

Deliberation and Global Governance: Liberal, Cosmopolitan and Critical perspectives

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ABSTRACT

The paper develops a critical analysis of deliberative approaches to global governance. With a minimalist conception of deliberation in mind the paper outlines three paradigmatic approaches to the subject of deliberative global governance: *liberal*, *cosmopolitan*, and *critical*. Important possibilities and problems are noted in each approach before drawing a line of common concern in the guise of, what is termed, ‘deliberative reflection’. That is to say, each approach, to varying degrees, foregrounds the currently under-determined state of knowledge about global governance, its key institutions, agents and practices. In doing so, the question of ‘*what is global governance?*’ is retained as an important and reflective element of deliberation. This is argued to constitute a distinctive and vital contribution of deliberative approaches to global governance.

Keywords: Deliberation, Democracy, Global Governance, Cosmopolitanism

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Introduction¹

Recent decades have seen a proliferation of proposals within political theory and International Relations (IR) to reform global governance along *democratic* lines (Archibugi & Held, 1995; Held, 1997; Falk, 1998). It is, though, increasingly possible to discern another, related but distinct, trend: proposals to reform these institutions by making them more *deliberative* (Bohman, 1999; Cochran, 2002; Dryzek, 2006). In many cases, these two aspirations—to enhance the democratic and deliberative character of global governance—go hand in glove, particularly when democracy itself is understood in deliberative terms. However, the sheer number of approaches that seek to open up governance to deliberative reason, contestation or some other mode of public communication, coupled with the fact that not all of these approaches are characterized by their advocates as democratic, suggests that it may be fruitful to focus specifically on the theme of deliberation. To that end, in this paper we address the emerging nexus between deliberation and global governance.

Three distinct approaches to deliberative global politics can be identified, which we label *liberal*, *cosmopolitan*, and *critical*. Although there is substantial diversity and disagreement within each paradigm, these labels mark out recognisable, albeit porous, boundaries in the intellectual terrain. Liberals aim to establish a shared basis for ongoing public reasoning between international actors, usually in the form of a minimum range of human rights, but do not equate this deliberative praxis with any broad based democratization of global governance. Cosmopolitans, by contrast, are more optimistic about using deliberation as a basis for achieving democracy at global – or at least *trans-national* – levels. And while critical approaches share this optimism, they focus more specifically on the democratic potential of deliberation within global civil society and its public spheres.²

In what follows, we provide a critical discussion of each approach. The aim is to map an emerging literature that is rich and promising, as well as complex and diverse. We highlight the strengths and weaknesses in liberal, cosmopolitan and critical approaches, with a view to

¹ This working paper is part of an international and inter-disciplinary project on *Deliberation and Global Governance: Theory, Practice, Critique* that draws together theorists of deliberation with scholars of global governance with a view to mapping the merging terrain and exploring potential synergies. Participants involved with this project include James Bohman, Garrett Brown, Molly Cochran, Nancy Fraser, Randall Germain, Patrick Hayden, Richard Higgott, Kim Hutchings, Tony McGrew, Peter Newell, Philip Pettit, and Jan Art Scholte. Comments and questions are welcome: jamesbrassett@yahoo.com

² In this move a side critique is, no doubt, paid to what some critical theorists see as the excessive institutionalism of liberals and cosmopolitans.

encouraging their on-going development. Our suggestion is that, despite their differences, all three approaches unite in identifying deliberation as a vital tool of *critical reflection* in the global realm. The principal interest that these deliberative approaches should hold for academic study and political practice is, therefore, that they foreground the currently underdetermined state of knowledge about legitimacy and power in global governance, while developing a theoretically rich and operationally relevant approach to dealing with that indeterminacy.

1. The idea of deliberation

What is ‘deliberation’? How might we characterise *approaches to* or *practices of* global governance as ‘deliberative’? And why has deliberation become such a prominent feature of proposals to reform global governance?

The idea of deliberation has, in recent times, been most commonly defined and defended by democratic political theorists (Bohman and Rehg, 1997; Elster, 1998; Fishkin and Laslett, 2003). Deliberative democracy denotes a system of government in which free and equal citizens engage in a collective process of debate and argument, within the framework of a shared constitution, to determine law and policy. What differentiates deliberative accounts from alternative interpretations of democracy is that decisions should not be made exclusively on the basis of an aggregation of preferences, or strategic compromises between competing interests, but on the basis of publicly expressible reasons. This idea of *public reasoning* is the defining feature of deliberative democracy, specifying the norms that are to regulate its institutions and argumentative practices (Freeman, 2000: 378).

Some accounts incorporate substantial restrictions on what can count as a genuinely public reason in deliberative democracy; for instance, they may require citizens to abstain from invoking their ‘comprehensive moral or religious views’ and deliberate on the basis of a ‘family of political conceptions of justice’, at least in relation to certain issues (Cohen, 1997: 415-416; Rawls, 1999: 140-141). Other accounts appear to adopt a broader interpretation of what can count as a publicly expressible reason, while retaining the idea that law and policy should, ideally, be made on the basis of reasons acceptable to all in conditions of pluralism (Bohman, 1996: 45-46; Habermas, 2006a: 10). Still others apparently eschew any kind of

content restriction on public reasoning, sanctioning a wide range of opinions and defending ‘endogenous’ characteristics of deliberation that will, hopefully, lead to reasoned outcomes (Dryzek, 2000: 168-169; Young, 2000: 135).³ The common idea is that public deliberation – public reasoning about issues of shared concern – should be one of the principal ingredients of political life.

These theories of deliberative democracy are a major source of inspiration for deliberative approaches to global governance. Taking our cue from these theories, we shall understand deliberation in minimal fashion as *a process of public reasoning geared towards generating decisions or opinions about how to resolve shared problems*. This minimal definition can be augmented by noting that, as in deliberative democracy, political decisions should be made on the basis of publicly expressible reasons, not merely an aggregation of preferences or a strategic compromise of interests. In addition, the process of debate that accompanies decision making should, as far as possible, be open and transparent.

We shall categorize an approach to global governance as ‘deliberative’, then, if it aims to embed processes of public reasoning at the heart of global decision-making, or if it at least aims to make global decision-making more responsive to public reasoning. The norm of deliberation could apply to institutions that are commonly identified as the principal global governance bodies, such as the UN, the WTO, the World Bank, the IMF, and the WHO. Alternatively, it could apply to less formal sites of communication, such as debate within civil society associations, non-governmental organisations, or transnational public spheres. The defining characteristic of a deliberative approach to global governance is its commitment to public reasoning in transnational and/or global realms.

We should stress at the outset that this thumbnail sketch does *not* presuppose that a deliberative approach to global governance must be democratic. This may seem strange, given our claim that deliberative accounts of democracy are a major influence on deliberative approaches to global governance. We deny that a deliberative approach to global governance must be democratic because of the simple fact that many theorists agree on the need to promote public reasoning at transnational and/or global levels but disagree about whether this

³ Though there is often ambiguity: e.g. compare Dryzek (2000), p.68: ‘any communication that cannot connect the particular to the general should be excluded’, with Dryzek (2000), pp. 168-169: ‘one cannot abolish prejudice, racism, sectarianism, and rational egoism by forbidding their proponents from public speaking’.

public reasoning should be characterized as democratic. As we shall see, this issue is at the heart of the difference between liberals, on the one hand, and cosmopolitans and critical theorists, on the other. To take account of this disagreement we suggest, initially at least, disassociating the concept of deliberation from democracy.

Clearly our minimal understanding of deliberation as public reasoning does not have much content. The theorists that we discuss below substantiate the ideal of deliberative global governance by describing in more detail its fundamental features. But even with this minimal idea of deliberation, we can begin to understand the current vogue for deliberative approaches in political theory and IR. Public deliberation may improve the *legitimacy* of global governance, by requiring decisions to be made on the basis of publicly expressible reasons that affected parties can accept. Public deliberation may be an effective tool for promoting *transparency*, enabling those affected by decisions to see why and how they were made. It may also contribute to greater *accountability*, placing affected parties in a better position to understand and criticise the actions of global governance bodies. And it may promote greater *efficiency*, by increasing the in-pu and circulation of relevant information and opinions in decision making processes.

Of course, all these claims for deliberation require greater elaboration and defence. And it should also be remembered that deliberative theorists often develop much more ambitious and transformative projects, some of which aim to fundamentally challenge current distributions of power and resources at the global level. The idea of deliberation can be applied to global governance in many different ways, with diverse political implications. It is to these more concrete applications that we now turn.

2. Deliberative approaches to global governance

In this section, we introduce three paradigms within the emerging literature on deliberative global governance. The aim is to suggest categories that are sufficiently determinate to differentiate positions in the literature, while being flexible enough to allow for differences within and similarities between each camp. In using the labels ‘liberal’, ‘cosmopolitan’, and ‘critical’, we hope to capture something about the intellectual and political orientation of each approach. In relation to each position, we address three important questions: *who* deliberates, *what* do they deliberate about, and *why* is deliberation important?

1. Liberal approaches

Liberal approaches identify public deliberation as an important component of global governance. They conceptualise deliberation as taking place primarily between representatives of bounded political societies within shared regional, international and global institutions. The content of deliberation is given by a liberal theory of international order, comprising principles to guide the foreign policy of states, guidance for the collective formulation of shared institutions or cooperative associations, and a statement of fundamental moral principles that can be shared by all members of the international ‘society’ of states. Deliberation is important because it provides a shared medium for debating and interpreting the principles that unite the society of states and an ongoing practice that might, if carried out in the right way, contribute to the deepening of ties between peoples.

This account is heavily influenced by John Rawls’s account of liberal internationalism in *The Law of Peoples* (1999). It may seem strange to include this account in our discussion: after all, Rawls does not specifically discuss the issue of global governance and does not explicitly develop a deliberative approach towards it. Nonetheless, it qualifies for inclusion because it defends a conception of ‘public reason’ tailored to the international realm. Rawls defines this conception as ‘the public reason of free and equal liberal peoples debating their mutual relations as peoples’ (Rawls, 1999: 55).⁴ Joshua Cohen elaborates on this liberal idea, by describing ‘global public reason’ as:

‘a broadly shared set of values and norms for assessing political societies both separately and in their relations: a public reason that is global in reach, inasmuch as it applies to all political societies, and global in its agent, inasmuch as it is presented as the common reason of all peoples, who share responsibility for interpreting its principles, and monitoring and enforcing them’ (Cohen, 2004: 195-196).

He embellishes this characterisation by describing global public reason as ‘a broadly shared *terrain of deliberation*’ (Cohen, 2004: 194, our italics). This metaphor captures an important function of global public reason: it provides a shared vocabulary for peoples to debate issues

⁴ A ‘liberal people’ is understood as having ‘a reasonably just constitutional democratic government that serves their fundamental interests; citizens, united by what Mill called ‘common sympathies’; and finally, a moral nature’ (Rawls, 1999: 23). Peoples are different to states in that they do not enjoy the prerogatives of ‘traditional sovereignty’ (24). It should be stressed, though, that peoples are *like* states in that they are territorially bounded political communities, albeit with a ‘moral nature’.

of common concern and to determine the principles and arrangements that should underpin their cooperative activities.

In the Rawlsian account, the content of global public reason is given by ‘familiar and largely traditional principles...from the history and usages of international law and practice’ (Rawls, 1999: 41). These ‘familiar’ ideas include, amongst others, the equality of peoples, principles to limit the pursuit of state interests and the waging of war, and respect for human rights (Rawls, 1999: 37). This content supplies a store of publicly expressible reasons, which should be the basis for peoples justifying their foreign policies to one another and engaging in shared deliberation.

A distinguishing characteristic of global public reason is that the ‘terrain of deliberation’ that it maps does not include ideas and principles that are unlikely to gain widespread adherence in conditions of substantial philosophical, ethical and religious disagreement. Indeed, it is a defining feature of the approach to deliberative global governance developed by Rawls and Cohen that they avoid drawing on such views; for instance, both authors are careful not to invoke controversial ethical, moral or religious values, even including some that are core components of a liberal conception of justice for a constitutional democracy, when working out the rationale and range of human rights that should inform liberal foreign policy and global political institutions (Rawls, 1999: 68; Cohen, 2004: 197).⁵ The reason for this abstinence derives from their commitment to *liberal toleration*. On this interpretation, toleration should caution liberals against a wholesale projection of their own vision of justice onto the global realm (Rawls, 1999: 60). As Cohen puts it:

‘Of course there are limits on toleration: and an aim of the conception of human rights is to set out those limits. But the observation here is simply that, once we take into consideration the value of toleration, we will be more inclined to accept differences between what we take to be the correct standard of justice—and the rights ingredient in those standards—and the human rights standards to which all political societies are to be held accountable’ (Cohen, 2004: 212).

Toleration requires that liberal peoples—and, indeed, liberal political philosophers—should accept a less comprehensive package of human rights globally than they would domestically.

⁵ Cohen characterises human rights as necessary conditions for enjoying ‘membership or inclusion in an organized political society’ (Cohen, 2004: 197). He illustrates the versatility of this approach by showing how such a view can be compatible with a variety of ‘comprehensive’ doctrines, including Catholicism, Confucianism and Islam.

According to Rawls and Cohen, for example, an international doctrine of human rights—acceptance of which is a condition of equal standing in a society of peoples—should not incorporate a right to democratic government, though it does incorporate some sort of right of consultation or interest representation (Rawls, 1999: 72; Cohen, 2004: 197). This would mean that, in a society of peoples deliberating its underlying values according to global public reason, liberal peoples should not publicly criticize or impose sanctions against regimes that are not democratic, at least insofar as the latter satisfy a minimum threshold of ‘decency’ (Rawls, 1999: 61).

The fact of global disagreement and the requirements of toleration combine to generate a theory of global public reason that differs in content to the public reason of a democratic society (Rawls, 1999: 55). This underscores the fact that the liberal approach under review here does not conceptualise the global arena as a potentially *democratic* space.⁶ It does not incorporate many of the core ideas associated with democracy, including equal political rights, in global public reason. Nor does it conceptualise individual citizens as the primary agents within global deliberation; in particular, it does not require participation of individuals within global deliberative practices, nor does it require holders of political power—peoples pursuing foreign policies or institutions of global governance—to justify their decisions directly to individuals. Rather, it offers a different standard of legitimacy for global decision making. It suggests that, in order to be legitimate, institutions and actions at regional, international, and global levels must be defended on the basis of arguments that can be reasonably accepted from the perspective of liberal and decent peoples:

‘the ideal of the public reason of free and equal peoples is realized, or satisfied, whenever chief executives and legislators, and other government officials, as well as candidates for public office, act from and follow the principles of the Law of Peoples and explain to other peoples their reasons for pursuing or revising a people’s foreign policy and affairs of state that involve other societies’ (Rawls, 1999: 56).

This characterisation of the ‘ideal’ of public reason indicates that a key aim of the liberal approach is to establish conditions of ‘mutual respect’ among peoples (Rawls, 1999: 122; Cohen, 2004: 212). This respect is manifested through a shared process of reason giving in

⁶ The liberal approach *can* incorporate democracy beyond the borders of a liberal people in the following circumstances: two or more liberal peoples propose to pool their sovereignty by forming a ‘single society’ or a ‘federal union’ and each win the consent of their respective populations through a process of public deliberation and political election (Rawls, 1999: 43ff; Cohen and Sabl, 1997).

which representatives of peoples advance arguments that they believe, in good faith, could be accepted as reasonable by other peoples, with their different ideas about culture, value, and political justice. In addition, the deliberative practices of a society of peoples, and the various cooperative practices and institutions it facilitates, will hopefully deepen ties of ‘affinity’ between peoples over time (Rawls, 1999: 112-113). This ‘pacification’ of the global order, however, does not amount to a democratisation of it.

The liberal account of global deliberation contains much of interest and originality: in particular, it advances a powerful argument from toleration for why the aspiration to ‘export’ liberal democratic values may be inappropriate. As an account of global deliberation, however, it is somewhat unclear and incomplete. In particular, the Rawlsian model of global public reason is vulnerable to three objections.

First, it lacks a full and clear account of the *scope* of global public reason: that is, the agents and issues to which it applies. In particular, it is not always clear whether the norms of global public reason apply to *all* agents who might exercise political power within the international arena. This lack of clarity emerges when Rawls addresses whether or not it is reasonable to offer non-liberal peoples financial incentives to become more liberal. While this would be an unreasonable foreign policy for liberal *peoples* to pursue, it would apparently not be an unreasonable policy for financial institutions such as the IMF (Rawls, 1999: 84-85). This suggests that global public reason applies strictly to peoples but not so strictly to the global governance institutions they may set up. In addition, it is not always clear whether the norms of global public reason apply to all issues that might collectively concern the society of peoples. Global public reason appears to apply primarily to discussions about the underlying values of a society of peoples, such as the interpretation and enforcement of human rights, though it is unclear whether and how it could be extended to apply to shared deliberation over a broader global policy agenda.⁷

Second, we lack a full and clear account of the *requirements* of global public reason: that is, what public reason permits and prohibits in deliberation between peoples. In relation to foreign policy, it is clear that public reason prohibits justifications for coercive acts against other peoples that presuppose a comprehensive doctrine (Rawls, 1999: 84). It is less clear,

⁷ The utility of public reason as a guide for global debate over contentious issues is, however, explored by Frans Brom in an interesting article on the international trade dispute over GM food (Brom, 2004).

however, what public reason requires in relation to *non-coercive*—or diplomatic—relations between peoples. Indeed, Rawls treads a somewhat thin line by expressly allowing that liberal peoples have an entitlement to raise ‘critical objections’ against decent peoples while at the same time requiring that relations of ‘mutual respect’ obtain between them (Rawls, 1999: 84).

Third, we lack an account of what we might describe as the *evolution* of global public reason: that is, whether and how its content—its ideas of international order and its account of human rights—might change over time (Buchanan, 2004: 42). There is some suggestion that evolution might be a consequence of internal reforms within well ordered societies, particularly if non-liberal societies undergo a process of un-coerced democratization (Rawls, 1999: 61-62). There is little indication, though, of how global public reason itself might be a means of re-interpreting or re-creating the terms of cooperation between peoples. This is in stark contrast to the ideal of public reason as it is worked out by Rawls for liberal societies. The public reason of a liberal society is made up of a ‘family of political conceptions of justice’, meaning that ‘the forms of permissible public reason are always several’. The content of public reason is thus not ‘fixed’, but can potentially change over time: if this were not the case ‘the claims of groups or interests arising from social change might be repressed and fail to gain their appropriate political voice’ (Rawls, 1999: 142-143). It may be that global public reason, suitably elaborated, has a similar ‘dynamic’ potential, though that potential appears, to us anyway, less evident.

In a recent article, Allen Buchanan and Robert Keohane defend, from a liberal perspective, an account of legitimacy in global governance that combines respect for pluralism with an apparently more dynamic conception of global deliberation. They propose a standard of ‘minimal moral acceptability’ for global governance institutions, which, in a Rawlsian spirit, only incorporates the ‘least controversial human rights’ (Buchanan and Keohane, 2006: 421). At the same time, they defend an ‘epistemic-deliberative’ process, involving dialogue between those institutions and various critical constituencies, geared towards expanding the range of global human rights and improving the means of their realisation (Buchanan and Keohane, 2006: 425-426).

In making explicit the potential of global deliberation as a tool of *critical reflection*—and in making clear the role that non-governmental agents might play in deliberative practices—

Buchanan and Keohane arguably provide a link between the liberal approach under discussion here and the more cosmopolitan accounts we shall discuss below. To be sure, Buchanan and Keohane do not describe their proposal as a democratization of global governance. But they do move towards the cosmopolitan idea that global political power should be justifiable from the standpoint of individuals and not merely the ‘peoples’ they belong to (Buchanan and Keohane, 2006: 433). It is to these cosmopolitan accounts that we now turn.

2. Cosmopolitan approaches

Cosmopolitans identify deliberation as an important component of global governance. Like liberals, they see deliberation as a means of guiding foreign policy, forging ‘trans-national’ ties and institutions, and articulating shared global values. Unlike liberals, however, they have a broader account of the *agents* of deliberation: deliberators can include state representatives, non governmental organisations—including corporations and civil society groups—and individual citizens. And cosmopolitans differ from liberals in characterising deliberation as a means of *democratising* global governance.

One example is the programme for ‘cosmopolitan democracy’ advanced by David Held (1995, 2004). Held proposes a range of fundamental cosmopolitan principles, which should be the basis for a complex scheme of ‘multi-layered’ democratic governance and an enforceable system of global public law (Held, 2002a: 23-44).⁸ The impetus behind this project is to allow communities to reclaim their capacity to exercise meaningful democratic self-determination, an opportunity denied them within the nation state in an era of globalization (Held, 2002b: 307-308).

Another example is the idea of ‘cosmopolitan republicanism’ recently developed by James Bohman (2001, 2004). Bohman rejects the ideal of self-determination and proceeds instead from the republican value of ‘non-domination’, arguing that individuals must have meaningful opportunities to contest arbitrary exercises of power (Bohman, 2004: 340-341). Given that the current regime of economic and political globalization allows for this kind of domination, a ‘transnational’ democratic practice, giving citizens opportunities to contest

⁸ The precise nature and number of principles has not remained constant: there are seven listed in Held (2002a), and eight in Held (2005).

existing sites of global power and to initiate deliberation about the nature and terms of that power, must be introduced (Bohman, 2005: 112).

Another influential example of this kind of approach can be found in the recent work of Jürgen Habermas (1999, 2001). According to Habermas, the failure of the nation state to safeguard individual basic rights, coupled with its current ineffectiveness as a means of exercising democratic control over a wide range of issues, requires a transition to a ‘cosmopolitan condition’ (Habermas, 2006b: 115). Such a process entails ‘supranational’ institutions operating at global level, capable of securing peace and upholding human rights, and ‘transnational’ institutions operating at regional levels, capable of democratically regulating global ‘economic’ and ‘ecological’ problems (Habermas, 2006b: 136).⁹

Cosmopolitan accounts differ from liberalism in emphasising that individual citizens are to be principal agents in deliberative politics (Bohman, 1997: 195). An aim of Bohman’s cosmopolitan republicanism is to enhance the ‘reason responsiveness’ of global governance institutions, by which he means their accountability to the opinions and concerns of their constituents (Bohman, 2001: 12-13). As he puts it: ‘institutions tend towards domination simply due to the absence of any obligation to provide a justification to citizens that they could accept’ (Bohman, 2004: 437). Held also alludes to this idea, when he characterizes his project of ‘cosmopolitan democracy’ as one which ‘builds on principles that all could reasonably assent to in defending basic ideas’ (Held, 2003b: 313). Here we see a manifestation of a well known feature of almost all cosmopolitan theorising: its baseline commitment to the individual as ‘the ultimate unit of moral concern’ (Held, 2003b: 310). And this baseline commitment is one of the reasons why cosmopolitan approaches to deliberative global governance can be categorised, at least in their intent, as *democratic*.

Cosmopolitans endorse various methods of maximising opportunities for individuals to participate in and influence global deliberative processes. Cosmopolitan democrats pursue this aim through advocating the introduction of traditional tools of democracy, such as referenda and elections, at global levels (Held, 1995: 271-274). Other cosmopolitans, like Habermas, doubt the feasibility of recreating democracy at a global level, and focus more on

⁹ An oft-cited, but important, point to make about all these approaches is that none of them support the creation of a ‘world state’; cosmopolitans do not want to recreate the nation state at a global level, but encourage us instead to devise an innovative institutional arrangements that would see power dispersed across different spatial sites or levels.

the democratic potential of ‘post-national’ regional bodies, designed in the image of the European Union (Habermas, 2001: 107). Bohman’s aspiration for a ‘transnational democracy’ arguably mediates these two positions: combining Held’s aspirations for a global democratic praxis with Habermas’s emphasis on evolving regional bodies (Bohman, 2007).

While cosmopolitans advance contrasting institutional blueprints, a common theme is that the democratic character of deliberation can be enhanced through the ‘civilizing’ influence of ‘global civil society’ (Kaldor, 2003: 12). Global civil society is comprised of various non-governmental associations, whose agendas and organisational structures transcend national boundaries. Cosmopolitans identify these associations as important tools for enhancing accountability, through acting as ‘surrogate addressees of claims concerning domination’ (Bohman, 2004: 349; Nanz and Steffek, 2005: 198-200). Civil society organisations open up deliberative spaces through their criticism and contestation of global governance regimes; a ‘global public sphere’, driven by ‘influence generated by media and news organisations and mobilized by social and political movements’, may be capable of lending a degree of legitimacy to transnational and global decision making bodies (Habermas, 2006b: 142).

Talk of ‘global civil society’ and ‘global public spheres’ can sometimes descend into rather uncritical sloganeering, so it is important to appreciate their full significance within a cosmopolitan framework. As we saw earlier, a feature of deliberative democracy is that individuals governed by political power are owed a public justification for the exercise of that power. Cosmopolitans make a similar demand of global governance institutions, requiring that their basic values and political decisions be publicly defensible to the ‘citizens of the world’ whose lives are affected by them. The incorporation of INGOs and ‘global civil society’, therefore, is not merely defended as a way of rendering trans-national deliberative processes more transparent and accessible, though these goals are certainly important. It is also presented as a means of transforming the deliberative process itself, by pressurising those who wield power to offer public justifications for their actions.

This democratic orientation lends cosmopolitan approaches a radical aura that is arguably absent from the liberal accounts we surveyed in the previous section. Once again, however, lingering gaps and points of contention suggest that cosmopolitanism remains more of a ‘research agenda’ than a fully elaborated theoretical paradigm (Fine, 2005).

First, there is some disagreement within cosmopolitan ranks about how best to *define* democracy. In the three examples we are considering, for example, one can find two contrasting interpretations of its normative basis: self-determination (Held, Habermas) and non-domination (Bohman). The idea of non-domination may be more appropriate for the transnational realm, as it does not appear to require that we demarcate distinct democratic communities—or ‘selves’—that can be ascribed their own governing institutions or mechanisms. Nonetheless, non-domination would still have to contend with the problem of how to determine relevant democratic constituencies: for instance, whose interests are to count in particular decisions?

Second, how should we understand—at a conceptual level—the necessary *preconditions* of democratic deliberation at transnational and global levels? Critics of projects to democratise sites of power beyond the nation-state point not merely to difficulties of scale, but also to challenges caused by the lack of a shared culture, language or ethos (Dahl, 1999: 32-34; Kymlicka, 2001: 238-239; Miller, 2000: 89-96).

As we have seen, one prominent cosmopolitan—Habermas—has been sufficiently moved by such concerns to effectively limit the aspiration to extend democracy beyond national borders to regional sites, where there may be sufficient cultural or historical resources to construct a common ‘identity’ (Habermas, 2006b: 67-82). Held and Bohman, by contrast, appear more optimistic about the potential for at least a partial democratisation of the global realm: both, therefore, must confront significant challenges. Held, in retaining a commitment to global democracy, owes us some account of whether and how a common identity or democratic solidarity can emerge that can support collective processes of self-determination at global and transnational levels. Bohman, while embracing a conception of democracy which appears to have less need for cultural or linguistic commonalities, still makes the demanding requirement that sufficient levels of political equality, in the form of equal ‘capacities’ for influence and organisation, be achieved to secure the legitimacy of deliberative global institutions (Bohman, 2001: 17). It is unclear, though, how this ambitious aim might be achieved, particularly in the absence of solidarity ties necessary to sustain broad-based acceptance of global redistribution among the world’s population.

And thirdly, a hitherto under-theorised question: given the cosmopolitan commitment to securing public justifications for political power, what is the *content* of ‘cosmopolitan public

reason’? Or, to put the question another way: on what terms can global or transnational institutions reasonably justify their coercive acts and in what terms can cosmopolitan citizens reasonably contest these actions and justifications?

The idea of public reason within liberal accounts is, as we have seen, to provide a ‘shared terrain for deliberation’, a store of common values or reasons that can form the basis for ongoing transnational or global deliberation. Cosmopolitans appear to require a similar conception, given their commitment to securing justifications for global democratic decisions and institutions that all affected parties can ‘accept’ or ‘reasonably assent to’. But when cosmopolitans do provide accounts of the content of global public reason, they tend to draw on ideas and values that some liberals may regard as ‘comprehensive’ and, therefore, potentially intolerant in circumstances of global plurality (Benhabib, 2006: 43ff).

For instance, Held’s lists of cosmopolitan principles include the ‘equal moral status of persons’ and the idea of ‘active agency’, understood as ‘the the capacity of human beings to reason self-consciously, to be self-reflective, and to be self-determining’ (Held, 2002a: 24-26). As Held concedes, these ideas are ‘intertwined with liberalism and the Enlightenment’ and ‘clearly tied to particular traditions and places’ (Held, 2002a: 25). The difficulty with these types of arguments is that they appear to entail judgements about ultimate human value—or, if you like, the ‘good’—over which one can expect substantial disagreement within global contexts.¹⁰ Therefore, Held’s assertion that his theory ‘builds on principles that all could assent to’ arguably requires more defence and clarification than it is given (Held, 2002b: 313).

Cosmopolitans do, however, have a powerful strategy for combating charges of intolerance.¹¹ They argue that their willingness to allow more comprehensive liberal ideals into global public reasoning (and by extension to exclude or marginalise non-liberal ideals) goes hand-in-glove with a recognition that the *interpretation* of these ideals is determined in public

¹⁰ It may also be the case that some of Held’s cosmopolitan values, particularly the idea of ‘active agency’, would even be inadmissible as public reasons within a liberal democratic society, at least according to the Rawlsian ideal of public reason (see Rawls, 1999: 146).

¹¹ It should be noted that, for their part, cosmopolitans are highly critical of Rawls’s attitude towards pluralism; they believe that his willingness to tolerate non-democratic peoples leads him to neglect the interests of individuals, particularly those within non-democratic societies who may be campaigning for progressive reforms (McCarthy, 1997: 213) And Held argues that a commitment to pluralism should actually encourage us to accept his expansive list of cosmopolitan principles, as it is only in societies that structure their institutions in accordance with these principles that ‘value pluralism’ and ‘social pluralism’ can ‘flourish’ (Held, 2005: 19).

reasoning: as Held puts it, ‘the elucidation of their meaning cannot be pursued independently of an ongoing dialogue in public life’ (Held, 2002a: 32). Bohman develops this idea by claiming that ‘republican freedom’ entails ‘the capacity of citizens to amend the basic normative framework, the power to change the ways in which rights and duties are assigned’ (Bohman, 2005: 108). In this respect, global governance institutions may be able to publicly justify their actions by invoking more comprehensive ideals than would be permitted in Rawlsian public reason *provided* that the interpretation of these ideals is open to further revision and reinterpretation. Cosmopolitan public reason, then, is at once more comprehensive and more dynamic than the account defended by Rawls.

There is, though, one more critical observation to make, which, in a way, applies to both liberal and cosmopolitan approaches. Liberals presuppose radically different conceptions of deliberation in domestic and international contexts: the former is the public reason of a democratic community of citizens, comprising a wide range of civil, political and social rights, whereas the latter is the public reason of a society of equal peoples, comprising a minimal range of human rights. The former allows for democracy, whereas the latter seems to guarantee only fair terms of negotiation between peoples. Cosmopolitans apparently see little difference in the nature and content of deliberation in domestic and international contexts: both can be conceptualised as a democratic process of public reasoning between free and equal citizens and both appear to be realisable within broadly similar institutional frameworks.

However, the best approach may, in fact, reside somewhere between these positions? In other words—*contra* cosmopolitanism—we might expect to see differences between democratic deliberation in domestic and transnational contexts, but—*contra* liberalism—that difference need not be so radical that it precludes the very possibility of democratic deliberation beyond the nation. In order to transcend the current impasse between liberals and their cosmopolitan critics, it is helpful to explore alternative, more critical, accounts which appear to stake out such an approach.

3. Critical approaches

Critical approaches, like their cosmopolitan cousins, value deliberation as a means of democratising the global arena. In their emphasis on the ‘software’ of deliberative

democracy—discourses and communication—rather than its ‘hardware’—formal institutional structures—critical theorists offer a vision of transnational democracy that contrasts with the cosmopolitan approaches discussed above (Dryzek, 2000: 122). The critical approach identifies ‘discourses’ as the object of deliberation and civil society activists as the principal agents of deliberation; deliberation is important because it constitutes a means of reflexively challenging—democratising—the discourses that order and structure complex processes of global governance.

This sketch is highly influenced by the model of transnational democracy advanced recently by John Dryzek (1999; 2000; 2006). Interestingly, given the note on which we concluded our discussion of cosmopolitan approaches, Dryzek explicitly states that: ‘democratic governance in the international system must...look very different from democratic government within states’ (Dryzek, 2006: 161). This claim is partially supported through Dryzek’s acceptance of the idea that the international realm is best understood as embodying ‘governance without government’ (Dryzek, 1999: 33). This means that it lacks the stable hierarchical structures or ‘sovereign centres of power’ that can be found in domestic democratic regimes. In the absence of this sort of ‘government’ the international order relies more on ‘governance’, defined as ‘the creation and maintenance of order and the resolution of joint problems in the absence of...binding decision structures’ (Dryzek, 2000: 120).

Dryzek criticises what he sees as the cosmopolitan aspiration to recreate institutions of the nation state at transnational and global levels, suggesting that such a move would merely replicate the vicissitudes of those institutions on a much larger scale: specifically problems of ‘constitutional excess’ and ‘excessive administration’ (Dryzek, 2006: 136-143). At the same time, he emphatically rejects the liberal claim that democracy in the international realm is impossible. Instead, he draws on a novel interpretation of deliberative—or as he sometimes calls it, ‘discursive’—democracy as a basis for his radical reformist agenda (Dryzek, 2000: 3).

Dryzek’s deliberative approach is built on a quasi-sociological theory of the key role that discourses play in shaping governance in the international system. He defines a discourse as:

‘a shared set of concepts, categories, and ideas that provide its adherents with a framework for making sense of situations, embodying judgements, assumptions,

capabilities, dispositions, and intentions. It provides basic terms for analysis, debates, agreements, and disagreements. Its language enables individuals who subscribe to it to compile the bits of information they receive into coherent accounts organized around storylines that can be shared in intersubjectively meaningful ways' (Dryzek, 2006: 1).

The list of examples he gives includes 'market liberalism', 'globalization', 'realism', 'sustainable development', and 'human rights' (Dryzek, 2006: 2). Discourses play a key role in orientating or 'co-ordinating' the various regimes, behavioural norms and cooperative arrangements that comprise practices of global governance. Global policy agendas and decisions are often determined according to the outcome of contests between competing discourses. According to Dryzek, projects for democratising global governance should focus on democratising these discourses.

The idea of democratising a discourse or a conflict of discourses is, to put it mildly, rather opaque. Dryzek goes to great lengths, therefore, in explaining how it might be achieved. He begins by contrasting his approach to those which emphasise 'high level' deliberation within formal processes of negotiation: he has in mind the kind of deliberation that takes place between state representatives or within institutions like the UN. This kind of deliberation—which is rather like that envisaged by the liberal account we explored earlier—is criticised as insufficiently democratic, because it does not provide 'opportunities for participation by all those affected by a decision' (Dryzek, 2006: 27). Against this approach, Dryzek looks to another strand in deliberative democratic theory 'which looks to the potential for diffuse communication in the public sphere that generates public opinion that can in turn exercise political influence' (Dryzek, 2006: 27). His hope is that civil society activists and non governmental organisations can act as bearers of democratic values within transnational public spheres. They can perform this function insofar as they are able to criticise, contest and change the terms of dominant discourses or the balance of power between competing discourses (Dryzek, 2000: 131).

This 'transnational democracy' is realised 'in communicatively competent decentralized control over the content and relative weight of globally consequential discourses' (Dryzek, 2006: 154). The civil society actors who contest the terms of global governance should not actively seek entry to sites of collective decision making (Dryzek, 2006: 62). This is because within such sites, deliberative practices are often overwhelmed by the competition to win

control over decision making; genuine deliberation is more likely to take place over longer periods of time in informal sites, where the costs of moderation and changing positions are less high (Dryzek, 2006: 54-58). In addition, civil society actors should contest discourses in such a way that they increase the scope for 'reflexive action' (Dryzek, 2006: 115). This means, amongst other things, that they educate publics about the nature and terms of dominant discourses, reveal their contingent and changeable nature, and encourage a process of critical reflection on their adequacy and acceptability. Dryzek embellishes the requirements of this kind of communication by claiming that it must be 'first, capable of inducing reflection, second, non-coercive, and, third, capable of linking the particular experience of an individual or group with some more general point or principle' (Dryzek, 2006: 52).

In elaborating this distinctive approach, Dryzek makes a valuable contribution to the emerging debate on 'deliberative global politics'. His account of the nature and role of discourses is particularly useful, lending his theory a sociological complexion that underscores its plausibility. At the same time, his vision of a deliberative global politics is open to a number of critical questions.

First, it is not clear to us that the critical approach succeeds *on its own* terms in democratising discourses. In particular, given that Dryzek criticises liberal approaches for failing to secure 'opportunities for participation by all those affected by a decision' in transnational deliberation, it is surprising that his own theory lacks an account of widening access or increasing participation. Perhaps he assumes that a vanguard of transnational civil society activists will be able to effectively represent the interests of affected parties in deliberative contestation, though little is said to substantiate this aspiration. James Bohman articulates the powerful objection that Dryzek's discursive approach may be 'insufficiently democratic' because 'it cannot compensate for differing capacities for organization among [civil society] groups' (Bohman, 2001: 17). In fact, cosmopolitan approaches may claim superiority in this respect: given that they remain committed to developing institutional 'hardware' to go alongside the 'software' of transnational public spheres, they can suggest various means—elections, referenda, sampling—of incorporating citizens directly within these institutions (Bohman, 2001: 18).

Second, we make the related point that Dryzek may prematurely drive a wedge between the deliberative and decision making aspects of transnational democracy. He appears to want to ‘save’ civil society from being sullied by the grubby realities of political decision making; in so doing, he effectively abandons the aim of democratising decision making processes in order to preserve a space for ‘authentic’ deliberation in transnational public spheres (Dryzek, 1999: 44). While this aim is laudable, it may be guilty of overlooking the possibility—perhaps even necessity—of opening up existing transnational decision making bodies to greater democratic accountability. It also denies what may be a legitimate desire on the part of civil society activists or non governmental organisations to directly influence, or engage in, these decision making processes.¹²

Our third and final concern returns to a recurring theme in this discussion and relates to the nature and content of ‘reflexive’ deliberation. Does an authentically reflexive process of deliberation require some account of the ‘general interest’ that Dryzek does not fully elaborate? This question is occasioned by Dryzek’s statement that reflexive deliberation must be ‘capable of linking the particular experience of an individual or group with *some more general point or principle*’ (Dryzek, 2006: 52). The precise nature of a ‘more general point or principle’ is left unspecified, though apparent affirmations of ‘tolerance and enlightenment’ and ‘universalistic discourses such as human rights and liberalism’ may provide some clue as to what it entails (Dryzek, 2006: 20-21).

The lack of a fuller account is a serious omission: a key challenge for any theory of democratic deliberation is to indicate how the ‘particular’ and the ‘general’ can be brought together. To use a less philosophically loaded vocabulary, it must give some indication of how deliberation that incorporates a plurality of opinions can generate an outcome that, somehow, can be seen as legitimate or acceptable from the perspective of all involved. And this leads us back to the idea of ‘public reason’ or ‘public justification’ that occupies liberal and cosmopolitan theorists.

That this question arises in the context of Dryzek’s critical approach is perhaps surprising. In focusing on deliberation within transnational civil society, rather than decision making

¹² This point is made forcibly by Molly Cochran in her sympathetic critique of Dryzek’s theory; her own ‘pragmatist’ approach—presented as an alternative to the ‘deliberative’ models advanced by Bohman and Dryzek—allows for the possibility that ‘international public spheres’ can be conceptualised as ‘institutions’ in their own right, with some degree of ‘public authority’ (Cochran, 2002: 532).

bodies, he might be thought to avoid these kinds of concerns: after all, the need for a conception of public justification or public reason is often assumed to arise only in the context of binding decisions or institutions backed by *force*.¹³

The question emerges because Dryzek still needs to invoke some concept of a ‘general point or principle’ to gauge the reflexivity—and, therefore, the democratic pedigree—of deliberation in that sphere. Without such a generalising perspective, it would prove difficult to criticise deliberative processes that are hijacked by sectional interests or to demarcate a line between ‘civil’ and ‘uncivil’ society (Dryzek, 2006: 59). If we are to accept Dryzek’s claim that deliberation must involve an ‘implicit appeal’ to ‘universal standards’—and infer from this that it is these ‘universal standards’ that may lend some content to the idea of a ‘general point or principle’—then we are entitled to ask of him that he say more to elaborate and defend this claim (Dryzek, 2000: 69). In particular, how can his critical approach deal with the problem of global disagreement over such standards?

3. The importance of critical reflection in deliberative global governance

Despite their differences, all three approaches identify deliberation as a uniquely suitable means of enhancing the legitimacy of global governance. There are, of course, clear lines of contact between the different paradigms: for instance the cosmopolitan republicanism of James Bohman resembles, at least to some degree, the discursive approach of John Dryzek. Despite these porous boundaries, we hope that distinguishing between the three paradigms enables us to cast light on the literature as it stands. We shall conclude our paper with a brief discussion of a core theme that manifests itself, in different ways, in all three perspectives: *critical reflection*.

Deliberation is presented by liberals, cosmopolitans, and critical theorists alike as a uniquely suitable tool of critical reflection at the global level. ‘Deliberative reflection’, we might say, is a means for international and global political actors—whether identified as state representatives, NGOs, or even individual ‘citizens of the world’—to determine, re-interpret and in some cases transform the principles and values that regulate their cooperative activities. The importance of reflection is made explicit in cosmopolitan and critical accounts,

¹³ We use ‘force’ in this context to refer specifically to violence backed by police or military violence.

though it is also present, albeit to a less prominent degree, in liberal approaches: it is clear that ‘global public reason’—or the ‘public reason of a society of peoples’—can be a basis for interpreting common values such as human rights or the laws of war (even if it is less clear whether and how these values can be radically re-interpreted or even changed in and through global public reasoning).

In fact, it may be possible to position our three paradigms on an informal spectrum, according to the extent of deliberative reflection they require: at one end of the spectrum would be the liberal approach of Rawls, in which the terms of discussion (the law of peoples) are established but *up for interpretation*; at the other end of the spectrum would be the critical approach of Dryzek, in which the terms of discussion themselves appear to depend on the outcome of a discursive praxis; in the middle would be the various cosmopolitan approaches, with Held closer to the liberal position and Bohman closer to the critical position. This is a somewhat stylised exercise, involving what may be undue simplification, but it does give some indication of the different *priorities* of each perspective when it comes to embedding reflective practices in the global arena.

The attractiveness of deliberative reflection is highlighted when we bear in mind the extensive uncertainty and disagreement about global governance, in theory and in practice, which currently obtains. This uncertainty and disagreement means that attempts to ‘fix’ the normative basis of global governance may appear premature. And here lies the rub.

As the critical approaches to this question suggest, it is the contested - *and contestable* - status of many areas of global governance (including its definition) that mark out this discussion as one of both ‘reflection’ and ‘*performance*’. That is to say, at the same time as we delineate the terms, spaces and participants in any emergent theory of deliberative global governance, we necessarily straddle positive and normative positions, constructing, as we do, a (limited) range of legitimate questions that can be asked. As Robert Keohane (2006: 3) recently argued, in a discussion of legitimacy, “[t]he view that agreement by states, according to institutionalized rules, guarantees legitimacy relies on a deeply statist normative theory.” Importantly, Keohane takes the point a step further to suggest the contingency and, therefore, the malleability of such norms. He suggests:

...as democracy has become more widely accepted as the best form of government domestically, its international analogues have also made inroads. Demands for multilateral organizations to become more accountable to “civil society” rather than simply to states have proliferated. Insofar as these views become widespread, the sociological legitimacy of statism will decline and multilateral organizations will need to find new bases for their claims of legitimacy in the 21st century.

On this view the spread of deliberative ideas may itself be a constitutive element of the growth of deliberative global governance. What may also be required then is not simply the articulation and defence of deliberative principals, but also, an ongoing sociology of knowledge of the migration of deliberative ideals through global institutions and agents like global civil society?

In lieu of such praxis, however, we have been concerned with the politics and pluralism of deliberative global governance (broadly conceived). Liberals, cosmopolitans and critical theorists can claim that they foreground (in quite different ways) the fact of pluralism in their accounts; in fact, they allow that pluralism may—over time—generate quite different interpretations of the normative basis of global politics. This process can occur in and through ongoing processes of global deliberation, provided, that is, such deliberation is sufficiently reflective. Deliberation is valued, therefore, not merely as an exotic ‘add-on’ to existing decision-making institutions, but as a means of continually assessing the nature, basis and design of these institutions. This, we submit, is the distinctive feature of deliberative approaches to global governance. None of the deliberative paradigms discussed above are perfect; problems were identified with each that need to be addressed if they are to be developed into compelling guides for reforming global governance. Nonetheless, we hope that we have said enough to demonstrate the worth and originality of this emerging theoretical landscape.

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