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# On the Cosmopolitan Path

## An Interview with Daniele Archibugi

*Democracy has spread far and wide over the past century, yet the democratization of global governance remains elusive. Political theorist Daniele Archibugi speaks with Tellus Senior Fellow Allen White about the past, present, and future of the fight for cosmopolitan democracy and international justice.*

### **Would you start by telling us a little about how your work came to focus on globalization and cosmopolitanism?**

In high school, I collaborated with several campaigns working to trace missing persons and free political prisoners in Latin America. This was my entrée into international relations, and it inspired me to ask questions about the roots of human rights violations and how to advance human rights and democracy on a global level. Later, I participated in the European East-West dialogue for disarmament and human rights. With the fall of the Berlin Wall and the end of the Cold War, many of us saw an enormous opportunity to expand the democratic ideal into international relations. Looking back, sadly, we were overly optimistic.

### **You are perhaps best known for your 2008 work *The Global Commonwealth of Citizens: Toward Cosmopolitan Democracy*. What do you see as the core tenets of “cosmopolitan democracy”?**

Cosmopolitan democracy refers to the expansion of the rules of democracy into transnational contexts in several different ways. First, this broadening of democracy applies to international organizations: while they are already based on international law, they do not operate under the principle that majority decisions are binding. According to the current rules, each state can decide which international covenants to join. Donald Trump, for example, was able to decide unilaterally to withdraw the United States from the Paris Agreement on climate change mitigation. But the problem of climate change doesn't just affect the United States: if the US pollutes, that affects Canada, Mexico, and every other country as well. The appropriate democratic constituency must be broader than one country if we are to adhere to the basic democratic principle that all those affected by a decision should be consulted. For this reason, we need to create new political spaces where the will of the global community can emerge.

Second, the appropriate level of governance is sometimes neither global nor state: the Niagara Falls, for example, are better managed by a community of local American and Canadian citizens. In a globalized world, these transnational communities are increasing in number, and, interesting to note, not necessarily based on location. Individuals can bind together into a community, even if scattered across many states, because they share a common disease, work on similar issues, belong to the same faith, speak the same language, or simply enjoy the same hobby. We need to create larger public networks that will be able to assist and represent such various communities.

Third, a government's mistreatment of its citizens should not be considered an internal issue. More than two centuries ago, Immanuel Kant reminded us that "a violation of rights in one part of the world is felt everywhere." The Universal Declaration of Human Rights and many other legal developments since have extended and empowered Kant's insight. Still, human rights are violated around much of the world, and the so-called international community has not yet developed any effective machinery to protect individuals from abuse by their governments. To protect human rights, the powerful liberal Western states have offered, under the label "humanitarian intervention," airstrikes only. So far, airstrikes have not prevented atrocities and have, instead, often led to humanitarian catastrophes, as we can see in Libya and Syria. One of the aims of cosmopolitan democracy is to explore alternative ways to protect human rights, especially through transnational collaboration among civil society organizations.

### **You have accused many states of suffering from a "democratic schizophrenia." What do you mean by this?**

Over the last thirty years, the democratic ideal has been almost universally embraced, and this is certainly good news. The map of the world shows that more countries are ruled by elected governments. There are, of course, large areas of discontent about the way most, if not all, of these governments behave, but this is the essence of democracy: without conflicts and protests, democracy will not progress and might even retreat and degrade.

There is a predominant view that democracy is a "universal" value that needs to be applied within all states, but that international politics is, and will continue to be, the realm of power and, therefore, cannot be subject to democratic procedures. This is the "democratic schizophrenia." But if democracy is a superior form of social and political organization, then there is no reason why we should expect it to deliver better outcomes within states but not in the global arena.

This enlargement of democracy requires a conceptual and empirical leap: can we envisage forms of democratic governance that transcend the framework of the state? It is a major challenge, and I am certainly aware that, so far, most democratic experiences have taken place inside a state. Nonetheless, in a globalizing society, either we accept a world in which states are unable to democratically address common challenges such as climate change, security, and economic prosperity, or we find ways to expand some of the principles and methods of democracy into the global arena.

## One institutional innovation you have put forward is a world parliament. How might such a body function?

International politics has a deep problem of legitimacy because governments are often forced to make decisions on global issues without a mandate. This hampers effective decision-making and augments risks. Most damaging is the irony of Western governments, the dominant group in the world, preaching democracy to others while denying the possibility of creating the fundamental instrument of democracy, namely a parliament, on the world stage. Still, I do believe that we face a clear choice: either give up the democratic ideal altogether, or be consistent and establish a world parliament.

Advocates of a world parliament, including the very active Campaign for a United Nations Parliamentary Assembly, have a clear model in mind: the European Parliament. There are a growing number of parliamentary assemblies within international organizations, but so far none of them are directly elected by world citizens. We know too well the limited powers of the European Parliament; most decisions are still made by the European Council, composed of heads of governments. Despite the narrow range of its authority, the European Parliament plays a very important role as a forum where common problems can be discussed. Why shouldn't we aim for something similar for the world as a whole?

There have been many transitional proposals to achieve this goal, such as the creation of a UN Parliamentary Assembly composed of members of national parliaments. This would enlarge the number of voices heard at the UN headquarters to include not only those of incumbent governments, but also those of national oppositions. Many other international organizations already have such Assemblies; indeed, the European Parliament itself started in this way before being directly elected by citizens.

A second proposal is an Assembly of the nongovernmental organizations recognized by the UN General Assembly. In 2005, there was a so-called "informal hearing of the General Assembly with nongovernmental organizations, civil society organizations and the private sector." Unfortunately, this initiative was discontinued, but it would be useful to resume it every year before the meeting of the General Assembly.

A third possibility is to start a World Parliamentary Union among like-minded states, as discussed in a recent book by Andreas Bummel and Jo Leinen. The hope would be that, although only a few nations would participate at the start, the number of member states would progressively increase. This proposal has been endorsed by a large number national parliaments, senior politicians, and scholars.

## What lessons for the larger project of cosmopolitan democracy can be gleaned from the European Union's half-century experiment with integration?

In spite of the recent refugee crisis, in spite of Brexit, in spite of the rise of right-wing populism, the European Union remains a remarkable political experiment. The EU attempts to generate political legitimacy through discussion, negotiation, and consent, instead of by force. The contemporary cosmopolitan democracy project was inspired by the experience of the European Union, and I still think that all international organizations, from the United Nations to Mercosur, from NAFTA to ASEAN, have a lot to learn from the EU.

However, a basic disconnect persists between the EU experience and its potential application at the world level: the EU has always been a union of democratic states only, while helping other states transition to democracy. Think, for example, of the role played by the EU in the transition of Greece, Portugal, and Spain from fascist dictatorships to democracies. More recently, the EU played a crucial role in consolidating democracy in Eastern European countries. At the world level, the differences across internal political regimes are much greater: consolidated democracies coexist with political communities that are still under dictatorships and with others where most of the population doesn't even have a clear idea of what democracy is. In both cases, though, progressive regional and international organizations can provide a crucial contribution to democratic transition and consolidation in its current and prospective members.

## Shifting gears a bit, let's discuss your new book, *Crime and Global Justice: The Dynamics of International Punishment*, which examines international institutions for prosecuting war criminals. What role do such institutions play in cosmopolitan democracy?

Since the very beginning in 1990, the cosmopolitan democracy project has put a major emphasis on the creation and reform of international judicial power. Following Austrian jurist and international relations theorist Hans Kelsen, the aim was to resolve international controversies with the instrument of law rather than with force. One of these proposals was to empower the International Court of Justice to intervene in situations even when the states involved were not willing to submit a case. Another parallel court, the International Criminal Court, would adjudicate the individual accountability of leaders for egregious crimes. These courts would be cosmopolitan by design because they do not treat the state as the ultimate source of legitimacy: crime committed by heads of state and their agents could also be reviewed by an independent judiciary.

## How effective do you think the ICC and related initiatives have been? How could they be strengthened?

When we suggested the creation of an International Criminal Court, we were taken for visionaries. But the Treaty of Rome that established the ICC is almost twenty years old. With all its problems, and despite the fact that some of the most important members of the international community (including the United States, Russia, China, and India) have not adhered to it, the importance of

a judicial device for challenging impunity remains. But we can't rest on our laurels. The ICC has been notoriously slow and bureaucratic, and it has managed to deliver too few indictments and incriminations, in spite of widespread violations of human rights around the world. We should expect more from an institution that employs 900 people and has an annual budget of 147 million euros.

The ICC—and, in particular, the Office of the Prosecutor—should be much more active. Success also depends on the ability of nongovernmental organizations, investigative journalists, progressive governments, and other international organizations to assist the Prosecutor by supplying evidence. If we really wish to affirm the principle of the individual responsibility of heads of state and other high-ranking officials and to end the impunity for egregious violations of human rights, all of us should work to empower the ICC, first, by providing detailed information to the Prosecutor; second, by lobbying for competent and courageous judges to be appointed; and third, by enlarging membership.

### **Some critics of the ICC allege that the major war criminals are never prosecuted because they are protected by superpower status. Do they have a point?**

Yes, the ICC has not yet been sufficiently impartial and independent. One problem is that many states are not members of the ICC and, therefore, unless there is a referral from the UN Security Council, they are immune from the action of the Court. A second problem is that member states do not cooperate effectively with the ICC. For example, Omar al-Bashir, the Sudanese president, received an arrest warrant from the ICC, yet was allowed to travel freely across several African nations, including nations that are members of the ICC. A third problem is that governments erect various obstacles to investigations, indictments, and incriminations in cases that involve their own interests. The more powerful the government, the more effective the pressure.

Realist theorists in international relations will not be surprised. Why should we expect that a court created by governments—where governments jointly nominate the judges, provide the funding, and even arrange for the imprisonment of the (few) convicted—would act impartially? Yet, the struggle for an impartial international judicial power is still in its infancy. If we leave the ICC in the hands of the intergovernmental logic, it will stagnate and become an empty institution. But if there are campaigns to empower it and denounce its ineffectiveness, it may slowly evolve into a relevant institution.

### **Looking ahead, what political forces and social change agents do you think could spearhead a movement for cosmopolitan democracy?**

The project of cosmopolitan democracy was from the very beginning meant to provide a framework for several campaigns and actions working independently. First of all, we still have mass movements that struggle to achieve democracy in their own nations. These movements need help from outside, but contrary to exporting democracy through military interventions; we need to assert a vision of democratic promotion based on transnational movements. Ask the

Afghans and the Iraqis: they were promised democracy in 2001 and 2003, and they are still waiting!

Europe has come closer to a success story. Against the deployment of Euro-missiles in 1980s, East and West peace and human rights movements worked in a complementary way on disarmament and democracy promotion. They succeeded. Something similar happened in Latin America when dictatorships were replaced by elected governments. The basic assumption of the cosmopolitan democracy model is that we need not only internal democratization, but also democratization at the global level.

### **What role does the fight for cosmopolitan democracy and international criminal justice have to play in the global effort for a systemic Great Transition?**

I think both cosmopolitan democracy and an effective international criminal justice system are subsets of the ambitious project of a Great Transition. In particular, international criminal justice is a specific device aimed at deterring egregious crimes. If powerful Western nations, having so long preached the doctrine of human rights, want legitimacy in the eyes of other continents and civilizations, they should start by not committing international crimes themselves.

Many of the substantial objectives demanded by the Great Transition do require a larger involvement of world citizens in the management of the global commons. The cosmopolitan democracy project focuses on institutional procedures that will help to achieve political legitimacy for such management. I believe that democracy is the best political procedure that humans have so far invented. If we apply it to global issues, such as climate change, sustainable development, and poverty, we will come closer to reaching solutions on the path of a Great Transition.

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## About the Interviewee



Daniele Archibugi is a prominent theorist of globalization and advocate of cosmopolitan democracy. He works as a Research Director at the Italian National Research Council; Professor at the University of London, Birkbeck College; and consultant to the European Union. His books include *The Global Commonwealth of Citizens: Toward Cosmopolitan Democracy*, the co-edited volume *Claiming Citizenship Rights in Europe: Emerging Challenges and Political Agents*, and the recently co-authored treatise *Crime and Global Justice: The Dynamics of International Punishment*.

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