Civil Society and the Problem of Global Democracy

MICHAEL GOODHART

This article criticizes the increasingly popular idea that global civil society (GCS) represents an appealing model of or strategy for global democracy. After briefly reviewing the arguments for conceiving global democracy and democratization in terms of GCS, it distinguishes two models of civil society's democratic role at the state level on which these claims rest. It shows that neither successfully survives transposition to the supranational setting. In both cases the purported democratic functions and effects of civil society depend on assumptions that do not hold globally. Proponents of GCS as a model of global democracy do not adequately conceptualize global democracy or democratization. This failure points to broader epistemological problems in theorizing global politics and global democracy. In place of strategies to extend and apply existing democratic theory globally, we need a theory of global democracy.

Key words: global civil society; democracy; globalization; democratization

Civil society is among the most widely discussed and frequently deployed concepts in contemporary political science. To normative political theorists it is a critical concept representing an ideal of inclusive participation and deliberation. Many empirically minded students of democracy emphasize its role in fostering democratic transitions and facilitating democratic consolidation. Moreover, political scientists of many stripes have taken an interest in the various actors who populate civil society – from non-governmental organizations (NGOs) and new social movements to the more traditional interest groups emphasized in the pluralist framework. Of late there has been a veritable explosion of new work on civil society in its many guises, and while some skeptical voices have questioned the sanguine views currently in vogue, the judgment expressed in the *Times Literary Supplement* remains apt: 'the very phrase [civil society] is becoming motherhood-and-apple-pie'.[1]

Ironically, as enthusiasm about civil society's role in supporting democracy grows, the prospects of democracy itself seem to be worsening. Over the past decade, the accelerating pace of globalization has fueled alarm over the vitality of state-level democracy and over the lack of democracy in international, transnational and global institutions and interactions. Democratic deficits and disjunctures, created by the seemingly relentless advance of globalization and by the state's alleged 'retreat' or 'erosion' before it, have forced scholars to reconsider democracy's

Michael Goodhart is Assistant Professor in the Department of Political Science, University of Pittsburgh, USA.

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foundations at the nation-state level and to contemplate schemes for implementing it globally. 'The problem of global democracy' is a shorthand for such concerns about globalization's perceived adverse effects; quite basically, the problem is whether and how democracy can weather these challenges.

Perhaps inevitably, given the concurrence of these two significant developments, many scholars and activists have begun to conceive of an emergent 'global civil society' as a model or strategy for global democracy and democratization. These theorists and practitioners increasingly adopt global civil society (GCS) as a conceptual framework for supranational democracy and as a concrete political project. They propose that, like its domestic counterpart, GCS has great potential as a site and mechanism of global democracy and as a vehicle for democratizing supranational governance. This article critically evaluates these claims, advancing two closely related arguments. The first, substantive argument is that proponents of global democracy through GCS do not adequately conceptualize global democracy or democratization: civil society's purported democratic functions and effects do not and cannot work in the supranational setting. The second, epistemological argument is that the failure of GCS as an account of global democracy and democratization reflects broader challenges in theorizing global politics and global democracy. Democratic enthusiasm for GCS confuses the challenges facing democracy and mistakenly relies on concepts and theories of democracy rooted in Westphalian politics in addressing them. As the problems with GCS accounts illustrate, meeting these challenges requires a global democratic theory, not simply the global application or extension of existing democratic theory.

The article has four sections. The first introduces the problem of global democracy and briefly reviews the main claims for conceiving GCS as a model or strategy for global democracy in response to this problem. These claims draw on two models of civil society's democratic functions and effects in the state, the neo-Tocquevillian and anti-authoritarian models. Sections two and three analyse each model in turn, showing that neither successfully survives transposition to the supranational sphere. Civil society cannot perform its democratic role because that role depends on conceptual and institutional relationships that do not hold globally. The final section shows that the shortcomings of GCS as a model for global democracy reflect common epistemological errors in the analysis of supranational politics and the theorization of global democracy. These errors include conceiving global politics in statist ways and treating the problem of global democracy mainly as a problem of size or reach. A theory of global democracy must reconsider the meaning and institutional form of democracy in light of the distinctive characteristics of globalization and supranational governance.

Before beginning, however, two potential points of confusion should be pre-empted. First, the argument here does not question the political significance of supranational network and associational activity. A vast empirical literature documents how GCS can influence policy and constrain global governance. Moreover, many GCS actors are motivated by and promote norms of democracy and human rights. These facts are acknowledged and appreciated, and nothing here should be taken to prejudge what role supranational network and associational actors might play in achieving and sustaining global democracy. Second, and following closely from the preceding point, the argument here is not about whether GCS is a good thing or has positive effects on global governance. Undoubtedly it *can* do so, and numerous scholars have paid careful attention to how.[2] The argument rather concerns whether GCS provides an adequate and appropriate model for global democracy and strategy for global democratization – that is, whether we should conceive global democracy in terms of GCS. The negative conclusion is based on a conceptual critique of global democracy on the GCS model, not on a denial or rejection of the positive potential contributions of supranational network and associational activity.

GCS: A Model for Global Democracy?

Before considering arguments proposing GCS as a model for global democracy, a few words about the problem of global democracy are in order. Globalization is widely perceived as a threat to democracy within states and as intensifying the need for greater democracy among states. While a full discussion of these issues is beyond the scope of this article the crucial points can be sketched briefly.[3] Globalization is a contested concept, one encompassing change in technological, military, cultural, political, and perhaps especially economic domains. The essence of this change can be characterized as *supranationalization*, a shift in the locus or density of social activity and interactions (including governance) from the local and national to the supranational (international, transnational and global) level. This quite general understanding of globalization makes its challenges for democracy seemingly clear. First, globalization creates *democratic disjunctures*, which describe the gap between existing state-level democratic procedures and institutions and the increasingly supranational character of many political issues, including terrorism, public health, the environment and, most controversially, trade, investment and economic integration. Second, globalization exposes and exacerbates *democratic deficits*, which describe the lack of transparency, accountability and representation in existing supranational institutions.[4] The problem of global democracy is how meaningfully to realize democracy outside its traditional theoretical and institutional boundaries in the Westphalian state without further attenuating democracy within them.

Many scholars attribute the rapid development of GCS to a shift of power away from states to both supranational and subnational authorities. This shift, they contend, creates a need for new actors to assume many of the functions previously performed by states, including identity formation and preservation, regulation of the economy, protection of the environment and articulation of the needs and interests of citizens. The actors populating GCS fill a void created by the retreat of the state and the spread of global capitalism,[5] in effect bridging democratic disjunctures and compensating for democratic deficits. Growing numbers of democratic theorists and activists, observing the proliferation of supranational NGOs and transnational social movements (TSMs) and impressed by their increasing role and influence in supranational affairs, talk about GCS as a model or framework for global democracy.[6]

To its proponents, the role of GCS as a democratic model originates in and is 'legitimated by the growing competence of societal actors relative to the inability of states to confront problems that increasingly escape the grasp of territorially delimited actors'.[7] On this view, the nascent sphere of GCS overlays the existing political spaces of states and international politics, allowing 'for the construction of new political spaces ... delineated by networks of economic, social and cultural relations ... occupied by the conscious association of actors, in physically separated locations, who link themselves together in networks for particular political and social purposes'.[8] A 'medley of boundary-eclipsing actors – social movements, interest groups, indigenous peoples, cultural groups, and global citizens – are [sic] seen to be constructing networks, knowledges and practices that entail a reshaping of the political architecture of international relations'.[9] These networks and associations counterbalance the 'state-like' system of global governance made up of institutionalized regulatory arrangements (regimes) and less formalized norms, rules and procedures.[10]

Proponents see numerous democratic functions and effects in the activities of these new transnational actors. The constituent groups of GCS are voluntary and often issue or identity related; they seek social or political influence and generate bonds and social capital across state borders. These groups serve as channels for information, creating opportunities for transnational learning and dialogue that facilitate the recognition of common experiences of global problems and the emergence of transnational identities.[11] According to Smith, global groups and networks also represent 'the most promising source of enhanced democratic participation in the emerging global polity'.[12] In her view, participation in TSM organizations 'helps enfranchise individuals and groups that are formally excluded from participation in international institutions. It strengthens the global public sphere by mobilizing this disenfranchised public into discussions of global issues, thereby democratizing the global political process'. Participation thus serves a representative function that widens discussion of the global public good and expands both the agenda and the range of policy options considered.

Transnational networks, ranging in intensity from informal contacts based around shared values to full-fledged TSMs, characterize activism targeting particular global issues and institutions.[13] Their influence derives from their efficacy in shaping the international agenda, in negotiating within various international forums, in strengthening and supporting local organizations and networks, and in using their moral authority to pressure officials and raise consciousness.[14] Such networks frequently draw on already-established norms of democracy and human rights to construct frames for collective action and opposition to oppressive regimes.[15] GCS can claim some success in influencing states and international regimes; the expanding role of NGOs and TSM organizations in global summits and conferences and even in some formal governance regimes further encourages the hope that they might play an important role in democratization.[16] Dryzek, for example, concludes that GCS can provide democratic legitimacy to the emerging system of global governance. Deepening transnational discourses facilitated by NGOs and TSMs have become dense enough in his view to constitute discursive networks capable of shaping global opinion.[17] Networks promoting transnational deliberation (and thus shaping transnational discourse) are 'the most appropriate available institutional expression of a dispersed capacity to engage in deliberation' that promotes democratic legitimacy.[18] Seen in this broader context, one aim of GCS is to reconnect politics with the moral purpose and values associated with democracy. Falk and others refer to this process as one of 'globalization from below', in which grass- and cyber-roots activities (will) remake the international order through civilizing activities based in a commitment to progressive political norms.[19]

Two related but distinct kinds of claim about the democratic nature of GCS are discernible in the arguments just surveyed. One is that institutional activity within GCS – including the transfer of information, creation of social bonds, representation of diverse interests and deliberation on important issues – is democratic and thus helps make global governance (more) democratic. The other is that networks and movements committed to democratic and human rights norms will transform the international regime through opposition to and renewal of existing non-democratic governance structures. These two types of claim evoke two different models or ideal types of civil society in the state, what are called here the *neo-Tocquevillian* and *anti-authoritarian* models.[20] Because GCS is complex and embryonic, these models have become blurred and confused in claims about the democratic nature of GCS. In order to gain analytic leverage in evaluating them, the following account specifies the purported democratic functions and effects of each model at the domestic level and then considers whether they obtain in the global context. The analysis focuses on the often-implicit assumptions underlying these democratic claims and on their empirical, pragmatic and normative implications.[21]

The Neo-Tocquevillian Model

The neo-Tocquevillian model emphasizes the democratic functions and effects of associational life within a liberal or liberal-democratic state. It theorizes this associational sphere as autonomous, occupying a conceptual space between the individual and the state. Civil society '[names] the space of uncoerced human association and also the set of relational networks . . . that fill this space',[22] although there is disagreement about whether to include the family and market actors and institutions in this definition.[23] Liberals, communitarians (republicans) and critical theorists have all embraced some variant of this model.[24]

The essence of the neo-Tocquevillian approach is 'that largely apolitical associations that crosscut the major lines of conflict within a society will help produce the moderation and the compromising spirit necessary for efficient democratic governance'.[25] These institutions 'counterbalance the state and, while not preventing the state from fulfilling its role of keeper of the peace and arbitrator between major interests, can nevertheless prevent it from dominating and atomizing the rest of society'.[26] Activity and participation within the autonomous sphere recognize and promote the values of publicity, participation and state accountability by mobilizing independent political actors and protecting subjective rights in a context governed by the rule of law.[27] Some theorists correlate the sheer density of associations with the vitality of democracy, while others focus on the habits and values inculcated by citizens' immersion in associational life. Involvement with voluntary associations teaches individuals to put common values ahead of selfish interests, creates social capital and helps to undercut the tremendous power of the modern bureaucratic state.[28] Many theorists of discursive or deliberative democracy see civil society's independent networks and associations as an approximation of an ideal discursive arena where open, unconstrained deliberation generates norms that produce consensus and guide democratic practice.[29]

As this discussion makes clear, the neo-Tocquevillian model is not merely a descriptive account of civil society and its operations; nor is it a complete account of democracy. Rather, it tries to explain how a well-functioning civil society supports and facilitates democracy. Five distinct claims can be distilled from the foregoing account. First, participation in voluntary associations educates people to be good democratic citizens; they learn to co-operate, to put public ends ahead of private ones, and so forth. Second, participation creates a moderate public and moderates public opinion. Third, participation helps to build social capital among individuals, giving cohesion to communities and amplifying citizens' capabilities. Fourth, networks in civil society crosscut power relations and hierarchies in the state, thwarting the dominance of any group or interest and providing an alternate means of representation. Finally, civil society provides a site for the discursive will formation that generates democratic legitimacy.

Each of these claims rests on empirical foundations that might well be challenged. Most accounts of civil society, for instance, ignore such networks and associations as skinheads, neo-fascists and criminal gangs, raising serious questions about many of the claims just surveyed.[30] Rosenblum warns that civil society is varied and complex, its moral and political effects difficult to discern and perhaps ultimately indeterminate thanks precisely to the immense variety and complexity of associational forms and activity. While this pluralism should be valued for its contribution to freedom, it should not be naively conflated with a logic of congruence that assumes the uniformity of associational life or the generalizability of its effects.[31] So far, moreover, hypotheses about civil society's democratic effects have not been adequately tested, though Warren has clarified the myriad of claims and specified features of associations that might help us gauge their democratic effects.[32]

Nonetheless, these empirical hypotheses are accepted provisionally so as to concentrate instead on some frequently overlooked assumptions about the relationship between the state and civil society on which the latter's purported democratic functions and effects depend conceptually.[33] The first assumption is that civil society and the state are coterminous. Civil society takes the state's territory, jurisdiction and membership as its parameters. While the autonomous sphere of associational life occupies a distinct conceptual space, that space is delimited practically by the borders of the state. The members of civil society are simply the citizens of the state; the entire population is not necessarily included, or included equally, but when we talk about civil society in the United States, say, we accept implicitly that it does not include Mexican social movements or Canadian bowling leagues. Similarly, to the extent that we can talk about Canadian civil society, we acknowledge that it is coterminous with the Canadian state and its territory. Finally, civil society requires political authorities and institutions with jurisdiction within its territory and over its members; it presumes some fit between the location of its activities and the location of state control or authority. In short, civil society on this model assumes a territorial state. This is hardly surprising; most modern political theory takes the state for granted.[34] Still, this statist assumption is crucial in making sense of civil society's democratic functions.

Its significance is demonstrated through a second assumption – that there is 'democratic symmetry' between civil society and the state. The state is the appropriate container of politics and vehicle for democracy; rightful rule attaches to a particular territory. As Held puts it, there is a '"natural community of fate" – a community which rightly governs itself and determines its own future'.[35] This symmetry is crucial to civil society's role as a site for discursive will formation that guides or determines state policy and provides democratic legitimacy. Given that civil society is independent of the political sphere by definition, this function can only be democratic if there is an identity between civil society's members and the state's citizenry and if their will translates into law or policy only within the political community they share. To take a simplistic example, the implementation in Canadian law or policy of public opinion distilled through the serious, public-spirited deliberation of independent Mexican civic associations would not count as democratic. What matters is not merely the formation of public opinion according to norms of publicity and openness but also which public does the formulating. Conceiving civil society as a political community of fate reconciles the formation of public opinion and the generation of political demands with the necessary use of state power to enact or enable policies. The issue is less capacity than authority, the recognized and legitimate exercise of state power in a particular territory. This 'democratic symmetry' simply but importantly reflects the foundation of the liberal-democratic state in the doctrine of popular sovereignty.[36]

A third central assumption underpinning neo-Tocquevillian civil society's democratic effects is that civil society and the state are mutually supportive and constitutive.[37] The state's laws structure civil society, defining its members' rights and its civic spaces. The state's institutions uphold the laws, regulating activities within civil society and guaranteeing rights;[38] they are responsive to the demands of civil society, providing points of access and influence. The state's norms shape civil society and the groups populating it; as Walzer puts it, 'only a democratic state can create a democratic civil society, and only a democratic civil society can sustain a democratic state'.[39] There is an obvious but instructive circularity here: the purported democratic functions and effects of civil society can only work in the context of a democratic state where participation, representation and deliberation are valued and institutionalized politically; only in these circumstances does civil society strengthen and support political democracy. This virtuous circle is the heart of the democratic case for civil society on the neo-Tocquevillian model.

Identifying the interdependence of state and civil society in the neo-Tocquevillian model in no way constitutes a criticism; it simply makes explicit the assumptions upon which the model's democratic claims depend. I acknowledge that both in principle and in practice associational life might manifest many of its salutary effects quite apart from the state – in large associations, in non-governmental institutions and in local communities of various kinds. Still, to reiterate, we cannot understand these effects to be ancillary to political democracy in the state – as champions of the neo-Tocquevillian model undoubtedly do – without understanding the interdependence of state and civil society on which they depend conceptually.

Many (perhaps most) observers conceptualize GCS in neo-Tocquevillian fashion, emphasizing participation and trust-building through transnational networks, deliberation within global publics shaping norms and policy, representation of diverse global interests, demanding accountability from and providing a counterweight to global regimes, and so on.[40] Certainly the constellation of transnational actors emphasized by proponents of GCS does in many respects resemble that in the neo-Tocquevillian model. Again, one might challenge the empirical hypotheses underlying these claims about the democratic effects of GCS.[41] Instead, however, the intention here is to look at whether the assumptions underlying the purported democratic effects of civil society obtain at the supranational level. The aim is not to make an empirical assessment of GCS activity but rather to critique its democratic potential conceptually.

Take the first assumption – that civil society and the state are coterminous. Clearly this assumption breaks down at the global level. There is no global polity, no political unit whose borders, institutions and membership correspond with those of a potential GCS. At least three important difficulties follow. The first concerns membership of GCS: is everyone an equal member whose voice and interests should always count equally on every issue and in every decision? Or, since global governance regimes have different jurisdictions and constituencies, are some boundaries implied? Is there one global public or many regional ones? How are these determinations made? Another difficulty has to do with the high degree of institutional differentiation among international governance organizations (IGOs). It is true that IGOs perform 'state-like' functions – regulation, enforcement, coordination and so on. But they are typically organized functionally rather than territorially, creating a patchwork of overlapping and fragmented jurisdictions that some writers liken to a 'new medievalism'.[42] The Westphalian state (at least mythically) established a unified authority and jurisdiction across all public functional domains. Progressive social change has historically depended upon this unity, upon a state possessing the authority to implement change throughout a society and its institutions; as Pasha and Blaney note, civil society itself often calls forth an expansion of the state apparatus as an agent of social reform.[43] One of the key achievements of the post-war democratic welfare state was subordinating the capitalist economy to public – democratic – authority. Where key governance institutions are not unified or even coordinated, democratic purposes become difficult to achieve and maintain.

Finally, despite talk of 'new' political spaces, the supranational associational sphere overlays political spaces in particular states; thus GCS is highly differentiated politically, with significant implications for its democratic character. When the WTO holds a ministerial meeting in Seattle, civil society is relatively free to organize and stage protests because Seattle is located in a democratic state with a functioning democratic civil society. Things look much different when the meeting moves to Doha – and this was of course the point in moving it there. The difference is a function of accessibility, to be sure, but it is also immediately political: GCS is only as open or democratic as the political space (the state and civil society) in which it is manifest. Even users of the Internet – another new political space – must log on from somewhere, and the authorities there are showing an ever keener interest in what those users see and do.

The second assumption, that the state and civil society share a democratic symmetry, also clearly does not hold at the supranational level. Democratic functions like representation of interests, participation, opinion formation and the balancing of competing interests all assume an institutionalized electoral connection that is clearly absent in GCS. The overlap between citizenship and membership in civil society at the state level means that each opinion is attached to a vote and thus carries weight with decision-makers. Since IGOs are unelected, this symmetry does not hold. Decision makers are not electorally accountable to constituents of GCS (except indirectly where democratically elected officials appoint them).[44] Moreover, the asymmetry between IGOs and political communities of fate delegitimizes the democratic character of deliberation. Domestically, the state defines and delimits a *demos*, a self-governing political community; even if a global discourse could be truly open, inclusive, accessible and egalitarian – criteria which are utopian even in democratic states – it would lack *democratic* legitimacy precisely because it would not emanate from a political community previously acknowledged as legitimate by its members.

Despite some heroic attempts to get around this problem, most notably by Held, there is no democratic way to define the *demos*; borders cannot in principle be drawn democratically because democracy *presupposes* the *demos* that takes decisions.[45] Some theorists have imagined that GCS might 'bootstrap' out of this difficulty, discursively constituting the democratic community its legitimacy takes for granted, but this circle cannot circumscribe the problems of plausibility it creates.[46] Moreover, without global political institutions to translate the public will into law and policy, it is not clear what the political meaning of global deliberations is or should be. Nor is it clear what would happen if the 'global democratic will' conflicted with the particular will of a democratic state.[47] Given these difficulties, it becomes unclear what exactly the democratic functions of global opinion, discourse and deliberation might be.[48]

Finally, the neo-Tocquevillian model presumes that civil society and the state are mutually constitutive. We have seen that a democratic civil society requires the rule of law as well as explicit guarantees of citizens' rights; it requires norms of openness, freedom, equality and participation; and it requires institutions that are open to influence and scrutiny by the public. This is what Walzer meant by saying that 'only a *democratic* state can create a democratic civil society' (emphasis mine). In considering GCS as a model of global democracy, however, we must also consider whether only a democratic *state* can create a democratic civil society. Global governance is not characterized by the rule of law; at the global level there is no extensive legal system and few institutions to enforce those important laws that do exist. The rights possessed by members of GCS are their rights as citizens of particular states, and they vary tremendously. While governance regimes perform many state-like functions, they typically do not guarantee anyone's rights (which is not to say they do not affect anyone's rights). Moreover, while IGOs are responsible for much global governance, the absence of a global government means that a variety of other actors – from NGOs and TSMs to transnational corporations, organized crime, terrorist networks, private militias and sex traffickers – also exercises significant governance functions in the supranational domain. Many do not promote democracy locally, where they operate, or globally. States can – at least where they have the capacity – constrain the governance roles of such actors domestically, but their ability to do so supranationally is highly limited. Thus despite the exuberance of GCS advocates, non-state voluntary activity at the supranational level might on balance be detrimental to democratic norms; without a democratic state to support these norms and suppress non-democratic ones, a democratic GCS might be impossible.

In sum, GCS cannot support democracy in the way that neo-Tocquevillian civil society does because the latter's democratic functions cannot work outside a democratic state. Empirically, GCS and domestic civil society are disanalogous in important ways; they describe different phenomena, and we have seen that those differences are directly relevant to the democratic role of civil society. Pragmatically, civil society strategies that help to reinforce democracy within the state – participation, deliberation and the like – lack the conceptual and institutional grounding on which their democratic functions and effects depend. Normatively, these differences raise important questions about the global applicability and relevance of the democratic ideal animating neo-Tocquevillian civil society. More on these problems below.

The Anti-Authoritarian Model

The anti-authoritarian model of civil society is best exemplified in the resistance and opposition politics of Latin America and Eastern Europe in the 1970s and 1980s.[49] This model of civil society has been described as 'antipolitics', principled opposition to authoritarian regimes through individual and collective devotion to principles of civility, toleration, openness, human rights – in a word, democracy. Here civil society is not only separate from but also opposed to the state; it describes an ethical and political consciousness as well as the community of groups and individuals united in this consciousness.[50]

The essence of the anti-authoritarian model, as the name suggests, is opposition to the ubiquitous and intrusive institutions of oppressive rule; it was an attempt to renew politics by freeing citizens from the 'suffocating burden' these institutions imposed.[51] On this understanding, 'civil society was the name of the anti-authoritarian, anti-conformist impetus, rooted in the rediscovery of human rights and the possibility of non-Machiavellian politics'.[52] It referred to the 'autonomous space in society outside the purview of the totalitarian state and operating within the framework of democratic principles'.[53] According to György Konrad, 'antipolitics is the ethos of civil society, and civil society is the antithesis of military society'.[54] This 'ethos' has also been described as 'a normative sense [denoting] a set of values having to do with democracy and freedom'.[55]

As Václav Havel famously outlined in his essay 'The Power of the Powerless', dissent was the necessary first step in creating this ethos of resistance; it was unavoidably a step to be taken by individuals deciding to 'live within the truth'[56] – roughly, to reject ideology and embrace intellectual honesty, personal integrity and a democratic ethic. Adam Michnik, one of the founders of Solidarity, similarly argued that if people began living as if they inhabited a free society their actions would in themselves inaugurate the creation of a free public space.[57] Such individual choices were nevertheless recognized as explicitly political, part of what Tismaneanu calls 'the reinvention of politics outside the existing matrix of power'.[58] Their political consequences would be 'reflected in the constitution of structures that will derive from this new spirit, from human factors rather than from a particular formulation of political relationships and guarantees . . . The issue is the rehabilitation of values like trust, openness, responsibility, solidarity, love.'[59]

Thus the goal was two-fold: the rehabilitation of 'civil' or 'civic' values,[60] and the eventual creation of what another prominent Czech dissident, Václav Benda, called 'the parallel polis' – a symbolic set of social, economic and political structures wholly separate from the state that might one day take over the state. The anti-political stance that followed from this democratic ethos animated the activities of groups like Solidarity and the Workers Defense Committee (KOR) in Poland and Charter 77 in Czechoslovakia. As Havel put it, 'the point where living within the truth ceases to be a mere negation of living within a lie and becomes articulate in a particular way is the point at which something is born that might be called the "independent spiritual, social, and political life of society" '.[61] Still, as Goldfarb notes, 'opposition to dictatorship does not necessarily lead to democracy'.[62] Indeed, as Michnik and others saw, anti-politics can only offer evolutionism as a theory of democratization.[63]

This transformative effort always had a crucial transnational dimension.[64] The peace movements that operated on both sides of the Iron Curtain and the struggles for human rights in Eastern Europe and Latin America all relied on support, publicity and political pressure generated by transnational networks. This relationship is captured in the 'spiral model' developed by Risse and Sikkink, which explains how relatively weak social movements for human rights and democracy in authoritarian countries managed to have such profound transformative effects on entrenched and intransigent regimes.[65] Dissident and opposition groups proved amazingly successful in highlighting governments' failures to abide by their public commitments to democracy and human rights, undermining the governments' credibility and domestic legitimacy and spurring diplomatic, economic and political pressure for change.[66] One can hardly make sense of democratization and redemocratization in Eastern Europe and Latin America without reference to the power of normative commitments to democracy and human rights and attention to the ways that these commitments were sustained and strengthened by transnational ties.[67]

Civil society on the anti-authoritarian model aims to bring about democracy in the face of a hostile regime.[68] Its democratic functions and effects are primarily transformational: it seeks the democratization of the regime in co-operation with transnational networks of supporters and the rehabilitation of society through the gradual creation of an independent social sphere of civility. On what assumptions do these strategies for democratization depend? Strangely enough, on the same assumptions as the democratic effects of neo-Tocquevillian civil society. First, while civil society functions in opposition to and often in spite of the state, it is still defined (conceptually and empirically) by its relation to the state. Civil society clearly aims at the transformation of a specific state and society – Czech, Polish, Argentinian – for renewal and rehabilitation. Resistance and opposition are directed toward a particular regime or state apparatus and rooted within the political and ethical community of a particular state society. Civil society seeks to create an autonomous sphere independent of the state's intrusive ideology and bureaucracy, but its social boundaries and membership are still determined by the state.

This link between civil society and a particular state is crucial to the strategy of democratization captured in the spiral model of Risse and Sikkink. These movements used traditional statist political measures – political, economic and diplomatic leverage – to press for the reform of authoritarian regimes. These strategies were effective because of the congruity between the targeted traditional states, with their discrete territories, economies and populations, and the democratic civil society movements within them. First, there was something definite to target and the means for doing so were well understood: transnational networks supporting local civil society movements took for granted and relied on the dynamics of realist politics in the Westphalian mould. Second, the objective was also well understood: to create a democratic regime on the social- or liberal-democratic model. Third, external pressure for change was motivated and justified in part by the sense that the targeted regime was neither representative of nor responsive to the will of its citizens.

These points tie directly into the second, related assumption concerning the symmetry between civil society and the state. Although this symmetry is a pale echo of the democratic symmetry central to the neo-Tocquevillian model, the transformative aspirations of anti-authoritarian civil society still depend upon the same idea of a community of fate in which members of society are bound together in a shared political destiny. In addition to its role in justifying external pressure, this symmetry is manifest in the social solidarity underlying efforts to resist and ultimately remake the regime. The symmetry is clear in the political and ethical strategies of evolutionism, living in truth, and the parallel polis (itself never realized), which assert that state and society can be transformed through the rehabilitation of their constituent members and the institutions of their daily lives. This programme also represents a backhanded recognition of the mutually constitutive nature of state and civil society: its strategies indicate that not just the government but society itself was corrupted by the penetration of the state's intrusive ideological and security apparatus.[69] The rehabilitation of society requires the rehabilitation of citizens as well as of their governing institutions.

It is harder to assess democratic claims for GCS informed by the anti-authoritarian model. This is because the claims themselves are less clear; the model is underspecified globally. Transnational networks do successfully use their moral authority to build support for local opposition groups, raise global awareness of certain issues and exert pressure on IGOs and world leaders. Still, these tactics and the victories won through them do not amount to a coherent programme for transforming global governance, much less to a framework for global democracy. Even if the number and success of such efforts could be increased dramatically they remain primarily defensive and ad hoc in nature. Generalities like 'global transformational politics' and 'globalization from below' might capture the spirit and aspirations of activists and scholars, but they provide few political prescriptions. This is not to denigrate these important efforts or to deny their connection to core democratic values; it is rather to note that they provide an incomplete model for democratizing global governance.

Still, we can consider whether the strategies for democratization recommended by the anti-authoritarian model make sense supranationally given the assumptions on which they rest. The first strategy is that captured in the spiral model: transnational support for domestic opposition groups leading to positive transformation of the regime. Several problems arise in applying this strategy to global democratization. First, IGOs are not obviously susceptible to the same kinds of pressure as states. Practically, the close – if antagonistic – relationship between state and civil society on the domestic version of this model was a key factor in leveraging change. Because civil society aimed to transform a particular state, it could work with transnational allies to bring pressure on the state. Economic sanctions are effective against states (if at all) because they have relatively discrete economic systems that can be targeted; diplomatic and political sanctions are effective against states because to states such things matter crucially.[70] None of these conditions applies to IGOs (at least not in the same way). They have no economies to punish, no diplomats to isolate. It is of course possible to pressure their officials and the governments who appoint them, but their *intergovernmental* nature significantly insulates IGOs from the heat of traditional pressure politics. Further, because global governance is highly differentiated – many regimes in many functional domains – bringing sustained and unified pressure on state governments to transform the system of governance (as opposed to changing policy) is difficult.

These difficulties relate directly to a second cluster of problems with the transnational pressure strategy. At the state level, unified opposition was called forth by the common experience of systematic and pervasive oppression. This unity helped elicit transnational support in part because it established a democratic impetus and justification for change. Global governance is more complex; diverse regimes affect differently situated people in very different ways, making democratic solidarity and claims about 'democratic' opposition difficult to assess. IGOs do not govern defined political communities; their rule is limited to particular functional domains. There is no political community of fate associated with this form of rule, making it less likely that democratic solidarity of the kind envisioned by the anti-authoritarian model could crystallize. Moreover, the disproportional influence of rich countries in most IGOs means that they often serve the interests of those countries and their citizens, making transnational solidarity problematic. This is not to deny that opposition to particular *policies* will sometimes be quite strong, especially where their implementation involves violations of human rights. But it is questionable whether such opposition qualifies as global democracy or a global movement for democratization. A politics of democratic opposition seems too simplistic for the complex realities of global governance today.

The second major strategy associated with the anti-authoritarian model is rehabilitation, social and political transformation realized through individual ethical commitments. This strategy obviously depends on a high degree of symmetry between civil society and the state: Polish opposition groups aimed to transform the Polish state and Polish society. Much of the anti-authoritarian model's democratic appeal comes from a faith in the political character of individual ethical acts; the hope is that these acts lead to social rehabilitation and renewal and, ultimately, to the regime's transformation. This hope clearly requires and depends on a strong symmetry between civil society and the targeted regime; otherwise, individual actions could not precipitate political change. The mechanism of transformation envisioned here is tenuous even within states; the empirical link between 'living in truth' and regime change is uncertain, but at least involves creating an autonomous space for resistance. This mechanism seems improbable at the global level both because the links between individuals and specific IGOs are less direct and because lack of autonomous political space is not really the problem.

The limits of these two strategies at the global level point to two more general difficulties with the anti-authoritarian model of GCS. First, the complexity of global governance makes it unclear what 'regime' and 'regime change' might mean supranationally – especially since some IGOs, like the UNDP or the nascent ICC, support democratic norms. Total opposition and wholesale transformation seem inappropriately broad and strategically imprudent in this context. Second, given the transformational aims of the anti-authoritarian model, one might well ask transformation to what? The democratic function of the anti-authoritarian model is *bringing about* a liberal democracy. In the global context this puts the cart before the horse: it is profoundly unclear, as a brief survey of the literature indicates, what a democratic system of global governance might look like or what form it should take – a global state? a federation like the European Union? Being committed to democratic norms, as many agents in GCS no doubt are, is not the same as bringing about democracy. This is a much more vexing problem than advocates of democratizing global governance often appreciate, and it will be revisited shortly.

To repeat, the article takes no position with respect to the value, importance or efficacy of transnational network and associational activity: these are not the questions with which the account is concerned. Yet it is not simply repeating cautionary statements about the uncertainty of GCS's democratic effects. Instead the main proposition is that the purported democratic functions and effects of the two most commonly evoked models for GCS rest on assumptions that do not hold globally. This finding challenges the adequacy and propriety of these models as frameworks for thinking about global democracy and democratization – without prejudicing questions about the role of network and associational activity in creating and sustaining global democracy.

Conclusion: The (Epistemological) Problem of Global Democracy

My argument to this point can be summarized succinctly. The purported democratic functions and effects of domestic civil society models rely on statist assumptions about politics. These assumptions do not hold for supranational politics, undermining the democratic potential of GCS as a model for global democracy. This conclusion argues that these failures reflect broader epistemological problems in the study of global politics, problems that, unless recognized and corrected, will continue to confuse our thinking about global democracy.

Arguments proposing GCS as a model for global democracy exhibit what some theorists have called the 'domestic fallacy'. This fallacy frequently appears in two interrelated misconceptions about global politics and democracy. The first is that the problem of global democracy is primarily a problem of size; the second, that supranational politics is fundamentally similar to domestic politics. These misconceptions lead to mistakes like those we have discovered in democratic arguments for GCS. One critic of GCS arguments has observed that

> The notion of civil society itself makes little sense apart from the notion of the state against which it was originally articulated as a form of politics contained within its boundaries, a form of domesticity, sometimes public and sometimes private, that depends first and foremost on the capacity of states to carve out the spatial domains necessary for any kind of politics worthy of the name to be constituted.[71]

The domestic fallacy results from our frequent failure to recognize how deeply our thinking about politics is shaped by and embedded in the conceptual framework of the Westphalian state. Consider first the view that the problem of global democracy is primarily one of size. When we characterize the problem in terms of disjunctures, of a mismatch between an increasingly global politics and existing state-level democratic institutions, this view appears almost natural. Moreover, the solution to the problem, thus conceived, seems straightforward: we should 'super-size' existing democratic institutions to 'fit' global politics. This is essentially the approach reflected in neo-Tocquevillian thinking about GCS, but it is also evident in cosmopolitan proposals for global assemblies and parliaments.

Seeing the problem of global democracy as a problem of size invites two sorts of confusion. The first is confusion of the institutions through which democracy is realized with democracy itself. When we treat global democracy as a problem of size we tend to treat the familiar democratic institutions as ends rather than – as they should be regarded – means of translating democratic principles into practice.[72] The second and related confusion is treating the scale and reach of democratic institutions as unrelated to democracy's meaning and purpose. The territorial limits of modern democratic institutions are not mere contingencies; they are directly related to democracy's foundational normative assumptions concerning the *demos* and its sovereignty. Democratic institutions are located where they are in part thanks to historical contingencies, but this history itself informed the theorization of modern democracy.[73] The idea of a people whose will is supreme within a particular territory and whose consent legitimizes government *follows from* the idea that states are natural and appropriate containers of politics – that is, from the idea of sovereignty. Democracy's territorial institutions reflect this assumption; they are legitimate not because they are representative but because they represent an already constituted people in an already constituted political community. Thus it is impossible to change the scale or reach of democratic institutions without changing the meaning of democracy itself. Such conceptual connections get elided when democratic theorists view our role as one of transcribing existing models to the global context, finding plausible ways to make them fit or work globally.[74]

Equally problematic is the assumption that global politics is fundamentally similar to domestic politics. The anti-authoritarian model illustrates several problems with this assumption, as we have seen, though again such problems apply to proposals for global parliaments and global deliberation as well. Consider here the example of so-called 'new' political spaces; despite the adjective, these spaces are treated as identical to traditional political spaces in terms of the politics that will fill them. But these spaces are really new. For one thing, they are politically layered: GCS, for instance, overlays already constituted political spaces without obliterating them. These two conceptual spaces coexist in one geographical space in ways that are unfamiliar and difficult to theorize. Traditional democratic theory is anchored in an exclusive political cartography (the sovereign state) that might be divided (public/private, family/civil, society/state) but is not multilayered.[75] Concepts theorized for such a political space are not readily applied to the 'new medievalism' of overlapping jurisdictions and loyalties that typify global governance. Governance without government might aptly characterize supranational rule today; democracy without government is more difficult, precisely because modern democratic theory is in large part a theory of government. Since there is no supranational government, and since governance overlaps with and cuts across constituted governments, we have a new theoretical problem, not just a new instance of an old one.

Put differently, it is not enough to modify the size or scope of familiar democratic institutions to accommodate new political spaces, overlapping jurisdictions and other such phenomena. To do so presumes their similarity to domestic phenomena by treating the problems they generate as problems of application, obfuscating how they impact the relevance and coherence of existing democratic models and concepts. To see this, consider accountability. It is a widely held view that making global governance regimes more accountable makes them more democratic (or even 'democratizes' them). This writer has nothing against accountability: he believes it is a good idea. But accountability to whom? To everyone? Or to those most affected by some issue? How does one determine who is most affected? How does one determine the criteria for making that determination? Who decides that question? The Westphalian state and the theory of sovereignty underlying it, whatever its empirical embarrassments, provided ready-made answers to such questions, answers modern democratic theory has incorporated at the most fundamental level in ideas like the *demos* and popular sovereignty. Accountability is democratic because it makes governance activities accountable to the right people; who they are is taken for granted. So accountability and similar notions are problematized by globalization not only because we become unsure to whom they pertain but also because, absent a settled conviction about this question, it is not clear that accountability remains democratic or even what 'democratic' might mean. These are not merely abstract problems. How does global accountability square with the continued responsiveness of state-level democracy to its people? Do citizens of rich democracies really want the IGOs currently administering the world order in their favour to instead treat the concerns of everyone equally? On what democratic basis could they object to such an arrangement – other than one that reasserted the democratic primacy of the national community of fate?

Critics might object here that the argument is guilty of the very mistake that has been ascribed to GCS theories – and that the writer has missed his own point. Part of the appeal of proposals for a democratic GCS is that they help us escape this Westphalian mindset. By emphasizing that democracy has worked in a certain way within the state, these critics might assert, the author reinforces the view that it cannot work apart from the state. The author has missed, the critics might continue, that GCS is precisely a way of conceiving how democracy might work outside the state, how it might be deepened and extended into new and emerging domains of governance. His position seems to imply that democracy does require a *demos*, traditional parliamentary institutions and the other familiar trappings of the state and dynamics of state politics.

However, the article's criticism of GCS theories is not that they fail to appreciate that democracy can only be realized within the state; on the contrary, the author shares a commitment to finding ways to realize democracy globally.[76] But democracy as we understand it today was theorized and implemented within the modern state, with two important implications. First, these models cannot simply be applied to global politics without careful consideration of whether their democratic functions and effects can be realized in that context. While GCS theories have been the focus here, many theories of global democracy also neglect this important question. Second – and here is where the imagined objection to the article breaks down – we cannot assume that extricating the concept of democracy from the context in which it was theorized and institutionalized leaves its *meaning* intact. Our understanding of what democracy is – never mind how it works – is so deeply tied up with its realization in the Westphalian state that we must seriously reconsider even our most basic intuitions about what it might mean apart from that context.

The point is not that there can be no democracy without a *demos* or a parliament; it is instead that we have very little sense of what democracy means once these concepts and institutions cease to correspond with political regularities in the familiar way. Even seemingly unobjectionable notions like accountability prove unreliable and potentially misleading guides to cogent thinking about global democracy. We need a theory of global democracy, not just the application of existing democratic theory to the global context. And we need it urgently, to provide an alternative to the increasingly dominant and anti-democratic logic of neo-liberalism driving contemporary globalization.[77] It is crucial to step back and reconsider democracy's core values, its fundamental principles and commitments, and rethink what they might mean once removed from the conceptual framework of the modern state. Only then will it be possible to make reliable judgements about how we might pursue democratization and realize democratic values. Social movements uniting people around the globe in a shared commitment to democratic norms will form an important part of this pursuit, and the activities of many networks and movements today perform a vital function in keeping the power and promise of that commitment plainly before us. As students of democracy, however, we must avoid the temptation to confuse the democratic potentialities of such activity with global democracy. The most difficult problem of global democracy lies in determining what it might be. But, unavoidably, it is with that problem that we must begin.

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NOTES

1. Cited in John Keane, *Civil Society: Old Images, New Visions* (Stanford, CA: Stanford University Press, 1998), p.4.
2. Ann M. Florini (ed.), *The Third Force: The Rise of Transnational Civil Society* (Tokyo/Washington: Japan Center for International Exchange, 2000); Robert O'Brien, Anne Marie Goetz, Jan Aart Scholte and Marc Williams, *Contesting Global Governance: Multilateral Economic Institutions and Global Social Movements* (Cambridge: Cambridge University Press, 2000); Jan Aart Scholte, *Democratizing the Global Economy: The Role of Civil Society* (Coventry: Report from the Centre for Studies in Globalisation and Regionalisation, University of Warwick, 2003) (available at <http://www.warwick.ac.uk/fac/soc/csgr/EnglishReport.pdf>); Jan Aart Scholte, 'Civil Society and Democracy in Global Governance', *Global Governance* Vol.8, No.3 (2002), pp.281–304.
3. Michael Goodhart, 'Democracy, Globalization, and the Problem of the State', *Polity* Vol.33, No.4 (2001), pp.527–46.
4. Ibid.
5. According to some enthusiasts, GCS constitutes a critique of realist approaches to global politics; Andrew Linklater, 'The Evolving Spheres of International Justice', *International Affairs* Vol.75, No.3 (1999), pp.473–82; Ronnie D. Lipschutz, *After Authority: War, Peace, and Global Politics in the 21st Century* (Albany, NY: State University of New York Press, 2000); Martin Shaw, *Global Society and International Relations* (Cambridge: Polity Press, 1994); Scott Turner, 'Global Civil Society, Anarchy and Governance: Assessing an Emerging Paradigm', *Journal of Peace Research* Vol.35, No.1 (1998), pp.25–42.
6. While the term 'global civil society' is commonly used, some scholars prefer 'transnational civil society'. I find no consistent substantive differences in their use and employ GCS to refer to arguments with either label.
7. Mustapha Kamal Pasha and David L. Blaney, 'Elusive Paradise: The Promise and Peril of Global Civil Society', *Alternatives* Vol.23, No.4 (1998), p. 426.
8. Ronnie D. Lipschutz, 'Reconstructing World Politics: The Emergence of Global Civil Society', *Millennium: Journal of International Studies* Vol.21, No.3 (1992), p.393.
9. Pasha and Blaney (note 7), p.418.
10. Lipschutz, *After Authority* (note 5), p.174; cf. John S. Dryzek, 'Transnational Democracy', *Journal of Political Philosophy* Vol.7, No.1 (1999), p.44.
11. Jackie Smith, 'Global Civil Society? Transnational Social Movement Organizations and Social Capital', *American Behavioral Scientist* Vol.42, No.1 (1998), p.102.
12. Ibid., p.104.
13. Sanjeev Khagram, James V. Riker and Kathryn Sikkink, 'From Santiago to Seattle: Transnational Advocacy Groups Restructuring World Politics', in Sanjeev Khagram, James V. Riker and Kathryn Sikkink (eds), *Restructuring World Politics: Transnational Social Movements, Networks, and Norms* (Minneapolis, MN: University of Minnesota Press, 2002), pp.7–8.
14. Thomas Risse, 'The Power of Norms Versus the Norms of Power: Transnational Civil Society and Human Rights', in Florini (note 2), pp.185ff.
15. Khagram et al. (note 13), p.15. See also Sanjeev Khagram, 'Restructuring the Global Politics of Development: The Case of India's Narmada Valley Dams', in Florini (note 2), pp.206–30.
16. Elisabeth Mann Borgese, 'Global Civil Society: Lessons from Ocean Governance', *Futures* Vol.31, No.9/10 (1999), pp.983–91; cf. O'Brien et al. (note 2); Turner (note 5).

17. John S. Dryzek, *Democracy in Capitalist Times: Ideals, Limits, Struggles* (New York: Oxford University Press, 1996); Dryzek, 'Transnational Democracy' (note 10).
18. Ibid., pp.46ff.; cf. Dryzek, *Democracy in Capitalist Times* (note 17), p.146.
19. Richard Falk, 'Global Civil Society and the Democratic Prospect', in Barry Holden (ed.), *Global Democracy: Key Debates* (New York: Routledge, 2000), p.171; cf. Barry K. Gills, '"Globalization" and the "Politics of Resistance"', *New Political Economy* Vol.2, No.1 (1997), pp.11–15.
20. Cf. Michael W. Foley and Bob Edwards, 'The Paradox of Civil Society', *Journal of Democracy* Vol.7, No.3 (1996). Foley and Edwards rely on two sketches of civil society roughly analogous to the models developed here. Though my models were developed independently they may reflect cross-pollination (through Smith), a possibility I want to acknowledge.
21. On evaluating claims about civil society *in light of* democracy, see Mark E. Warren, *Democracy and Association* (Princeton, NJ: Princeton University Press, 2001). On the empirical, pragmatic and normative uses of civil society, see John Keane, *Civil Society* (note 1); John Keane, *Global Civil Society?* (Cambridge: Cambridge University Press, 2003). For alternative ways to conceive civil society see, e.g., Simone Chambers and Will Kymlicka (eds), *Alternative Conceptions of Civil Society* (Princeton, NJ: Princeton University Press, 2002); John Keane, 'Introduction', in John Keane (ed.), *Civil Society and the State: New European Perspectives* (London: Verson, 1988), pp.1–31; Nancy L. Rosenblum and Robert C. Post (eds), *Civil Society and Government* (Princeton, NJ: Princeton University Press, 2001).
22. Michael Walzer, 'The Concept of Civil Society', in Michael Walzer (ed.), *Toward a Global Civil Society* (Providence, RI: Berghahn Books, 1995), p.7.
23. Neera Chandhoke, *State and Civil Society: Explorations in Political Theory* (New Delhi: Sage Publications, 1995); Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge, MA: MIT Press, 1992), p.ix; Georg Wilhelm Friedrich Hegel, *Philosophy of Right*, trans. T.M. Knox (Oxford: Oxford University Press, 1967).
24. Adam B. Seligman, 'Civil Society as Idea and Ideal', in Chambers and Kymlicka (note 21), pp.28–9.
25. Smith (note 11), p.93.
26. Ernest Gellner, *Conditions of Liberty: Civil Society and Its Rivals* (London: Hamish Hamilton, 1994), p.5.
27. Chandhoke (note 23); Cohen and Arato (note 23).
28. Robert Putnam, 'Bowling Alone: America's Declining Social Capital', *Journal of Democracy* Vol.6, No.1 (1995), pp.65–78; Robert Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton, NJ: Princeton University Press, 1993); Alexis de Tocqueville, *Democracy in America*, ed. Harvey C. Mansfield and Delba Winthrop, trans. Harvey C. Mansfield and Delba Winthrop (Chicago, IL: University of Chicago Press, 2000).
29. Cohen and Arato (note 23); John S. Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (New York: Oxford University Press, 2000); Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge, MA: MIT Press, 1996).
30. See Simone Chambers and Jeffrey Kopstein, 'Bad Civil Society', *Political Theory* Vol.29, No.6 (2001).
31. Nancy L. Rosenblum, *Membership and Morals: The Personal Uses of Pluralism in America* (Princeton, NJ: Princeton University Press, 1998).
32. See Warren (note 21).
33. This is not to prejudice the issue of whether these empirical claims are in fact correct. As Shapiro has noted, the increasingly popular view that democracy needs civil society is 'perhaps more often asserted than argued for or even persuasively explained'. Ian Shapiro, *Democratic Justice* (New Haven, CT: Yale University Press, 1999), p.100.
34. Charles R. Beitz, 'Sovereignty and Morality in International Affairs', in David Held (ed.), *Political Theory Today* (Stanford, CA: Stanford University Press, 1991), pp.236–54; David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance* (Stanford, CA: Stanford University Press, 1995), p.23.
35. David Held, 'Democracy, the Nation-State, and the Global System', in Held, *Democracy and the Global Order* (note 34), p.202; Winfried Thaa, '"Lean Citizenship": The Fading Away of the Political in Transnational Democracy', *European Journal of International Relations* Vol.7, No.4 (2001), pp.503–23.
36. Held, *Democracy and the Global Order* (note 34), pp.222ff.
37. Lipschutz, *After Authority* (note 5), p.172.
38. See Hegel (note 23), pp.124ff.; cf. Chandhoke (note 23).
39. Walzer (note 22), p.24.

40. Michael G. Schechter, 'Globalization and Civil Society', in Michael G. Schechter (ed.), *The Revival of Civil Society: Global and Comparative Perspectives* (New York: St Martin's Press, 1999), pp.61–101.
41. Jan Aart Scholte, 'Civil Society and Democratically Accountable Global Governance', *Government and Opposition* Vol.39, No.2 (2004), pp.211–33; Scholte, 'Civil Society and Democracy' (note 2).
42. Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia University Press, 1977); Jörg Friedrichs, 'The Meaning of New Medievalism', *European Journal of International Relations* Vol.7, No.4 (2001), pp.475–502; John Gerard Ruggie, 'Territoriality and Beyond: Problematizing Modernity in International Relations', *International Organization* Vol.47, No.1 (1993), pp.139–74.
43. Pasha and Blaney (note 7), p.422; cf. Sandra Halperin and Gordon Laxer, 'Effective Resistance to Corporate Globalization', in Gordon Laxer and Sandra Halperin (eds), *Global Civil Society and Its Limits* (New York: Palgrave, 2003), pp.1–21.
44. On indirect accountability see, e.g., Paul Hirst and Grahame Thompson, *Globalization in Question: The International Economy and the Possibilities of Governance* (Cambridge: Polity Press, 1996); Andrew Moravcsik, 'In Defence of the "Democratic Deficit": Reassessing Legitimacy in the European Union', *Journal of Common Market Studies* Vol.40, No.4 (2002), pp.603–24. Even this attenuated form of accountability evaporates in non-democratic states.
45. See, e.g., Held, *Democracy and the Global Order* (note 34).
46. Thaa (note 35), pp.510–12.
47. In the eighteenth century Rousseau saw a similar difficulty arising in smaller societies contained within larger ones: the general will in the smaller would be a particular will in respect of the larger. See Jean-Jacques Rousseau, *Rousseau's Political Writings*, ed. Alan Ritter and Julia Conaway Bondanella, trans. Julia Conaway Bondanella (New York: W.W. Norton and Company, 1988), p.101.
48. Theorists who place a huge burden on the steering role of transnational democratic deliberation underestimate the difficulties in theorizing a democratic will or discourse outside the normative and political limits of the state.
49. Some critics argue that the explosion of interest in civil society sparked by the dramatic successes of these movements has blurred the conceptual boundaries between neo-Tocquevillian conceptions and what dissidents in East Europe and Latin America understood by the term. See Maria Renata Markus, 'Decent Society and/or Civil Society', *Social Research* Vol.68, No.4 (2001); Vladimir Tismaneanu, 'Civil Society, Pluralism, and the Future of East and Central Europe', *Social Research* Vol.68, No.4 (2001) p.977.
50. In sketching the anti-authoritarian model I hew closely to the theorizations of Eastern European dissidents, though this model also captures much of the political activity in Latin American in the late 1970s and 1980s.
51. Vladimir Tismaneanu, *Reinventing Politics: Eastern Europe from Stalin to Havel* (New York: The Free Press, 1992), p.118.
52. Vladimir Tismaneanu, 'Civil Society, Pluralism . . .' (note 49), p.977.
53. Mary Kaldor, 'Transnational Civil Society', in Tim Dunne and Nicholas J. Wheeler (eds), *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999), p.199.
54. Cited in Tismaneanu, *Reinventing Politics* (note 51), p.153.
55. Mary Kaldor and Ivan Vejvoda, 'Democratization in Central and East European Countries', *International Affairs* Vol.73, No.1 (1997), p.76; cf. Seligman (note 24).
56. Václav Havel, 'The Power of the Powerless', *Open Letters* (New York: Vintage Books, 1992).
57. Jeffrey C. Goldfarb, '1989 and the Creativity of the Political', *Social Research* Vol.68, No.4 (2001), p.1002.
58. Tismaneanu, *Reinventing Politics* (note 51), p. xiv.
59. Havel (note 56), p.210.
60. There are intriguing similarities between this model of anti-politics and older notions of civil society as an ethical discourse concerned with trust, autonomy and civility; Kaldor, 'Transnational Civil Society' (note 53); Frank Trentmann, 'Introduction: The Paradoxes of Civil Society', in Frank Trentmann (ed.), *Paradoxes of Civil Society: New Perspectives on Modern German and British History* (New York: Berghahn Books, 2000), pp. 3–46.
61. Havel (note 56), p.176.
62. Goldfarb (note 57), p.997.
63. Adam Michnik, 'A New Evolutionism', in *Letters from Prison and Other Essays* (Berkeley: Univiersity of California Press, 1985), pp.135–48. Tismaneanu, *Reinventing Politics* (note 51), p.128. The rapidity of this transformation testifies to the deep corruption and moral bankruptcy of the regimes they challenged; a felicitous constellation of economic conditions and international politics was also vital.

See Daniel C. Thomas, *The Helsinki Effect: International Norms, Human Rights, and the Demise of Communism* (Princeton, NJ: Princeton University Press, 2001).

64. Kaldor traces the conceptual evolution GCS to these movements; Kaldor, 'Transnational Civil Society' (note 53), p.198. Elsewhere she warns that explaining contemporary supranational developments in terms of civil society, whose classical definition presupposes the existence of a state, may obscure their 'truly novel aspects'; Mary Kaldor, '"Civilising" Globalisation? The Implications of the "Battle in Seattle"', *Millennium: Journal of International Studies* Vol.29, No.1 (2000), p.108.
65. Thomas Risse and Kathryn Sikkink, 'The Socialization of International Human Rights Norms into Domestic Practices: Introductions', in Thomas Risse, Stephen C. Ropp and Kathryn Sikkink (eds), *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999), pp.1–38; cf. Risse (note 14).
66. See Thomas (note 63). Similar processes were at work in Latin America; Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell University Press, 1998); Kathryn Sikkink, 'Human Rights, Principled Issue-Networks, and Sovereignty in Latin America', *International Organization* Vol.47, No.3 (1993), pp.411–41; Kathryn Sikkink, 'Transnational Politics, International Relations Theory, and Human Rights', *PS: Political Science and Politics* Vol.31, No.3 (1998), pp.517–20.
67. Kaldor, 'Transnational Civil Society' (note 53); Chetan Kumar, 'Transnational Networks and Campaigns for Democracy', in Florini (note 2), pp.115–42; cf. Thomas (note 63).
68. This presents a clear contrast with the neo-Tocquevillian model, where civil society's democratic effects concern the exercise of democracy in an accommodating state. Both empirically (in the phenomena they describe) and pragmatically (in the strategies they adopt with respect to democracy) these models of domestic civil society differ, although they share a general normative commitment to democracy and to the critical function that civil society can play in strengthening democracy. Critical theorists in particular see civil society within the liberal democratic state as the potential locus of a radical democratizing critique; e.g., Cohen and Arato (note 23); Dryzek, *Democracy in Capitalist Times* (note 17); Jürgen Habermas, *The Theory of Communicative Action*, trans. Thomas McCarthy, 2 vols. (Boston: Beacon Press, 1984/86).
69. Gellner (note 26).
70. The empirical evidence on sanctions' effectiveness is not encouraging: they often fail, and they frequently punish the wrong people.
71. R.B.J. Walker, 'Social Movements/World Politics', *Millennium: Journal of International Studies* Vol.23, No.3 (1994), p.683.
72. David Beetham, *Democracy and Human Rights* (Cambridge: Polity Press, 1999), ch.1.
73. Nicholas Greenwood Onuf, 'Sovereignty: Outline of a Conceptual History', *Alternatives* Vol.16, No.4 (1991), p.426.
74. See Goodhart (note 3).
75. Federalist systems are a partial exception, though not one that affects the argument here.
76. The writer does not share with Marxist-inspired critics of GCS the view that reasserting state-level democracy is the only effective way to combat globalization – indeed, he does not endorse their undifferentiated view that globalization is something to be combated; cf. Alejandro Colás, *International Civil Society: Social Movements in World Politics* (Cambridge: Polity, 2002); Halperin and Laxer (note 43).
77. Cf. Falk (note 19), p.174.

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Address for correspondence: Michael Goodhart, Department of Political Science, University of Pittsburgh, 4L01 WWPH, Pittsburgh, PA 15260, USA. E-mail: goodhart@pitt.edu