

Can Global Governance be Democratically Legitimized? A Critical Reflection on Three Proposals for the Democratic Deficit

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Abstract

Global governance actors and institutions suffer from democratic deficit. The paper has examined the three proposals for mitigating the democratic deficit in global governance: Global people's Assembly (Flak and Strauss, 2000, 2001); Global accountability mechanisms (Grant and Keohane, 2005); and political deliberation (Steffek and Nanz, 2008). I have shown that the proposal for creating global representative institutions is premature since there are no global demos. In addition, the attempt to replicate democratic institutions and procedures at the level of states to the global level will be difficult to realize. I have argued that the proposal for political deliberation can address the problems of democratic legitimacy in global governance since it emphasizes normative democratic values of inclusion, participation, transparency, responsiveness and deliberation

Keywords- Global governance, democratic deficit, accountability, global parliament, political deliberations

1. Introduction

Global governance can be understood in terms of the regulations to provide solution to specific 'denationalized problems' or providing 'transnational common goods'. (Zürn, 2013:408) One of the challenges facing global governance is the 'democratic deficit' or lack of democratic legitimacy and accountability (Held and Koenig-Archibugi 2005; Nayyar and Court, 2002; Steffek and Nanz, 2008; Wheatley, 2010). Democratic deficit of governance institutions is assessed in terms of the three notions of democratic legitimacy: input, throughput and output legitimacy. (Uhlin, 2010:23; Bekkers and Edwards, 2007:43).

Input legitimacy implies the normative idea of 'government by the people' and is assessed in terms of representation and opportunities for participation (Bekkers, et al, 2007:6). Throughput legitimacy focuses on the processes and procedures of decision making and is assessed in terms of transparency, accountability, participation and deliberation (Uhlin, 2010:23). Output legitimacy represents the normative idea of 'government for the people' and is assessed in terms of efficiency and effectiveness of outcomes, responsiveness and accountability. (Bekkers, et al, 2007:6). Big bureaucracies and especially supranational bureaucracies suffer from input and throughput legitimacy (Dijkstra, 2007:288)

Most authors agree that global governance institutions suffer from the democratic deficit (Jens and Steffek, 2008). Some scholars also argue that international organizations cannot be democratic (Dahl, 1999). These scholars note the difficulty of achieving democracy beyond the nation state precisely because there are no global citizens. (Dahl, 1999; Grant and Keohane, 2005). However, some other writers see the possibility of mitigating the democratic deficit and democratically legitimizing global governance.

This paper is an exposition and critical reflection on three proposals for mitigating the democratic deficit in global governance: Global Peoples Assembly (Falk and Strauss, 2000, 2001); Global accountability mechanisms (Grant and Keohane, 2005); and political deliberation (Steffek and Nanz, 2008). I suppose that global governance can be democratized and the institutionalization of deliberative practices can be significant in the process of democratically legitimizing global governance. Thus, the paper proceeds as follows. First, I present the argument for Global people's assembly. Second, I present the argument for new global accountability mechanisms. Third, I present the argument for political deliberation. Fourth, I will critically reflect on the three proposals. In this part, I argue that the institutionalization of deliberative practices is significant in the process of democratizing global governance. Finally, I provide a conclusion.

2. Proposals for democratizing global Governance

2.1. Global Peoples Assembly

Richard Falk and Andrew Strauss (2000, 2001) view the problem of global governance as the lack of representative democratic institutions at the global level. They argue that democratic institutions at the level of state can be extended to the global level (2000:191) they specifically argue that the creation of elected global people's assembly (here after the GPA) is significant to overcome the problems of effective global governance and challenge the authority of states. (Ibid: 193)

The argument of Falk and Strauss is based on the premise that emergent global civil society can act as an independent force in global politics: "Globalization has generated an emergent global civil society composed

of transnational business, labor, media, religious, and issue oriented citizen advocacy networks with an expanding independent capacity to initiate and validate a GPA.”(Ibid: 194). As a result, the GPA is not to be formed by a treaty among states but by the emerging global civil society

Falk and Strauss suppose that the GPA will need support from sovereign states since states possess financial and logistical resources (Ibid: 204). In this regard, they take the European parliament as an encouraging example in creating a global legislative institution. “In fact, the same European Union states that have promoted the Parliament are among the most likely to lend their support to the creation of a GPA.”(Ibid: 206). But, the question is that if GPA is to be initiated not by treaty among states, how can it be legitimate to make laws binding on governments? They argue that global policy makers will find GPA helpful to mitigate the democratic deficit (Ibid: 215). In addition, they suggest that the GPA can be associated with the General Assembly of the UN to form a bicameral world legislature (2001:220)

2.2. New Global Accountability Mechanisms

Ruth W. Grant and Robert Keohane (2005) view the problem of global governance in terms of the lack of accountability mechanisms to limit the abuses of power in world politics. They note that there is a rising concern about the use of power and abuse of power in world politics due to globalization, the exercise of authority by multilateral organizations and increasing number of NGOs. Indeed, accountability and democracy are the central issues of the controversy over globalization (2005:29). Global governance can be legitimized by improving the already existing accountability mechanisms to limit the abuses of power in world politics. “Yet these mechanisms cannot simply replicate, on a larger scale, the familiar procedures and practices of democratic states.”(Ibid)

Accountability is a relational concept involving power wielders and the public. The central questions of a theory of accountability are: “What constitutes an abuse of power? And who is entitled to hold power-wielders accountable?”(Ibid: 34). These questions can easily be answered in democratic nations since they have a well defined public. Grant and Keohane (Ibid: 34) state:

Power is abused whenever it is used for private or partial interests contrary to the interests of the public. And the public is entitled to hold power-wielders accountable in a democratic nation for abuses of power, either as the source of that power (the delegation model) or as the body affected by it (the participation model) or both.

Grant and Keohane argue that the attempt to replicate democratic accountability at the state level to the global level is bound to fail precisely because there is no global public in both the juridical and sociological sense. (Ibid: 34). Hence, they consider the proposal by Falk and Strauss (2000, 2001) for the creation of global representative institutions ‘premature at best’. (Ibid)

Grant and Keohane argue that effective global accountability require a pragmatic approach that does not presuppose the existence of a global public. They argue that claims to legitimacy at the global level depend on inclusiveness of state participation and general norms fairness. (Ibid: 35). They identify three informal norms which can serve as sources of legitimacy to global power wielders: conformity to human right norms; normative principles democracy; normative pressure on the patterns of extreme economic inequality. (Ibid). Therefore, global power wielders can be made accountable even if they lack delegation. Grant and Keohane also identify seven accountability mechanisms that are operating in world politics on the basis of which new accountability mechanisms can be developed. These are: hierarchical; supervisory; fiscal; legal; market; peer; and public reputational. (Ibid: 36). The first four involve forms of delegation while the rest involve forms of participation (Ibid)

Grant and Keohane describe how these mechanisms of accountability constrain power wielders in world politics. They argue that supervisory, fiscal, hierarchical and reputational accountability is applicable to multilateral organizations. (Ibid) Peer, reputational and market accountability constrain NGOs. Firms are mostly constrained by market and reputational accountability. The accountability of states is dependent on their power in world politics. Supervisory and fiscal accountability can constrain weak and dependent states. However, strong states can be constrained by peer and reputational accountability. (Ibid: 40)

2.3. Political Deliberation

The third proposal to mitigate the democratic deficit in global governance emphasizes the institutionalization of deliberative practices. Jens Steffek and Patrizia Nanz (2008) argue for the possibility of democratic legitimation of global governance without a presupposition of demos (pre-political homogeneity of citizens) or national electoral democracies.(Steffek and Nanz,2008:5) Their argument is based on the assumption that deliberative understanding of democracy is suited to European and Global governance and organized civil society participation is vital to democratically legitimize Global governance.(Steffek and Nanz, 2008:5-7).

Deliberation is crucial to democracy since political debate focus on the common good. However, Steffek and Nanz note that deliberation is not intrinsically democratic and may not advance the interest of most

affected parties (Ibid: 6). In order to advance the common good, “Deliberative democracy must ensure that citizens’ concerns feed into the policy-making process and are taken into account when it comes to a decision on binding rules.”(Ibid: 6).

The democratization of global governance requires the participation of organized civil society organizations in global governance institutions. Civil society organizations can serve as a ‘transmission belt’ between international organizations and emerging transnational public sphere. Steffek and Nanz (ibid: 8) argue:

If organized civil society has the opportunity to participate in international governance, it may act as a ‘transmission belt’ between international organizations and an emerging transnational public sphere. This transmission belt might operate in two directions: First, civil society organizations can give voice to citizens’ concerns and channel them into the deliberative process of international organizations. Second, they can make internal decision-making processes of international organizations more transparent to the wider public and formulate technical issues in accessible terms.

Steffek and Nanz note that there is already some empirical evidence of an emerging transnational discourse about the faults and merits of global governance. These include the transnational public debate over the international monetary institutions, the public discourse on international organizations and their policies which question the legitimacy of global governance. In addition, non-governmental actors are playing an important role in making international governance transparent and accountable by triggering public debate on global governance. (Ibid: 7)

The project of Steffek and Nanz aims to assess the ‘democratic quality’ of international organizations. They define democratic quality as the capacity of an institution or procedure to bring about free, informed and inclusive deliberation. (Ibid: 9). They provide four dimensions of democratic quality: Access to deliberation; Transparency and access to information; Responsiveness to stakeholder concerns; Inclusion of all voices. (Ibid: 10)

Access to deliberation and Transparency are preconditions for democratically legitimate decision making (Ibid: 11). Access to deliberation requires the participation and equal influence of citizens or all those affected in political decision making. At the global level, the access to deliberation describes participation of civil society organizations in global deliberation. (Ibid: 10). Transparency and access to information demands that the actors in decision making should have full information about the problem, options and cost and benefits of various options. (Ibid)

Steffek and Nanz note that access to deliberation and transparency will not affect the democratic quality of the procedure if concerns of civil society organizations are not adequately reflected in deliberation and hence can not affect the decisions. As such, the deliberation process requires another dimension of democratic quality that is responsiveness. Responsiveness requires that all political proposals should be justified in view of the common good and adjustment of decisions by state actors to accommodate the positions of civil society organizations. (Ibid: 11)

The dimension of inclusion requires that the arguments of those affected by decisions should be included in the process of decision making. “Inclusion realizes the principle of political equality and is, therefore, a key issue that affects the democratic quality of decision making.”(Ibid: 12)

3. Critical Reflection

In the previous parts of the paper, we have seen the different proposals to overcome the democratic deficit and for democratically legitimizing global governance. In this part of the paper, I critically examine the proposals. I argue that the proposal for political deliberation by Steffek and Nanz (2008) can be a remedy to democratic deficit and significant in the process of democratically legitimizing global governance.

The proposal of Falk and Strauss (2000, 2001) for creating a global parliament as a remedy for the democratic deficit of global governance seems ideal since it depends on the existence of global citizens. Since global demos do not exist at the moment, the proposal for creating Global people’s assembly is ‘premature at best’ (Grant and Keohane, 2005:34)

The proposal of Grant and Keohane (2005) for improved global accountability mechanisms is important if we look at it from the perspective of output legitimacy. Improving accountability mechanisms can be significant in order to manage abuse of power by actors of global governance. It might also be useful to ensure efficiency and effectiveness of actors and institutions of global governance. However, the proposal is pragmatic and all forms of accountability are not democratic. Steffek and Nanz (2008:2) observe:

Not all forms of accountability can qualify as democratic, however. Accountability of decision makers to markets ... to courts ... or to peers...would not necessarily enhance citizens’ influence in, and control over, the institutions of global and European governance

Grant and Keohane compromise the normative ideals of input and throughput legitimacy. This is evident in that the four accountability mechanisms that is hierarchical, supervisory, Fiscal and Legal are

delegated and do not involve participation from the wider public. The neglect of the democratic content could be seen in their identification of the most criticized of global power wielders such as WB, IMF, UN, WTO and the European commission as the most accountable (Grant and Keohane, 2005:37).

Grant and Keohane do not provide uniform criteria of accountability to constrain states as actors of global governance. One good example is their argument that accountability of states depends on their power in world politics. Hence, Supervisory and fiscal accountability can constrain weak and dependent states. However, strong states can be constrained by peer and reputational accountability. (Ibid: 40)

Thus, the proposal of Grant and Keohane is focused on accountability mechanisms which are not necessarily related to democracy. They do not also consider the emerging civil society organizations in the processes of democratizing global governance. I think, they do not address the democratic deficit of global governance.

I argue that the proposal for political deliberation by Steffek and Nanz (2008) can address the problems of democratic legitimacy in global governance institutions from different angles. First, their argument for democratizing global governance does not presuppose global demos or replication of national democracies. This is important because it opens a new route in the process of democratizing global governance.

Second, the deliberative understanding of democracy gives emphasis to inclusion, participation, transparency, and responsiveness. Moreover, political deliberation can be a source of democratic legitimacy since it can be oriented to the advancement of the common interest or the common good.

Third, the institutionalization of civil society organizations in global governance institutions will be central in mitigating the democratic deficit of global governance. The legitimizing potential of civil society organizations is related to their role as intermediaries between global governance institutions and the public. This can increase the transparency and accountability of global governance institutions.

Fourth, access to deliberation, transparency, responsiveness and inclusion are normative values to assess the democratic quality of global governance institutions. This is of paramount importance because it enables us to empirically assess the democratic quality of global governance institutions.

4. Conclusion

Global governance actors and institutions suffer from democratic deficit. The paper has examined the three proposals for mitigating the democratic deficit in global governance: Global people's Assembly (Flak and Strauss, 2000, 2001); Global accountability mechanisms (Grant and Keohane, 2005); and political deliberation (Steffek and Nanz, 2008). I have shown that the proposal for creating global representative institutions is premature since there are no global demos. In addition, the attempt to replicate democratic institutions and procedures at the level of states to the global level will be difficult to realize.

The global accountability mechanisms identified by Grant and Keohane might be important for managing the abuse of power by global power wielders. However, the mechanisms are focused on ensuring efficiency and effectiveness and all forms of accountability are not democratic. Furthermore, the approach compromises democratic values and do not give a place for civil society participation in the process of democratizing global governance.

I have argued that the proposal for political deliberation can address the problems of democratic legitimacy in global governance since it emphasises normative democratic values of inclusion, participation, transparency, responsiveness and deliberation. The approach focuses on deliberation of those affected and give emphasis to the institutionalization of global civil society organizations in global governance institutions. The institutionalization of deliberative practices is recognition of legitimizing potential of civil society in their intermediary role between global governance institutions and the public. This can increase the transparency and accountability of global governance institutions. The approach also provides normative values to assess the democratic quality of global governance institutions.

References

- [1] Bekkers, Victor, et al (2007). "Governance and the Democratic Deficit: Introduction." In: Victor Bekkers, et al, editors. *Governance and the Democratic Deficit: Assessing the Democratic Legitimacy of Governance Practices*. Aldershot: Ashgate, pp. 3-11.
- [2] Bekkers, Victor and Arthers Edwards (2007). "Legitimacy and Democracy: a conceptual Framework for assessing Governance Practices." In: Victor Bekkers, et al, editors. *Governance and the Democratic Deficit: Assessing the Democratic Legitimacy of Governance Practices*. Aldershot: Ashgate, pp. 35-60.
- [3] Dahl, Robert A. (1999). "Can International Organizations be Democratic? A skeptic's view." In: Ian Shapiro and C. Hacker-Cordon, editors. *Democracy's Edges*. Cambridge: Cambridge University press, pp. 19-36.
- [4] Dijkstra, Geske (2007). "Supranational Governance and the challenge of Deocracy: the IMF and the World Bank." In: Victor Bekkers, et al, editors. *Governance and the Democratic Deficit: Assessing the Democratic Legitimacy of Governance Practices*. Aldershot: Ashgate, pp. 269-292

- [5] Falk, Richard and A. Strauss(2000). “On the Creation of a Global Peoples Assembly:Legitimacy and the power of Popular Sovereignty.” *Stanford Journal of International Law*, vol 36, pp. 191-220.
- [6] Falk, Richard and A. Strauss (2001). “Toward Global Parliament.” *Foreign Affairs*, 80(1), pp. 212-220. Mathias Koenig-Archibugi
- [7] Grant,Ruth W.and R.O.Keohane(2005). “Accountability and abuses of Power in World Politics.The Legitimacy of Global Governance Institutions.” *American Political Science Review*,99(1),pp.29-43
- [8] Held, D. a. Mathias Koenig Archibugi(2005). *Global Governance and Public Accountability*. London: Blackwell
- [9] Karns, Margaret P.and K. A.Mingst (2010). *International Organizations:The Politics and Processes of Global Governance*. second edition. Roulde: Lanne Rienner Publishers.
- [10] Nayyyar, Deppak and Julius Court(2002). *Governing Globalization:Issues and Institutions*, policy brief no.5. Helnsinki: UU/WIDE.
- [11] Steffek, Jens and Patrizia Nanz(2008).“Emergent Patterns of Civil Society Participation in Global and European Governance.” In: Jens Steffek, etal,editors. *Emergent Patterns of Civil Society Participation in Global and European Governance:A cure for the Democratic Deficit*. Houndmills, Basingstoke: Palgrave Macmillan, pp. 1-29.
- [12] Uhlin, Anders(2010).“Democratic Legitimacy of Transnational Actors:Mapping out the Conceptual Terrain.” In: Eva Erman and Anders Uhlin, editors. *Legitimacy Beyond the State? Re-examining the Democratic credentials of Transnational Actors*. Hampshire: Palgrave Macmillan, pp. 16-37.
- [13] Wheatley, Steven(2010). *The Democratic Legitimacy of International Law*.Oxford and Portlamd:Hart Publishing
- [14] Zürn, Micheal (2013). “ Globalization and Global Governance.” In: Wlater Carlsnaes,etal, editors. *Handbook of Iternational Relations*. Los Angeles: Sage, pp. 401-425.

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