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[Gagnon, Jean-Paul](#) (2011) An interview with Professor David Held : exploring the concepts of cosmopolitanism and democracy. *Journal of Democratic Theory*, 1(1), pp. 1-18.

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DR. JEAN-PAUL GAGNON, PRESENTER: David Held is the Graham Wallace Chair in Political Science, and co-director of LSE Global Governance, at the London School of Economics. He is the author of many works, such as *Cosmopolitanism: Ideals and Realities (2010)*; *The Cosmopolitanism Reader (2010)*, with Garrett Brown; *Globalisation/Anti-Globalisation (2007)*, *Models of Democracy (2006)*, *Global Covenant (2004)* and *Global Transformations: Politics, Economics and Culture (1999)*. Professor Held is also the co-founder, alongside Lord Professor Anthony Giddens, of Polity Press.

Professor Held is widely known for his work concerning cosmopolitan theory, democracy, and social, political and economic global improvement. His *Global Policy Journal* endeavours to marry academic developments with practitioner realities, and contributes to the understanding and improvement of our governing systems.

In this interview we will discuss cosmopolitanism in relation to democracy. We welcome Professor Held and are honoured to have his time.

DR. JEAN-PAUL GAGNON: To start, could you conceptualize democracy for us?

PROF. DAVID HELD, GUEST: Well, I have written about democracy for quite a long period of time now. The simple concept of democracy implies something such as rule of the people, the rulership of the people. The problem with this simple idea, though, is that you have to break down each of these terms: the nature of “rule” and “by” and “people”. So “rule by the people” sounds at first glance obviously simplistic, but these terms are highly complex and democracy has a complex, theoretical discourse – a philosophical discourse that has gone on over time.

I see democracy as, essentially, a family of related concepts that places at its heart the idea that legitimate governance should be accountable governance; that is, accountable to citizens. How we specify this, and how we break down these terms, is where all the philosophical argument lies. In my own work I have tried to set out different models of this simple term; my book, *Models of Democracy (2006)*, sets out at least a dozen different models. I can't possibly set these all out right out now, but *Models of Democracy* traces the idea through antiquity, and then as it is reborn in Republicanism in the early Renaissance period, again as it is reborn through Liberalism and Liberalism's challenge to the state, again as it is reborn through modern social science – particularly political science, competitive elitism, pluralism and so on – and then again as it is reborn more recently, as deliberative democracy and other more recent incarnations. You have a family of quite profoundly variable conceptions of democracy, from antiquity through to the modern state.

I also think there have been three basic revolutions in thinking about democracy: the first links the idea of democracy to the city state; the second, of course, to the nation state; and the third, which is prominent in my own work, thinks about democracy beyond borders. These are the key three shifts. The first is some version of direct democracy. The second, of course, is representative democracy, and the third I call

cosmopolitan democracy.

DR. JEAN-PAUL GAGNON: I think that is a very good segue to the next question. How do you conceptualise “cosmopolitanism”?

PROF. DAVID HELD: For me, cosmopolitanism is really the principles of democracy without the limits of the boundaries of territory. The critical principles of cosmopolitanism, as I understand, are the principles that underpin democratic public life. Its difference from the classical notion of the embedded nature of liberal democracy is that it unlocks and unties citizenship from the boundaries of the state. It releases the rights and the duties of the citizen from the nation state to a potentially diverse realm.

I see democracy as that extraordinary, radical notion of rulership or rule by people in its various complex forms, which can be entrenched at different levels: local city states; local states and in cities; subnational regions; nation states; supernational regions and beyond at the global level. We already see elements of this in play today, for example, in the European Union: where a citizen of Glasgow votes in a city election, the same person can vote in the Scottish elections; the same person can vote in the UK elections; the same person can engage at the European level of the European system; and if that is not enough, in various transnational movements, to push and pursue key public issues which transcend borders. We see in that elementary form, already, a conception of multi-layered, multi-levelled citizenship, which is something that most of the ancients or moderns did not anticipate at all.

However, your question asks me about principles and in my work, particularly in my more philosophical work recently on cosmopolitanism. I think there are actually, and this is too complex again for this interview, there are eight or nine critical principles. The key ones for me are, first of all, the principle of equal worth and dignity, which is the absolute fundamental bedrock of cosmopolitanism: a commitment to the equal moral worth and equal moral dignity of each and every human being. Tied to that is the conception of active agency, not simply as a product of tradition or as the product of some teleological purpose, but rather the conception of human beings as having equal worth and dignity and being endowed with reason, so they have the capacity to shape their lives and make judgments which are essential to themselves. They are essentially reflective agents that constitute reality in a way bounded by two things: unacknowledged conditions of actions on the one side, and unintended consequences on the other. Nonetheless, they are agents with transformative capacities.

That conception of agency links to a third concept: with it comes responsibility and accountability. If agents are to be free and equal, but equally so, then they're bound in collective power relationships. The issue then becomes how to ensure that one person's power, one group's power, one collectivity's power, one agency's power, one network's power, and so on, does not delimit and determine the agenda and life chances of others. That raises the issue of collectivity and collective life. Then you

need to cash in your first three principles through three others; the absolutely critical notion of deliberative consent, the critical notion of voting, and inclusiveness and subsidiarity.

These are the principles through which individual moral empowerment and political engagement is translated into collectively legitimate outcomes through the mediation of consent, decision-making and inclusiveness. Then, I think, cosmopolitanism also, in the modern period, needs to ensure that whatever democratic decision-making is made is guided by at least two critical principles: the principles of social justice, the avoidance of doing harm, and the principle of sustainability – which is to do with limits to damage of future generations. These are complex concepts and principles which need quite a lot of unpacking, but that is how I see cosmopolitanism.

The key thing about these principles, it seems to me, is this: during the era in which the modern nation state was being forged and democracy was being fought out in bloody battles against rulers and governors of states, it made absolute sense to think of democracy as a process of democratizing absolute powers and constitutional monarchies and so on. The struggle was to democratize power which had a centre in territories, and to make that accountable. Today, the relationship between governors and the governed is increasingly asymmetrical and incongruent. That is to say, the assumption of democratic theory was the governors could be accountable to the governed through the ballot box, because the effects of their decisions are bounded by territory.

Today we know this is not true. Decisions about trade rules, decisions about currency levels, decisions about energy systems, decisions about who you go to bed with under what conditions (i.e. global infectious diseases) can all have cross border ramifications. We've seen that in recent examples, everywhere from 9/11 – in some senses the local leads to global ramifications – to the subprime markets, that no one had ever heard of before until it became a global term. This played through into what I call a world of "overlapping communities of fate," where the fate and fortunes of countries are increasingly enmeshed. I try to measure that in some of my books, like *Global Transformations* (1999), which is an attempt to systemically access the nature of that enmeshment of different dimensions. And if it's true that we live in a world not of national communities of fate, but increasingly overlapping communities of fate, then *how* we live together, and on what basis, becomes the most critical pressing issue. And that is the cosmopolitan question.

DR. JEAN-PAUL GAGNON: I do definitely agree with that point, definitely. The next concern of mine would be how these sort of different boundaries and territories reflect the modern notion of a nation. That leads us to our last conceptual question: how does the nation or the transnational entity that we see now; how does that fit against or with cosmopolitanism? How do you view the nation?

PROF. DAVID HELD: Well, there is a very critical paradox of our times; at the level of economic, political, environmental and communicative power, we live in an increasingly global era, but at the same time representation and identity are stubbornly tied to place. In other words, culture takes a much longer time to change. This creates a number of contradictions in the contemporary world and in contemporary politics. On the one hand we're faced with a set of pressing global issues which will probably determine the fate and fortunes not so much of us – more likely of our children and their children – such as trade rules, financial market regulation, nuclear proliferation, climate change and so on. Yet, at the same time, we cannot come to agreements about these issues because representative systems, identity systems, national systems, are based in national traditions and national cultures are slow to change.

However, we have to remember that national cultures are never simply *sui generis*. National cultures are historical constructions, often based (as Gellner, Anthony Smith and others have written), on pre modern ethnic cores. Nonetheless, modern national cultures are also the construction of political elites, of state elitism seeking to mobilise cultural power on behalf of state interest and state power. Throughout the eighteenth and particularly nineteenth century, we see the consolidation of national cultural forms engineered by state elites in order to legitimise state projects of various kinds.

So, there's nothing "natural" about so called nation states and national culture. They are historical products, contested products and often the products of state elites. And just as they are constructed over long periods of time, they can be deconstructed also. Just look at some of the fundamental concepts of political theory. When Hobbes and Locke, for instance, introduced the notion of state sovereignty, it was against the most unpromising conditions: a backdrop of European religious warfare and so on. And yet, the concept of sovereignty over time became the defining concept of the modern state. It took time. Likewise, in thinking about cosmopolitanism, I think, increasingly, that the nation state is the wrong container for managing many global issues. The nation states will survive. There's no doubt that the nation states will continue but nation states alone cannot meet many of the challenges of the global era.

If we're lucky, cultures will adapt and transmute over time, as they have done in Europe, to accommodate a much more complex set of identities: some local, some national, some regional, some superregional and so on. Think of Europe; Europe was the nastiest global region of the world for centuries. In the twentieth century alone, Europe brought the world to the edge of abyss twice. This most warmongering of continents, which also had the most forceful, barbaric forms of colonialism, after 1945 reinvented itself as a Kantian pacific union in the precise sense that war in Europe was dissolved as a fundamental notion through a union of states. Who could have thought this was possible in Europe? And yet it happened.

DR. JEAN-PAUL GAGNON: Yes. With the nation again, we see that Takeshi Nakano in 2006 argued

that you exaggerate these cosmopolitan realities. He reasons that what you have called “transnational civil society” is simply international relations which he claims to be the product of nation states and not a global institution. What is your response to this criticism?

PROF. DAVID HELD: I think that the idea that I have exaggerated cosmopolitan realities is misplaced. I called the cosmopolitan elements of our global order “stepping stones”; whether we cross those stepping stones to create more cosmopolitan politics, or a more cosmopolitan civil society, or a more cosmopolitan political order, is an open question. There is nothing in my work that says that is a closed question or an evolutionary question. It’s a political question, and like all political questions it is contested. I say that cosmopolitanism in the era that we live doesn’t start from nowhere. Think of the human rights issue. The human rights regime is a cosmopolitan regime. Without many of the principles I spoke of earlier, it would not exist. So, right from the moment of the UN charter, through to the development of the human rights regime, through to the development of the ICC, we see two tracks of international law: the law of war on one side and the human rights law on the other, which I call “cosmopolitan stepping stones” to a universal constitutional order. But nothing in history is inevitable. Whether we develop these steps and embed these principles more fundamentally in law, in law that trumps sovereignty, is an open political question.

In Europe, this project has gone reasonably fast but remains contested. At the global level, these cosmopolitan steps exist. Why are they important? Because (in my view) in the twentieth century and the beginning of this century, we have seen that nationalism and *raison d’état* – state realism – and market fundamentalism have injured themselves. These great projects of the Western polity, state-first interests and market-first systems, have failed in fundamental respects. We need new goods “to think with,” as the anthropologist, Levi-Strauss, famously put it. We need to think about a political order that isn’t just state driven, that isn’t just unilateral, that isn’t just the geopolitics of the powerful, that isn’t just markets, because those models have failed in many key respects. My argument is that cosmopolitanism gives us stepping stones to an alternative *Weltanschauung* or worldview, a different moral philosophy, a different political philosophy, and a different set of institutions.

The idea that I simply exaggerate the significance of transnationalism is wrong; I take a much more historical and indeterminate view. Why? First of all, because I am one political thinker in this complex contestation of ideas and issues. Secondly, because I accept that fundamental insight by Hegel in the *Philosophy of Right*: “the owl of Minerva flies at dusk” – wisdom comes when you look back in time. There are cosmopolitan stepping stones, but whether we step across these is a matter of political advocacy, choice, and political battle, like all key questions of politics.

DR. JEAN-PAUL GAGNON: Jeff Noonan criticised the work that you and Mathias Koenig-Archibugi conducted in *Taming Globalization* (2003). He argued that it was too passive, if not

naïve, to leave the resolution of this “passive indifference” that you mentioned in the work to individuals. And Noonan instead proposed the formation of targeted political programmes – which in itself has several limitations, in my opinion – designed to proactively close this moral gap. How do you respond to this criticism? Are there programs of your own design or through collaboration? Do you have desired ends in cosmopolitan social justice?

PROF. DAVID HELD: Well, first of all, I’m not at all certain what Jeff Noonan means. I’m not sure what it means to leave the resolution of what to the passive indifference of whom – this is not the sort of criticism of my work I can easily comprehend. First of all, my work has always taken place at different levels. I think all good political theory – and I’m not saying mine is good, mine is just a shot at it – takes place on at least three levels, the first being the philosophical understanding of concepts and norms such as the cosmopolitanism principle, and I try to analyse those in books, like *Democracy in the Global Order* (1995) or recently, my new book, *Cosmopolitanism: ideals and realities* (2010).

Secondly, you need to understand where you are and the nature of the world that you live in. I try to do that in books like *Global Transformations*.

Thirdly, you need to try and think about how you go from where you are to where you might like to be - how you connect the first two parts. Here I’ve worked as an active citizen, writing books like *Global Covenant* (2004) and *Debating Globalisation* (2005), which are active engagements with contemporary politics. *Global Covenant* was a broadside against the Blair-Bush era and the response to September 11th, and the argument that I make in that book is that every opportunity that September 11th posed for a new kind of resolution in international relations and political issues was blown apart by the Blair-Bush programme of unilateralism, the war in Afghanistan and subsequently in Iraq. In that book I say that alternative resources – legal, political and economic – existed to formulate a different set of principles and responses to 9/11. In my recent book, *Cosmopolitanism: ideals and realities*, I try to specify what this is in some length.

In other words, my work operates at three levels: normative-philosophical, empirical-analytical and as an agitator, as an advocate, of how one goes from one to the other. I’m a citizen, arguing the cosmopolitan principle suggests certain courses of action, certain institutional courses of action and so on, but I’m also just a participant in a dialogue in which we are all potentially actively engaged. So I cannot feel that this is a passive programme that leaves the resolutions to passive, indifferent individuals. It is a passionate, engaged programme that seeks to extend the project of cosmopolitan democracy and justice on cosmopolitan principles to more areas of human activity. And it sets out that project in detail. Why? Because all political theories – say you just champion the idea of more democracy, or you’re in favour of social justice, or you’re in favour of cosmopolitan principles – these

abstract notions, even spelt out in some sophisticated philosophical terms, mean very little unless we also say how we're going to embed these in policies, in institutional structures, in constitutional structures, in public life.

If you're critical of the existing order, whether it is market fundamentalism or unilateralism and so on, you can't just criticise alone. There are thinkers like Adorno – I began my work years ago, thinking about *The Critical Project* of Adorno and Horkheimer – who would think it sufficient to just criticize the existing order and reveal the extent of its limits as judged by norms. In the complex world that we live in today, that is not enough. It is crucial that we show how you can move from principles, to institutions to policies. That is why I have written at these different levels, that is why I pursue this at different levels of research, and that is why I engage politically at different levels. What is passive about this? I think the descriptions just don't apply.

DR. JEAN-PAUL GAGNON: Doucet (2005) argued that cosmopolitan democracy may yet be just another democratic typology, incapable of resolving the self-foundation problem in democratic theory, i.e. for people to found a political order guided by the principles of self-governance, you must already enjoy the conditions these principles should provide.

Is this problem even worth theorising about? It seems that we as a collective of democratic theorists have come to a loose agreement that this problem is an *a priori* concern, and rather removed from current politics. Its only importance is that we do not have, and might not entirely have in several examples, self-government. Does it warrant being focused on and why?

PROF. DAVID HELD: That is not how any democracy ever developed. Think of how democracies were established in the current democratic nation states. Let's take Britain for example. Thinkers propagated the idea of alternative principles of legitimacy. Thinkers, from John Locke to John Stuart Mill, wrote tracts on representative government, and the institutional structures of public life. These connected to social movements seeking an extension of civil and political liberties of various kinds. We see that throughout the 19th century, and it plays through in bloody struggles. There was no *demos* at the beginning of the nineteenth century, or democratic public life. These are formed through processes in and through which certain principles are championed as the principles that ought to guide public life in different ways. And through championing them, a process is created which constitutes a reality. So from the early nineteenth century and into the twentieth century, you get the beginnings of the emergence of a democratic public life, a democratic social movement, a movement for the universal franchise, first wave feminism and the trade-union and labour movements, all of which didn't exist before. These became the ground for highly contested political and bloody struggles to democratise power in different realms.

That is the story of democracy, over and over again: a bloody struggle to democratise power and to hold power to account where before it was the prerogative of the few and the self-selected. And what is the problem of foundation here? What we have is the historical interplay, the hermeneutic interpretive interplay between principles and institutions and that I think is the core of the democratic question, the core of the democratic problem.

This speaks to the very issues behind your question. I take democratic ideas and cosmopolitanism to connote an ethical and political space which sets out the terms of reference for the recognition of people's equal worth, and recognises the centrality of active agency to autonomy and self-determination. In other words, the concepts of democracy and cosmopolitanism build on principles we all could reasonably assent to: defending basic ideas which emphasise equal dignity, equal freedom, equal respect and the prioritisation of vital needs. On the other hand, we always have to recognise that the meaning of these principles cannot be specified once and for all; they cannot be separated from the hermeneutic complexity of traditions with their temporal and historical structures.

The nineteenth century is the beginning of the championing of modern democratic ideas and democratic principles, and how they're fleshed out is what happens in the movement of democratic public life which seeks to restructure the power of the state. The meaning of democratic and regulative cosmopolitan principles cannot be, in my view, elucidated independently of discussion in public life. That is to say, again there can be no adequate specification of our regulative ideas of equal worth, of equal liberty and vital interests, without a corresponding institutionalisation of a public use of these in democratic fora. In other words, the institutionalisation of principles, democratic and cosmopolitan, requires you to eventually entrench them in accessible and open democratic fora. Cosmopolitan democratic principles anticipate the possibility of an alternative public life, and as they shape that alternative public life, they inevitably get reinterpreted in the process. This is what we call the hermeneutic circle, of which we are all a part.

DR. JEAN-PAUL GAGNON: That's very interesting because this institutional focus seems, through certain commentators in the extant literature, that you might be taking more of a top-down approach in your arguments. And several individuals bring up Jürgen Habermas' work, or that of Richard Falk, who focused less, presumably, on higher tier government, and more on civil society, the public sphere and lower tiers of government to engage these concepts of cosmopolitanism, to engage these ends. Do you think that this point in the literature is valid?

PROF. DAVID HELD: Well, it depends on where you start. The fact is that work can start in different places – for some with deliberation, for others with civil societies, for me with reconceptualising the ideas of the modern state – doesn't mean there aren't strong

overlapping points of interests. For example, many civil society movements found my book, *Global Covenant*, very engaging because one of the things civil society movements rarely do is think about their relationship to each other.

The problem with the market is how individual firms interact with each other and on what basis, and the problem with civil society is how civil society movements of various kinds can enmesh and engage with each other. Civil society isn't necessarily noble and wise. Neither is democracy. Consider the issues around reproductive health care. Civil society throws up both the pro-abortion and anti-abortion movements. There's nothing in civil society *per se* that tells us which direction to go in and how to live our lives, or as Max Weber put it, "which of the warring gods should we choose?" There is nothing in civil society *per se* which is just noble, virtuous, wise or even good-neighbourly, but it can be. How do we know that? Only if we already have certain theoretical concepts in play that allow us to identify certain movements and agents that meet the standards of progressivity.

I think Falk's focus on civil society and on social movements is compelling and interesting. I think Habermas' work on the public sphere is illuminating and significant. I think through similar issues in my own conceptions of democracy and cosmopolitanism, except I start at a different point, and I do that because I don't trust power. I don't trust the power of markets and I don't trust the power of civil society or their agents; the fact that someone is an economic agent or civil society agent doesn't necessarily mean they act to democratise public life, to introduce concepts of social justice and so to commit themselves to sustainability. It is only if we have already these concepts, if we already have this world view, and if we already adequately defend it, that can we recognise those movements and institutions that we want to call, in some senses, progressive.

DR. JEAN-PAUL GAGNON: And I'm very glad that you brought up power in your discussion, and this is the last critical question that we have. Patomäki (2006) summarised Connolly and Walker, arguing that the power structure in cosmopolitan democracy could create higher and lower beings with those that are in the "in" and those that are not. Is there a principle of non-exclusion, or if we consider perhaps equality in cosmopolitanism, in your work?

PROF. DAVID HELD: I think anyone who's read my work would be surprised by that assertion. Even in an earlier book, *Democracy in the Global Order*, there is a theory of power. My argument with Marxism and liberalism is that both of them are too narrow in their conception of power; liberalism focuses on the problem of the state and the states' relations to the individual, and Marxism focuses essentially on the economic relations between classes. This excludes vast areas of power, for example, sexual power, patriarchy, and a whole other range of things. That book is about power and how you democratise different dimensions of power, for which you need different sensitivities because they're not all the same. They don't function in the same way.

I think it would be a hard view to sustain if you've read my work, but let's take on the argument that in the theory of cosmopolitan democracy, you create higher and lower beings. Let me start by saying that I haven't got a clue what this means. If it means that society is differentiated, people do different things, some act locally, others act regionally, and others act on other issues – of course that's true. We all live different lives and have different imaginations and different yearnings and different desires. I don't think the theory of democracy is a theory of sameness. It has to accept that, in a society, in a world society of billions of people, where China alone has a population of 1.3 billion, societies of whatever kind will be differentiated in certain ways. The question is: by what principles are they differentiated, and on what basis of power?

My argument is that democracy, stripped of its modern conception based on territory, can be an ordering principle of public life, whether it is local, regional or national or global. Each level of activity can seek to approximate and entrench different forms of what I call "Democratic Public Law." I have no idea whether this is this higher or lower, or inside out! What it *is* is a theory of democratic inclusion that needs now to move beyond the level of the local and the national because so much power has escaped those levels. Also, in order for the principle of subsidiarity to apply, it is not always enough to be local or national. Sometimes to be inclusive, you have to go horizontal and up because power operates in those dimensions.

DR. JEAN-PAUL GAGNON: Richard Shapcott, a theorist currently with the University of Queensland, came out with a book this year (2010) called *International Ethics: A Critical Introduction*. He explained that one end of cosmopolitanism was to have individuals think beyond national identities, as their actions are not strictly confined to borders. And that we are also ethically bound to providing assistance to other individuals, in countries and governments that do not or cannot care for them. Would you agree with Shapcott?

PROF. DAVID HELD: Yes, I would. I think this is a strong statement and one which I fully subscribe to. Kant talked about thinking with and against others in some way, testing one's own reasoning in relationship to whether ideas can be defensible normative ideas, whether precepts can be generalised; thinking from the point of view of others in ethical terms. However, thinking from the point of view of others is extremely difficult. Most of us live out our lives with specific identities, of heterosexuals or gays or blacks or whites or various shades in between, as IT workers or professors, as fathers or mothers, as children or grandparents. We all have a complex ensemble of identities. Where communitarianism fails as an alternative to the moral philosophy of cosmopolitanism is in accepting these identities as the core and given basis of everyday life, from which one can derive adequate conceptions of the good.

I see contested ethical principles in every community, and we struggle to reconcile these. And the difference, as it were, between dogmatism and an ethical point of view which successfully reasons from the point of view of others is that the former affirms identity: "I think I'm right because I'm heterosexual. I think I'm right because I'm gay. I think I'm right because I'm white. I think I'm right because it's British; it's the right thing to do." The issue is this versus an ethical stand point which seeks to test the arguments about rightness in some philosophical discourse of impartial reasoning. In some of my work, I've strongly agreed with the kind of methodological techniques introduced by Rawls' conceptions of the original position, Habermas' conception of deliberative discourses and Brian Barry's conception of impartial reasoning. That is to say, reasoning which seeks to test the point of view of each and every participant through the wider test of the possibility of intersubjectivity and intersubjective agreement.

This idea of the public use of reason, the test of subjectivity and generalizability, is about meeting the standard of reasoning from the point of view of others. It's a tough, tough test. Many of our cultures seek to put up barriers to combat certain forms of cultural identity and argue that because we're British, or French or Chinese or Australian, or whatever, we are right. Think how much time is spent reminding us that we're citizens of individual states. Ask yourself hypothetically, what are states afraid of that they constantly remind us of this? Are they afraid that we might not remember? That we might begin to reason from the point of view of others, not just ourselves?

The ethical standard raised by books like Richard Shapcott's, Ulrich Ecker's, and in my own work are ethical standards that I would fully subscribe to.

DR. JEAN-PAUL GAGNON: In your opinion, what are the main goals of cosmopolitanism? And how would these effect theories of the nation?

PROF. DAVID HELD: I think it would follow from what I have said, that cosmopolitanism as a theory is both an ethical theory and a political theory. Insofar as it succeeds in working in these two dimensions, the broad objectives of cosmopolitanism are to provide a set of moral constraints on the theories of the nation and the actions of the nation state, and also to provide a sense of legal and political constraints on the nature and form of sovereignty.

In terms of providing moral constraints, the theory of cosmopolitanism, by endorsing and elaborating the notions of the equal moral worth of every human being, the primacy of self-determination, etc., seeks to sustain universal claims about the nature of human beings and their capacities for action and responsibility. This leads to a conception of the person which is a similar and parallel to the one that is embedded in the human rights regime, the ICC and similar developments. In other words, it sets out a series of conceptions of the moral worth of individuals linked to a

set of rights and duties – human rights and human duties – which for them become a constraint on the form of the actions of states and peoples.

More importantly, insofar as these principles are embedded in what I call democratic law, or in the international legal system, they operate as constraints on sovereignty. We see this in what I have already called the “cosmopolitan stepping stones of the twentieth century,” whereby the laws of war and human rights law lay down certain constraints on the nature and form of sovereignty. They shifted sovereignty from a conception of “might is right” in the eighteenth and early nineteenth century to a conception of sovereignty as rightful authority (rightful authority being a political authority that upholds the principles of human rights and democratic values and standards).

Looking at the shift from the classical conception of sovereignty – that is might is right – to a cosmopolitan conception of sovereignty as sovereignty which is the rightful authority, we can understand sovereignty as something which is not linked necessarily to territory but can be embedded in authority relations wherever they are. Here is generated the notion of cosmopolitan authority as that form of rightful authority which can be embedded in diverse levels, from the local to the global. This authority is legitimate to the extent that the principles that I set out, and their legal parallels, are enshrined in the nature and form of authority relations themselves.

DR. JEAN-PAUL GAGNON: In your opinion once more, is there a transnational civil society that can even make Habermas proud?

PROF. DAVID HELD: This comes back to something I spoke about earlier, the formation of democracy. No national democracy was simply created by a democratic *demos*. Democratic *demoses* were shaped by the process of institution building. The democratic subject was born in the struggle for democracy itself; it was a process. Can we say there is a transnational civil society? I think so; there’s plenty of evidence that there are transnational actors, diverse non-governmental organisations, and that these are active in many different sectors from environmental campaigns through to peace and security issues to human rights issues. These are often agencies and organisations which have transnational reach and transnational influence. There’s a lot to be said about transnational civil society.

First of all, many of the most active NGOs are western NGOs, but not all of them are. So whilst transnational society still has a geographic bias, it is nonetheless the beginnings of the creation of active forms of challenge to power and power relations, mechanisms of accountability as it were, that hold power to account whether it’s in the borders of the nation-state, in the borders of supernational regions like the EU or beyond at the level of the IMF, World Bank, or the WTO. Around all of these organisations, from the local right to the international, we see active civil society developing.

If you were a witness to the initial start of the Doha trade round, you would have seen how active organisations like Oxfam and others are seeking to shape the agenda. This is true in every sector. If you look at Copenhagen in some detail, the voices of elements of transnational society were loud and clear (sometimes problematically so). They are not always guarantors of progressive voices as it were, but nonetheless, highly active. As to whether this means that there is a robust civil society that can hold a sort of more global politics to account, I would say this is in the making. As Hegel says, I mentioned him before, “the owl of Minerva flies at dusk.” There is no teleology here, no guarantees, and the development and further expansion of transnational civil society is a question for activists, for leaders, for NGOs, for a movement to further shape developments.

DR. JEAN-PAUL GAGNON: Do you think that John Keane’s theorisation of monitory democracy might have something to do with this transnational growth in the public sphere?

PROF. DAVID HELD: I think that John’s work in this area is very interesting: the idea that you have an intermediate set of organisations which have a critical role in holding the state and political powers to account. Finding where it is located is a very worthwhile idea and he sets this out in a very impressive and detailed way. So I’m full of admiration for his most recent book. But, of course, there are some themes in democratic theory that are precursors to this notion, that essentially that power is there to be monitored, to be held to account; it’s held to account not just in the ballot box but by a variety of civil societies and organisations. And that civil society organisations are there to help to constrain and shape the agenda of public life, the agenda of political power as it were, and to render it more accountable. Thus, I think the idea of monitory democracy is one version of a set of ideas that we have known before, albeit a very sophisticated version of it. And certainly, agencies like Amnesty International, Human Rights Watch, and hundreds of others like them, are attempts to monitor the power in the way that he describes.

DR. JEAN-PAUL GAGNON: If we were to assume that transnationalism resulted in a state or country necessarily becoming less autonomous in power, and more legitimate, that is accountable, transparent and representative to its citizens, could governments gradually become less concerned about military defence and weapons stock-piling? In other words, is or can transnationalism based on the ethics of cosmopolitanism or perhaps informed by monitory democracy, alter what some still call the state of nature in international relations and the defence-based mentalities associated with it?

PROF. DAVID HELD: I remember the former head of the World Bank saying, that if you look at the total spent on military power across the world, and the total spent on development, and if we were to slightly reverse the order of priority, and spend more on

development and less on the military, then one might not need the huge military budgets in the first place. I think the figures are something like this; the annual military spend is about 1.5 trillion dollars of which half or more is from the US. The amount spent on direct development assistance is about 75 billion. So there is an overwhelming spend on global military relations in the way that you describe; a huge defence industrial complex that criss-crosses the world in a most problematic way. Think of secrecy, weapons manufacture, weapons development, weapons systems, all of these are linked to the states at the highest level and at the most secret level which are the hardest to see and hold to account.

To the extent that societies are rule bound and to the extent those rules are upheld, then we see less and less need for violence and civil conflict. And direct violence in society. The pacification of countries, and the pacification of societies, was an important part of the process of modernisation, or civilisation, one might even say; where the rule of law is displaced to a central location which is predictable in principle. And where outlaw politics and gun battles and so on, the politics of the Wild West, become increasingly confined to the margins of history. So in principle at least, the liberal democratic states claim they were part of the legitimate process of pacification in which violence was drained from society and it became possible to coexist and go about one's everyday life without fear of pirates, bandits, violent sections of society, brutal laws and so on. But, of course, as liberal democracy developed, it developed into a sort of paradoxical way, because on the one hand, liberal democracy was championed for those who were inside borders, and on the other hand, power relations and *raison d'état* were the order of the day outside borders. On the one hand, it championed rights for democratic citizens, for those that were included. On the other hand, through empire and colonisation, it negated those rights elsewhere. On the one hand, it argued for the pacification of populations, the rule of law, accountability and so on. On the other hand, it triggered violence in territories beyond its borders. So the democratic, liberal democratic nation state, paradoxically, guaranteed elements of security to its citizens, whilst making the rest of the world less secure.

Cosmopolitanism is precisely an attempt to speak to that lacuna, to that set of contradictions, and to shift the idea of legitimate power from the territorially bounded state to a multi-level theory of power and authority and citizenship, in which all levels of power, wherever they are located, are bound by rightful authority - an authority that upholds cosmopolitan principles, a cosmopolitan rule of law, democratic accountability and so on. That is why I have recommended in my books to think of cosmopolitan sovereignty as occupying many levels: from the local to the regional to the national to the global, bound by common principles and rules. In short, to the extent that the rule of law applies outside the borders of states as well as inside the borders of states - Kant anticipates this in his writings - then the idea of cosmopolitan right and ultimately cosmopolitan law can become a condition not just within but between states as well.

We see a precursor of this in Europe today. Europe was once a most blood thirsty, if not *the* most bloodthirsty, continent in the world. European countries, peoples and their states were constantly at each other's throats. When there were not orgies of warfare between them during the nineteenth and twentieth centuries, they were projecting that power overseas, in a struggle to carve up Africa and elsewhere. And yet after the Second World War - when Europe had brought the world to the edge of the abyss, and showed what European civilisation was capable of perpetrating against many of its citizens - it did an extraordinary thing: it moved from this warlike, competitive state structure to this union of states, where sovereignty was pooled, where certain elements of the human rights convention were embedded in European law. It has European courts, European rights court and so forth, and the creation of a common market that might ultimately lead to common institutions. This was a truly remarkable historical development and experiment.

Of course, now there are many strains in the institutional design. To begin with, European institutions are very top-heavy, they are insufficiently accountable and they are insufficiently monitored, as John Keane would say. At the same time, like many of the institutions at the global level, the strongest institutions tend to be market driving and market complementing institutions. The World Bank and the IMF were the dominant institutions, in some sense, of the post-war settlement: the most influential and the most active in some ways, and they were not complemented by powerful alternative institutions guaranteeing environmental sustainability, poverty reduction and all of these other priorities. So at the European level, we've developed the European Central Bank, the European currency and so on but these do not have complementary institutions to handle things when they go wrong. We see that in Greece and Ireland, who have brought the Euro zone into a considerable level of crisis.

DR. JEAN-PAUL GAGNON: Very convincing. We've come to the final question of the interview. Unfortunately it takes a little bit of explaining. "Basic democracy" is a term used to identify the concept of democracy from which all typologies or styles of democracy *may* be derived. That is the key word: *may*. The analysis which informed this theory investigated forty distinct types of democracies and the literature associated with them. The research sought to answer one question: What are the fundamental commonalities between each type of democracy? It is argued that the result of this analysis using various empirical and heuristic devices has resulted in a robust theory of democracy which may underpin and explain all current styles or typologies of democracy.

Basic democracy¹ is thought to be none other than a citizenry, with its own concepts of sovereignty which it uses to express the various conceptual understandings of equality, communication, law and selection of officials in a pluralist society. It is

¹ For further information, see Gagnon (2010), "Democratic Theory and Theoretical Physics," *Taiwan Journal of Democracy*, 6(2): 1-22.

thought that using this theory can explain any style of democracy and because of this it may be the candidate we have been looking for to explain what democracy actually is, or might be. Other arguments within the theory of basic democracy are as follows: that democracy may be over forty-six thousand years old and be endemic to human nature; that because it may be endemic, it is probably universal, despite ethnicity, history or religion; that it is something to be observed in a particular population rather than applied over one; and that it takes the ownership of democracy away from current claimants, such as the USA, UK, or France, or Greece, for example. The desire in this question is to understand if basic democracy fits with cosmopolitan democracy. In other words, does or can “basic democracy” explain the foundation which cosmopolitan democracy uses?

PROF. DAVID HELD: I think ‘basic democracy’ certainly has something to say about the concept of democracy, and the roots of cosmopolitan democracy certainly have something to say about basic democracy.

The first thing to note is that most conventional forms of democracy have assumed rather than explained why it is that a citizenry, a level of political equality amongst that citizenry, a level of sovereignty, and law, exist within bounded communities. There is very little in the classical and representative tradition that really explains the link between citizenship, equality, law, selection of officials, sovereignty and territory. What the theory of cosmopolitan democracy tries to do is to show that, while each and every one of these principles is sound, their application to a bounded territory is historically contingent rather than necessary. In other words, the link between these basic ideas and the nation state was a fact of historical contingency rather than logical necessity. After all, the great early democratic revolutions championed the rights of human beings, but then cashed them in to reforming and consolidating nation states, and this for obvious reasons. It took the twentieth century to really reflect on the coincidence of basic ideas of democracy and nation-states, and the problems that can arise when states turn against their citizens in the name of sovereignty, perpetrating the most hideous crimes against them and against others, which we call crimes against humanity, and so on.

Essentially, my argument is that cosmopolitan democracy has its roots in the fundamental principles of democratic life, which are partly elucidated by this parallel notion of basic democratic ideas. Cosmopolitan democracy is democratic principles stripped of one critical assumption – never justified fully in democratic theory anyway – that it is necessary to embed active citizens, rights and responsibilities and so on in a delineated, geographical, bounded nation-state. This was never fully explained and justified in the history of democratic ideas. It was just linked to the contingency of power.

Cosmopolitanism is in some sense a true extension of these ideas to a multi-level, multi-layered world order, where power is differentiated in many ways and needs to

be held to account at many different levels. The problematic notion of national democracy and national democratic systems and accountability is this: that in the classical theory, there was an assumption that there was congruence and symmetry between decision-makers and decision-takers, between those who governed and those who were governed. But today the most powerful states take decisions not just for themselves but for others. And I think, not just of war and peace issues but issues of energy choice, energy security, types of energy, and a multiplicity of other issues. We see that the most powerful states cause havoc with the idea of symmetry and congruence, because they make decisions not only for their citizens but for other citizens as well.

We also see that transnational processes cut across states via, for example, financial markets, which make a mockery of the simple-minded distinction between one jurisdiction and another. Here, and in other examples one could offer, you see the problematic nature of the classical resolution of democracy and the basic ideas of democracy to the bounded territory.

I can offer three or four topical examples: climate change, for one, drives a horse and cart through these narrow assumptions. Cotton farming: the huge subsidies given to cotton farmers in the United States directly leads to serious negative consequences for Western African cotton farmers who cannot enjoy such subsidies, causing havoc with their life expectancy, their quality of life and their life chances. The European Union as well: from a national democratic point of view, or the point of view of the EU, we can say that it is right to take the kind of decisions which subsidise European agriculture. The average European cow is subsidised to the value of two dollars a day – that is a higher standard of living than a large bulk of humanity. The point is not to make a moral statement, but that subsidisation of agriculture in the European Union has direct consequences for the price of food stuffs and the incentive structure and the capacities of people outside that structure to make ends meet for themselves and to farm and to thrive.

Here, and in many other examples, we see increasingly that we live not in a world of national communities of fate, or even democratic national communities of fate, but in a world of increasingly overlapping communities of fate where the fate and fortunes of countries are increasingly enmeshed. We can measure this, we can understand it, and we need to rethink our political theories in relationship to it. Cosmopolitanism and the theory of cosmopolitan governance, and cosmopolitan democracy is just one response to living in this more complex world of overlapping communities of fate. It took two or three hundred years for the idea of the modern state to become embedded in human communities, to reshape the nature of sovereignty and legal traditions. From the early periods in which these ideas were formed to today, we can see that it has taken some centuries to embed the notion of the modern state.

No one who champions the idea of cosmopolitanism or shifts to a modern

cosmopolitan order can assume it will take less time. The problem is that we're running out of time in certain ways, and we face critical tests: the issue of climate change, nuclear proliferation, the problem of trade rules, financial market regulations and more. These are the big collective action problems of our time. Our institutions are not fit for purpose: can we reforge them in time? That is the question neither you nor I know the answer to.

DR. JEAN-PAUL GAGNON: This concludes the interview with Professor David Held. We, at the *Journal of Democratic Theory*, thank you for reading and hope that this piece was enjoyable and informative.