The Education of Cyrus* 109

- Yirrkala petitions 173

- Zapatistas 183