

## 0 Chapter 14 – Inequality as a Challenge to Democracy

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4 **Abstract:** [Abstract 200 words]

5 **Summary:**

6 Democracy, as we understand it, is a process of collective decision making among persons, which issues in collectively binding norms for the society of those persons. It is a process of decision making in which persons participate as equals in determining the legal and conventional norms that bind them and in which the group of persons, taken collectively, are sovereign. Democracy can be understood as a descriptive term, referring to political societies that actually exist, or as a normative ideal for the evaluation of political societies. This chapter is primarily about the basic moral principles that can justify this egalitarian process of collective decision making and on the challenges to understanding and realizing this ideal in the modern world.

7 Challenges to articulating and implementing the democratic principle arise due to the reality of economic inequality, to the religious, ethnic, gender and racial pluralism of modern societies, and to the fact that these societies are part of a larger global society. We discuss and evaluate the appropriateness of democratic institutions, procedures, and organizations to translate the moral principles into the structural grammar of present day democracies and to what extent they can guarantee the fundamental principles and normative promises of democracy. The ideas of equality and sovereignty at the base of democracy cannot be fully appreciated without a grasp of the pluralism and complexity of modern societies.

8 We take public equality as the basic normative principle underwriting democracy and guiding our efforts to understand the challenges that democracy faces. The principle helps us think about democracy along two distinct dimensions: procedural and substantive. Democracy is grounded in the principle of equality in the sense that because persons have equal status and worth, the collective decision making process is meant to realize the equal advancement of the interests of the members of the society. The ideal of democracy is a uniquely public realization of the equal status and worth of each citizen in the sense that all can see that they are treated as equals despite all the disagreements and conflicts of interest that arise in modern societies. Democracy achieves this by giving people an equal say in the making of collectively binding decisions and by protecting basic civil rights. This equal say involves equality in capacities to deliberate with fellow citizens and equal voting power and capacities to negotiate when disagreements persist. The challenge is to extend and deepen this idea in the context of highly pluralistic societies and beyond the state.

9 The principle of public equality also grounds the fundamental civil rights of persons as well. There are certain basic civil and liberal rights whose respect and protection are as important to the public realization of the equal status and worth of persons as democracy itself is. And these rights must be respected and protected by democratic decision making just as much as democracy itself if persons are to be treated publicly as equals. This substantive dimension of public equality is also a source of debate and contention.

10 At the same time, the idea of equality at the heart of democracy is itself a contested notion. And the challenges we address in the subsequent parts of this chapter bring out some of the main sources of contestation. And so the ideal of public equality itself must be subject to continual discussion and revision. In this sense, democracy is an ideal that is never fully realized among persons.

- 11 We have structured the chapter along fundamental challenges democracy is facing in the 21st century. These challenges are: socioeconomic inequality, gender inequality, religious inequality, racial inequality, generational inequality, racial inequality, globalization as an external threat to public equality, populism as an increasingly powerful challenge within the OECD world, and the risk that the principal of democracy, the demos is withering away. These single subchapters focus particularly on the challenges to democracy, but they also provide some responses to them. The second part of the chapter changes the focus insofar as it deals mainly with responses such as democratic innovations in Europe and Latin America as specific answers to the shortcomings of representative democracy. We also address the question of which democratic norms should guide the procedures of supranational governance and what science can contribute to solving some of the challenges science itself and democracy are facing.
- 12 In order to allow a democratic space with the vision of an ever expanding project, both the demos and equality need to be at the core of democracy. In our world, the state is still the more likely arena for materializing political rights. In a post-national constellation, constitutional-patriotism is too thin and populism-as-fundamentalism is all too dangerous. To go beyond the nation should not mean to abandon the demos; multi-ethnic in its nature hence remote from organic nationalism, and moving towards greater human rights on international scale as a regulative norm, the evolving, equality-striving demos as a creation of democratic states is a guiding principle of humanism. It is therefore still a viable route to claim a civic demos at the heart of democratic polity as the main institutional design to embed political equality.
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## 13 Introduction

- 14 Democracy, as we understand it, is a process of collective decision making among persons, which issues in collectively binding norms for the society of those persons. It is a process of decision making in which persons participate as equals in determining the legal and conventional norms that bind them and in which the group of persons, taken collectively, are sovereign. Democracy can be understood as a descriptive term, referring to political societies that actually exist, or as a normative ideal for the evaluation of political societies. Our focus in this chapter is primarily on the basic moral principles that can justify this egalitarian process of collective

decision making and on the challenges to understanding and realizing this ideal in the modern world. After an initial account of the basic principle we will address the challenges to articulating and implementing this principle that arise due to the reality of economic inequality in these societies, to the religious, ethnic, gender and racial pluralism of modern societies, and to the fact that these societies are part of a larger global society. At this point we discuss and evaluate the appropriateness of democratic institutions, procedures, and organizations to translate the moral principles into the structural grammar of present day democracies and to what extent they can guarantee the fundamental principles and normative promises of democracy. As we will see, the ideas of equality and sovereignty at the base of democracy cannot be fully appreciated without a grasp of the pluralism and complexity of modern societies. The work of this chapter is a collaborative project.

15 We take public equality as the basic normative principle underwriting democracy and guiding our efforts to understand the challenges that democracy faces. The principle helps us think about democracy along two distinct dimensions: procedural and substantive. Democracy is grounded in the principle of equality in the sense that because persons have equal status and worth, the collective decision making process is meant to realize the equal advancement of the interests of the members of the society. The ideal of democracy is a uniquely public realization of the equal status and worth of each citizen in the sense that all can see that they are treated as equals despite all the disagreements and conflicts of interest that arise in modern societies. Democracy achieves this by giving people an equal say in the making of collectively binding decisions and by protecting basic civil rights. This equal say involves equality in capacities to deliberate with fellow citizens and equal voting power and capacities to negotiate when disagreements persist. The challenge is to extend and deepen this idea in the context of highly pluralistic societies and beyond the state.

16 The struggle of all groups and persons in society to be recognized as equal and valued members of society is the defining feature of democracy. The reason why democracy has this special status is because it is a way of treating persons as equals in the context of a highly pluralistic society. It does this in the context of a lot of disagreement about how society should be organized and very strong conflicts of interests in how it should be organized. In these circumstances, the question arises as to who gets to decide on the collectively binding norms. Under the assumption that persons and groups have only limited understandings of the interests and perspectives of other persons and groups, and persons and groups are generally biased in favor of their own interests and perspectives, it is important for all persons and groups to have a say in the

collectively binding decisions that constitute the social and political order of a society. Each person and group brings their limited and partial perspectives on how society ought to be organized and attempts by means of argument and negotiation to reconcile their limited points of view with those of others. Each thereby is able to stand up for his or her own interests and perspectives and is able to learn about the perspectives and interests of others. In this way the biases of each person are partly mitigated by a process of discussion and negotiation. They are unlikely to reach full agreement on how to live together. And thus each is unlikely to be fully satisfied that the society is organized as it ought to be organized since the points of view and interests of many others will have to be accommodated. It is not just important that all have a say but that each has an equal say. Only in this way can the issue of who decides be settled in a way that recognizes and affirms the equal status and value of all persons.

- 17 The principle of public equality also grounds the fundamental civil rights of persons as well. There are certain basic civil and liberal rights whose respect and protection are as important to the public realization of the equal status and worth of persons as democracy itself is. And these rights must be respected and protected by democratic decision making just as much as democracy itself if persons are to be treated publicly as equals. This substantive dimension of public equality is also a source of debate and contention.
- 18 At the same time, the idea of equality at the heart of democracy is itself a contested notion. And the challenges we address in the subsequent parts of this chapter bring out some of the main sources of contestation. And so the ideal of public equality itself must be subject to continual discussion and revision. In this sense, democracy is an ideal that is never fully realized among persons. So the ideal of public equality serves both as a standard for the evaluation of the procedural aspects of the democratic process as well as a principle for the assessment of the substantive outcomes of democracy. The most obvious way in which it does this is that democratic societies must decide how to reproduce democracy themselves in their constitutional forms as well as in the social bases of democratic participation. In this respect the discussions of this chapter are designed to inform this continual process of reflection and reproduction of democracy.
- 19 We have structured the chapter along fundamental challenges democracy is facing in the 21st century. These challenges are: socioeconomic inequality, gender inequality, religious inequality, racial inequality, generational inequality, racial inequality, globalization as an external threat to public equality, populism as an increasingly powerful challenge within the OECD world, and the risk

that the principal of democracy, the demos is withering away. These single subchapters focus particularly on the challenges to democracy, but they also provide some responses to them. The second part of the chapter changes the focus insofar as it deals mainly with responses such as democratic innovations in Europe and Latin America as specific answers to the shortcomings of representative democracy. We also address the question which democratic norms should guide the procedures of supranational governance and what can science contribute to solve some of the challenges science itself and democracy is facing. A concluding paragraph will summarize the chance for re-democratizing democracy.

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## 1. Inequality as a challenge to “embedded democracy”

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### 1.1. Introduction

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After three decades of neoliberal policies and increasing socio-economic inequality the well-established democracies of the OECD world, Latin America and Asia are under stress. The stress is not primarily caused by external factors such as the digital revolution and the endogenous evolution of capitalism but by democracies own choices. New problems of legitimation are emerging and prompting some theorists and scholars of democracy to speak of a “defective” (Merkel 2004) “post-representative” (Tormey 2015), façade democracy (Streeck 2013), or simply post-democracy (Crouch 2004). However, it is not entirely clear which root concepts of democracy these authors are using as normative standards for their fundamental critiques of real existing democracy. We will propose a concept of democracy that goes beyond a minimalist Schumpeterian understanding of democracy while also avoiding maximalist overstretching of the concept by incorporating output and outcomes into the proper definition of democracy. However, in order to understand the malaises of many contemporary advanced democracies one has to understand the increasing socioeconomic inequality and the triumph of capitalism as “independent variables” which challenge the democratic core principle “political equality” of democracy as “dependent variable”. In the following we will present:

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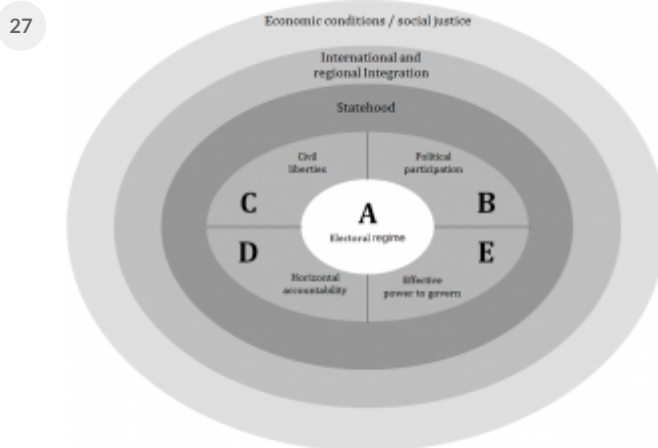
- a normative and analytical model of democracy for the 21st century
- socio-inequality as a particular challenge to political equality

- the shifting axes of legitimacy in contemporary democracies

## 24 1.2. “Embedded democracy” as a model for the 21st century?

25 The concept of “embedded democracy” posits that stable rule-of-law democracies are doubly embedded: *internally*, in that the five partial regimes of democracy mutually secure their existence through functional interlocking; *externally*, in that each partial regime is embedded in broader preconditions for democracy that protect it from the destabilizing effects of both external and internal shocks. If the external embedding is damaged or underdeveloped, this, too, can pose challenges for democracy. The notion of embedding is grounded in the system-theoretical logic of the interdependence of component parts. Critical changes in one partial regime can thus infect other partial regimes. To what extent this occurs depends above all on the intensity of the partial crisis, the resilience of each partial regime, and the functional proximity of one partial regime to another. The major argument of this chapter is: the social and political *disembedding* of the external embeddedness driven not only but increasingly by socio-economic inequality tends to break up the internal embeddedness of contemporary democracy. Socio-economic, ethnic, religious or gender inequalities challenge political equality as a core principle of democracy and thereby the proper working of democracy.

26 Figure 1: The concept of “embedded democracy” and its challenges



30 Source: Merkel (2004, modified).

31 Five regimes constitute embedded (rule-of-law) democracy: a democratic electoral regime (A); the regime of political participation rights (B); the partial regime of civil liberties (C); the institutional safeguarding of mutual constraints and horizontal accountability (D); and the de jure and de facto guarantees of democratically elected representatives' effective power to govern (E). The chapter and all

the single contributions to it will show that most of these partial regimes are challenged by different sorts of inequality, however to a different degree.

#### 32 *A. Electoral regime*

33 A democratic electoral regime requires universal voting rights, active and passive, as well as free and fair elections. These are necessary but far from sufficient conditions for a democratic system. In representative democracy, the electoral regime occupies a key position because elections are the most visible expression of popular sovereignty. Those represented elect their representatives for a fixed period. Through this representative nexus, the addressees of norms are able to see themselves as the authors of norms (Kelsen 1925). This regime, therefore, is concerned above all with participation and representation. What is at issue is the interaction between voters, parties, political elites, and parliaments. Differing than formalist constitutionalist reasoning we consider not only the *de jure* equality of voting as essential for a working democracy, but also the societal and political conditions which provide the individual citizen with the cognitive and material resources of equal opportunity to make use of the constitutional right for voting.

#### 34 *B. Political participation*

35 The political rights of participation establish the unrestricted validity of the right to freedom of opinion and expression, as well as the rights to association, assembly, and petition. Political rights of participation constitute the public arena as an autonomous sphere for political action in which organizational and communicative power unfolds. In this sphere, collective processes of organization, opinion, and will-formation determine and underpin the competition for positions of political authority. Here, too, it is about participation and representation, as well as about the vertical control of the representatives by the represented. The most important organized actors are political parties, but the domain also encompasses social (protest) movements, non-governmental organizations (NGOs), interest groups, direct-democratic forms of participation such as referendums, (deliberative) civic forums, institutional access to the planning of major infrastructure projects, and participatory budgeting. As it is the case for equal voting good societies have to provide the citizens with sufficient resources to participate in politics equally.

#### 36 *C. Civil liberties*



37 Democratic elections and political participation need to be complemented by civil liberties. As negative rights against the state, civil liberties limit the state's claim to exercise power over individuals, thus safeguarding the sphere for their free self-determination. Civil rights and political rights are normatively "co-original" and mutually strengthening (Habermas 1992). If one of them is weakened, this reduces the efficient functioning of the other; if one of them is strengthened, it reinforces the effectiveness of the other. Cultural (ethnicity, religion, gender, sexuality) and economic inequality challenge the *de jure* and even more the actual equality of civil rights. This is true not only for young and instable democracies but reaches deeply into the reality of OECD-democracies.

38 *D. Horizontal accountability*

39 The fourth partial regime consists in the constitutional provisions for horizontal checks and balances between institutions. These are concerned not only with governmental structures, but also regulate and monitor the legality of government actions. Especially in times of crisis when the executive often claims special decision-making powers, a working horizontal accountability of powers is of elementary importance for the survival of democracy. In many young democracies the inequality of power between the executive on the one side and the legislative and the judiciary on the other side challenge the restrict the control of those who govern.

40 *E. Effective power to govern*

41 The effective power to govern means that the only persons, organizations, and institutions entitled to make decisions binding on society are those directly legitimated in free elections or indirectly through delegation under constitutional law by constitutional bodies. Governments and parliaments must have the resources and decision-making autonomy to prevent extra-constitutional actors from encroaching on their ability to govern. With economic globalization and the deregulation of financial markets in particular, actors with little or no democratic legitimation such as the International Monetary Fund (IMF), the European Central Bank (ECB), big banks, and hedge funds have been gaining worryingly high levels of influence over democratic processes.

42 *Internal and external embedding*

43 The partial regimes described can fully realize their collectively democracy-reinforcing effect only if they are mutually embedded. Democracy is thus understood as an ensemble of partial regimes that both normatively and functionally interdependent complement and limit one another. Each democracy is also embedded in an external

environment that encircles it on the outside, either enabling and stabilizing or hampering and destabilizing it. The most important external embedding consists in the socioeconomic context, statehood, and the international or regional integration of a country in organizations, alliances, and policy regimes.

- 44 The internal and external embedding has been eroded during the last decades. Particularly the socioeconomic environment and the progressing denationalization of economic policy making have put democracy under particular stress. However, we should not simply speak of a crisis of democracy since we can observe positive and negative developments. Therefore we do not simply buy Colin Crouch's description of post-democracy. However, a closer look at the single partial regimes of democracy will show that the negative developments prevail.

45 **1.3. Socioeconomic inequality as challenge**

- 46 The transformation of exogenous challenges into internal structural changes within democracies can take place in two different ways. First, these challenges can be conducive to democracy by enabling it to handle challenges productively, adapt institutions to changing environments, and adopt appropriate policies that transform external challenges into innovative reforms with a renewing effect on democracy. A second possible scenario is that challenges are not handled appropriately and lead to a persistent crisis of legitimacy. The following empirical overview of the effects of rising socioeconomic inequality on the partial regimes of democracy seeks to shed light on some of the unresolved problems facing established democracies today.

47 *Electoral regime*

- 48 Voter turnout has declined moderately in Western Europe and drastically in Eastern Europe, while remaining at a problematically low level in the US. Declining electoral participation is due particularly to the political apathy of the lower social classes and not by their permissive abstention as some conservative observers argue. While the gender gap has nearly closed, selectivity in terms of social class has significantly increased. The increasing socioeconomic inequality of the last three decades has translated into heightened inequalities in cognitive resources and political knowledge across social classes. The lower their political knowledge, the less the voters are able to translate their interests into corresponding voting preferences. The more unequal a society, the greater is the number of voters who are unwilling or unable to participate meaningfully in

elections. The more unequal the electoral participation, in turn, the likelier it is that substantial representation on the parliamentary level becomes similarly distorted.

49 *Political rights and opportunities*

50 For almost three decades European party systems have been changing: The traditional “catch-all parties” are in decline, while more specialized or populist parties have emerged—from ecological parties and left-socialist parties to right-wing populist parties. While catch-all parties traditionally mobilized lower-class voters better than most other parties, the “new” parties rarely represent the interests of the lower classes. Less conventional forms of participation such as referenda, deliberative assemblies, participatory budgeting or citizen councils are unable to stop the trend toward political exclusion: since they are cognitively and politically more demanding than voting in general elections, they are socially even more exclusive. In short, these instruments do not seem to be a cure for the disease of social exclusion, but rather an accelerator of it. It is not clear whether this applies above all to advanced (post)industrial societies and established democracies. Studies of Latin America indeed show that in certain contexts, these new forms of political participation may intensify the involvement of citizens in political processes in their municipalities or even on the national level (Pogrebinschi 2013).

51 *Civil rights*

52 Compared to the early 1960s when women (Switzerland) or African Americans (six US states) were not allowed to vote, when women did not enjoy the full range of economic and civil rights in many democracies, when homosexuals were criminalized and discrimination against ethnic minorities was ubiquitous, the civil rights situation today has improved considerably. Today’s governments, parliaments, parties, and the political elites are under greater pressure to be more transparent. Contemporary civic associations are more numerous and more political, monitoring politics much more closely than some decades ago. John Keane (2011) has even spoken of an emerging “monitory democracy”. Yet we are not living in a world where civil rights and the rule of law are unchallenged, as recent revelations of the surveillance practices of the American National Security Agency (NSA), the British Government Communications Headquarters (GCHQ), and secret services elsewhere in the world have shown. In the age of the Internet, private monopolies such as Google also pose a challenge to individual privacy rights. It is also true that democratic states must come up with more inclusive and lasting forms of selecting, accepting, and integrating immigrants into their societies and

political systems. Indeed, hard-fought advances in equal rights for ethnic minorities have been recently challenged in Europe, the US, Australia, and Asia. On the whole, however, there can be no doubt that the overall civil rights situation has improved within the OECD world in the past half-century.

53 *Horizontal accountability*

54 The last decades have seen a weakening of national parliaments. Globalization and transnationalization have strengthened executives at the cost of parliaments. Governments, from Argentina to Greece to Germany, are blackmailing their legislatures in the name of executive emergency rights and policymaking imperatives under the real or pretended pressures of crisis. The German chancellor Angela Merkel notoriously admonished the public and the parliament of the need for “market-conforming democracy”, elevating the markets to the status of sovereign. Moreover, only governments are represented in supra- and international governance regimes such as the IMF, World Bank, WTO, and EU. Parliaments, the core bodies of representative democracies, have lost key legislative and monitoring powers vis-à-vis executives. Transparency and accountability have been among the first victims as a result.

55 *Effective power to govern*

56 What governments have gained in power vis-à-vis parliaments on the one side, they have lost to the markets on the other. Deregulation and globalization have empowered financial actors such as banks, hedge funds, investors, and global firms. “Markets” have become the principals, governments the agents. If these principals are hit by self-inflicted crises, as it has been the case with the financial crises after 2008, they can externalize their problems by forcing governments to bail them out.

57 Four out of embedded democracy’s five partial regimes have witnessed democratic erosions over the course of the last decades. Only the regime of civil rights has seen considerable improvements. The rights of women and minorities (ethnic, religious, sexual) have made impressive advances, de jure and de facto in most countries although not completely catch up to the actual level of men and the majorities. In times of globalization it seems easier for democratic governments to advance non-economic identity rights than to stop the increasing socioeconomic inequalities (Merkel 2014a) in times of deregulated global markets and the dominant economic paradigm of austerity politics and policies.

58 We do not conclude that “democracy” (singular) is in crisis, since there is no theory that can tell us where the threshold between challenges to and crisis of the democratic system actually lies. It would be wrong to assume that the established democracies of the OECD world have already transformed into post-democracies, since there are, rather, asynchronous developments that have strengthened the proper working of democracies in certain ways and weakened it in others, as we have pointed out. We are also not facing the “end of representative politics” (Tormey 2015). But what will be discussed in the following chapters is to which extent the multiple challenges of inequalities are undermining the very idea and practice of democracy and which democratic reforms and innovations can reduce the danger of shifting axes of democratic legitimacy in the 21st century.

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## 59 2. Challenges

### 60 2.1 Racial Inequality

61 ...[L]aw and order exist for the purpose of establishing justice and when they fail in this purpose they become the dangerously structured dams that block the flow of social progress.

62 - Martin Luther King, Jr., “Letter From a Birmingham Jail”

#### 63 2.1.1 Introduction

64 The 20th century brought extraordinary change on matters concerning racial and ethnic identity. Formal colonialism ended. Scientists rejected “racial” theories of intelligence. The Nazi Party was defeated, though not before millions were massacred on xenophobic grounds. In the wake of that atrocity, the United Nations issued a charter protecting the fundamental rights and liberties for all persons regardless of their country of origin, religious beliefs, skin color, and cultural practices. In the 1960s, the United States passed sweeping civil rights legislation, outlawing ethnic discrimination and putting in place measures to help integrate schools and ensure fair access to voting. In South Africa, the apartheid regime was replaced by a Constitution committed to inclusion and opportunity. The European Union formed, offering opportunities for mobility and employment across borders.

65 Given that the 19th century was marked by brutal colonialism, exploitation, and slavery, these transformations are not to be undersold. Yet ethnic inequality persists. In many countries, practices of formal discrimination, government-sponsored xenophobia, and ethnic genocide are alive and well. And in countries that have banned formal discrimination between people on the basis ethnic identity, individuals from minority groups still face enormous substantive barriers to integration and equality. In these places, some believe that a society without formal barriers is “post-racial” (Eibach & Keegan). If this is the case, they argue, then differences between racial and ethnic groups must be traceable exclusively to choices and cultures.

66 This view is both incorrect and dangerous. While we have made tremendous steps toward ethnic equality, social and economic inequality between ethnic groups persists even in democratic countries. Persistent inequality in democratic countries is the focus of this subchapter. We argue that persistent socioeconomic inequality makes it much harder for ethnic minorities to participate effectively in politics. In turn, barriers to political participation make it harder for members of ethnic groups to gain social and economic inequality. This is why we began this section with Dr. King’s words: sometimes, laws intended to establish justice fail to do so effectively.

67 Democracies recognize the equal worth of citizens by giving them a say in the decisions that affect their lives. To accomplish this, states must guarantee three things: (a) protection of civil rights and liberties; (b) access to the resources necessary for citizens to exercise political voice and relate on terms of mutual respect, and (c) fair procedures for voting and representation. In this subchapter, we demonstrate how ethnic inequality threatens political equality along all three of dimensions. We highlight one pattern in particular: that social and economic ethnic inequality both *causes* political inequality and *is caused by* political inequality. First, we show that individuals from ethnic minority groups face threats to their civil liberties, most notably to the fundamental rights to basic safety and security and equal treatment under the law. Second, we argue that people from minority ethnic groups often face barriers to accumulating financial, educational, social, and cultural capital, which in turn undermines political equality. Third, we demonstrate that certain formal procedures like direct democratic ballot referenda harm ethnic minority groups and should be reconsidered. At the end of each section, we outline a set of responses that address the challenges we highlight.

68 *Defining ethnic identity*

69 Ethnicity is an umbrella term that includes, but is not limited to, features associated with race such as skin color, hair type, and ancestry (Horowitz 1985). Membership in an ethnic group is based upon possessing traits “believed to be associated with descent” (Chandran 2006). By “believed to be associated with descent,” we mean those traits “around which a credible myth of association with descent has been woven, whether or not such an association exists in fact” (ibid). These traits are either genetically transmitted (skin color, hair type, physical features) or have to do with the language, religion, place of origin, tribe, caste, clan, nationality, or race of one’s parents and ancestors such as names or tribal markings (ibid).

70 This constructivist definition stands in contrast to “fixed” views of ethnicity, whereby each person has just one ethnic identity passed down across generations (ibid). Researchers have debunked this fixed view, revealing instead that the salience of specific identities varies from country to country and changes regularly depending on political and demographic factors. Because of this fact, we face a challenging task in this chapter. Each nation has its own history of ethnic strife: in Europe, immigrants from Africa, the Middle East, and Romany groups face barriers to social inclusion and political equality. In India, caste and religious identity matter greatly. In the United States, Black Americans face oppression and poverty in part due to vestiges of chattel slavery. Recognizing these important differences, we nonetheless strive to identify patterns, frameworks, and interventions that can help policymakers and activists worldwide understand the relationship between ethnic identity, inequality, and democracy. We wish to emphasize one pattern in particular: that social and economic ethnic inequality both *causes* political inequality and *is caused by* political inequality.

### 71 2.1.2 Challenges

#### 72 *Civil rights and liberties*

73 At the most fundamental level, political equality requires an equal guarantee of basic civil liberties: rights to bodily security, a fair trial, free association, etc. Yet in many places, these guarantees vary based on skin color or country of origin. Biased laws, and the biased application of fair laws, significantly impede political equality. Individuals acting on behalf of the state such as judges, juries, and representatives sometimes take biased actions that deprive citizens of basic rights. We could fill a whole volume documenting these patterns. In this section, however, we focus on the liberal state’s most basic promise: to protect its citizens from harm.

74

Police officers and prosecutors perform one of the most essential tasks in a democracy: ensuring internal order. This job is challenging, requiring them to make frequent high-stakes decisions about who to pursue and how. Toward this end, legal and police officials worldwide use generalizations “based on race, ethnicity, religion or national origin - rather than individual behavior or objective evidence - as the basis for suspicion in directing discretionary law enforcement actions” (OSJI 2009). This tactic, known as ethnic profiling, informs judgments about whom to stop and question on the street, whom to arrest, whom to prosecute, whom to sentence and for how long, and even whom to shoot when faced with a perceived threat. Leading police officers to stop, question, arrest, and detain ethnic minorities at disproportionately high rates. In Spain, for example, Romany are ten times more likely to be stopped on the street by police than 'white' residents, Moroccans at 7.5 times the rate of whites, and Black Africans at 17 times the rate of whites (De Lucas Martín 2013). In France, a black person was six times more likely to be stopped by police than a white person in Paris, and an Arab person was almost eight times more likely to be stopped than a white person (OSJI 2009). Similar patterns have been documented across the world (ibid).

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Despite its popularity, ethnic profiling is both ineffective and unjust (ibid). Its effects are cumulative: disproportionate levels of stopping lead to disproportionate levels of arrest, arrest leads to prosecution, prosecution leads to incarceration, and incarceration lead to difficulty finding employment and alienation from one's family and community. In countries that disenfranchise felons and ex-felons, such as the United States, the fact that ethnic minorities are disproportionately convicted of felonies has a direct effect on voting. *Approximately 25% of African-American citizens lack the right to vote in the United States* (The Sentencing Project 2016). Many US states ban ex-felons from voting indefinitely, meaning that 75% of these disenfranchised voters have finished their sentences and are still not permitted to vote. The link between ethnic profiling, bias in the judicial system, and access to the ballot box cannot be ignored. We urge policymakers to dismantle felony disenfranchisement laws wherever they exist.

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At times, the consequences of ethnic profiling are even more dire. In some cases, police officers kill people they stop on grounds of suspicion. Largely because such a ethnic minorities are stopped at disproportionately high rates, a high percentage of these victims are ethnic minorities. More often than not, police officers are not held accountable, even when the victim was unarmed and not engaged in any criminal activity.



- 77 Given the clear problems associated with ethnic profiling, many countries across the world are considering legislative and police reforms. One of the most promising responses involves concerted, relentless efforts to build trust between police officers and the communities they serve. This includes a commitment to diversifying the population of police officers (leadership and rank-and-file), conducting extensive, frequent trainings on implicit bias, and explicitly teaching skills associated with conflict mediation and inter-ethnic communication. Another promising reform involves officers wearing body cameras that record their interactions with constituents. All three officer-involved shootings that have taken place in Boston since January 2014 were filmed via body camera, allowing the Boston Police Commissions to show the footage residents and leaders in the victim's community and arrive at a consensus that the officers were reacting appropriately given the level of danger at hand (Seelye 2016). We also call for the creation of independent bodies for reviewing officer-involved shootings and a reduction in the use of lethal weapons.
- 78 In addition to internal police reforms, we call for legislation banning stops for "furtive" movements such as a reaching for waistband or acting nervous, stops for being in a high-crime area, and stops for matching a generalized description of a suspect (i.e. black male ages 15-25) (Campaign Zero). Following the lead of the New York City Stop & Frisk Reform, we also advocate requiring officers to report every stop including location, race, gender, whether force was used and whether a firearm was found. Additionally, ethnic profiling can be reduced by decriminalizing of activities that do not threaten public security but give police officers easy justifications for stopping someone, including: public alcohol consumption, marijuana possession, loitering, spitting, jaywalking, and biking on the sidewalk (ibid).
- 79 While legislative and institutional reforms are essential to ending practices of ethnic profiling, unfair policing is a symptom of larger societal problems that must be addressed, including unequal access to public goods, residential segregation, and the diminished capacity to exercise political voice.
- 80 *Unequal access to public goods*
- 81 In many countries, members of ethnic minority groups face barriers to accessing financial, social, cultural, and human capital, as well as healthcare, nutritious food, and safe housing. In the United States, for example, Black Americans are twice as likely to be unemployed and nearly *three times* as likely to live in poverty. Residential segregation is one of the primary mechanisms underlying this form of ethnic inequality (Anderson 2010). Segregation occurs due to

housing discrimination, minority self-segregation, and “white flight,” a pattern where whites move away from neighborhoods when they become populated by ethnic minority groups (Iceland 2014). Studies have found that segregation limits residential choices, and constrains employment and educational opportunities by reducing access to good schools and jobs (Charles 2003). For Black Americans, segregation is associated with poorer health outcomes and higher mortality rates because it both socioeconomic inequalities and because segregated neighborhoods are less likely to be located near affordable grocery stores and more likely to be located near highways, industrial areas, and toxic waste sites where land is cheap (Williams and Collins 2001).

82 Segregation can also lead to civil unrest and violent conflict, as evidenced by the Paris riots in 2005. In Paris, many low-income immigrants live in isolated suburban public housing communities. They have poor access to public transportation, quality food, and other public goods. They are also socially isolated, which means that they rarely interact with white French citizens, at least not on terms of mutual respect (Iceland 2014; Anderson 2010). Limited interaction breeds stereotypical thinking: if you very rarely encounter someone from a minority ethnic group, then your opinions about a group are going to be limited to media exposure and a small number of personal interactions. These stereotypes result in biased actions. Discrimination by French employers against Muslims has increased sharply over the last two decades (Laitin et al 2014).

83 Unequal public goods provision is partially explained by opportunity and resource hoarding, whereby a group with more power and resources limits access to those goods by members outside the group (Tilly 1998; Anderson 2010). In-group hoarding is much more likely to occur when there are existing disparities in wealth along ethnic lines (Chandran 2005; Baldwin and Huber 2016). This is because stakes of redistribution are higher: well-resourced groups have more to lose, and poor individuals have more to gain. In areas with high inequality between ethnic groups, there is also lower public goods provision overall. In the United States, for example, cities with higher levels of ethnic diversity spend less overall on public goods (Easterly *et al.* 1999). Lower overall public goods provision is *not*, as previously believed, tied to cultural or preferential differences between ethnic groups. Instead, it occurs due to in-group hoarding, as described above (Baldwin and Huber 2016). Wealthy individuals are better able to substitute private goods for public goods (purchasing private education, private security, etc.), making them less sensitive to the levels of overall public goods provision. During the past decade in Brazil, for example, the murder rate for white citizens *decreased* by 24% while the murder rate for Black and mixed-race citizens *increased* by 40% (World Violence Map 2014). This is because, as

Robert Muggah puts it, “those who are white tend to be able to afford themselves and avail themselves of greater security...” while “those who are black and who are unable to — as our societies become more and more unequal — are less able to secure those public goods” and as a result are “seeing homicide rates going up” (Garcia-Navaro 2014).

- 84 Party elites use ethnic identity to target voters and form electoral coalitions (Horowitz 1985; Chandra 2004; Posner 2005). To achieve this goal, parties explicitly promote ideologies that play up “inherent” differences between ethnic groups that are in fact created by segregation, poor access to public goods like education and safe housing, etc. For example, “whites tend to limit access to stable jobs to fellow whites, relegating blacks to temporary, part-time, or marginal jobs in the secondary labor market. Over time, whites acquire resumes documenting long-term stable employment, whereas blacks’ resumes evidence a patchy employment record, interpreted as a sign of their poor work ethic” (Anderson 2010). Rather than ethnic minorities lacking work ethic, they often merely cannot access jobs due to poor education, employment discrimination, and other forms of oppression that results from ethnic inequality in the first place. Political ideologies like these “misrepresent the effect of group inequality as its cause”: depriving access to quality public goods actually *causes* joblessness and cycles of poverty in ethnic minority groups (ibid).
- 85 Spatial segregation, unequal public goods provision, and party ethnification have strong implications for political equality. These patterns undermine the fundamental equality necessary for citizens to deliberate as equals. What’s more, elections, lobbying, and community organizing require capital and access. As a Black American fighting for change in the Cleveland legislature put it: “money and social status is how you make yourself heard, but people below or near the poverty line have neither. We’re not equal citizens” (Weeks 2013).
- 86 So what can be done? One priority is to end residential segregation where it is associated with unequal public goods provision and social/spatial isolation. Policymakers should also work to equalize access to public goods. Spending on public schools ought to be equalized across ethnic groups, or in some cases even increased given the high need for supplemental “wrap-around” services like counseling, food, special education, and school supplies in high-poverty areas. Yet improving primary and secondary education is not a silver bullet; these efforts must be accompanied by government-sponsored childcare, paid family leave policies, healthcare, desegregation, adult job training and employment, and safe housing and nutrition. Campaign finance laws also play a significant role in

political empowerment. While the details vary based on the country's electoral system, we recommend limiting the amount that individual and corporate donors can contribute to campaigns and centralizing the distribution of campaign funds so that lower-income grassroots candidates have access to resources needed to run for political office.

87 *Direct democracy*

88 Direct democracy is on the rise in modern democracies. While there are compelling reasons include citizens' voices in collective decisions, it is crucial to understand the implications that some ballot referenda have on minority groups vulnerable to the tyranny of the majority. For nearly four decades, scholars have documented a strong relationship between direct democracy and ethnic inequality (e.g. Bell, Jr. 1978; Donovan and Bowler 1998; Gamble 1997). Recent empirical studies provide causal evidence that direct ballot referenda may be used to oppress minority ethnic groups. In Switzerland, foreign residents become naturalized in three stages: first vetted by the federal government, and then the state. After they are approved, each municipality makes the final decision. While some municipalities have elected politicians to vote on the applications, others allow voters to decide directly via secret ballot. Between the years 1970 and 2003, naturalization rates were 50% higher in areas where elected politicians made the decision (Heinmuller *et al.* 2016). The quality of the applicant pool remained the same, implying that voters discriminate against qualified applicants that would have been approved if accountable legislators had made the decision. In fact, the effect of switching from direct to representative democracy was notably stronger in areas where citizens were more xenophobic (ibid).

89 Why is this the case? Unlike voters, who "are free to reject immigrant applicants without having to provide any viable justification, accountable politicians, even if they hold the same prejudices as the voters, have to publicly report on the reasons for why they would reject a particular applicant and their justifications might be reviewed by the courts. This heightened accountability makes is less likely that politicians reject immigrants on discriminatory grounds" (ibid). In short, given the same exact policy decision, direct democracy measures are more likely to suppress minority interests more than representative democracy measures. We therefore advocate that policymakers reduce or eliminate the use of ballot referenda, especially when issues of citizenship and access to essential resources are concerned.

90 **2.1.3 Conclusion**

91 While the past 100 years have seen extraordinary progress toward ethnic peace and equality, democracies still face obstacles to ensuring political equality for all. Citizens from ethnic minority groups are more likely profiled by the police, which in turn leads to higher rates of arrest, prosecution, incarceration, and disenfranchisement. They have more trouble accessing public goods like housing, food, childcare, schools, and nutritious food. These socioeconomic disparities make it difficult for ethnic minorities to participate politically because they lack the time, knowledge, networks, and capital to do so. Residential and social segregation exacerbate stereotypes and make citizens less likely to engage on terms of mutual respect. Political parties often exaggerate these stereotypes, enflaming voters to hoard resources for their co-ethnic group. In some cases, voters may even use democratic processes to oppress individuals from ethnic minority groups, as has been the case with direct ballot referenda.

92 This is by no means an exhaustive account of the challenges facing democracies who strive toward political equality between members of ethnic groups. Rather, these challenges are representative of broader challenges concerning civil rights and liberties, the distribution of resources, and the procedures used to ascertain and uphold the general will. We are encouraged by the progress that has been made along each of these dimensions since the 19th century, and hopeful that we countries can continue along this trajectory by investigating and responding to persistent inequalities facing ethnic minority groups worldwide.

## 93 **2.2 Democracy and Religious Inequality: Advocating “Principled Distance”**

94 The defining feature of democracy, as already expressed in the introduction, is that all groups and persons be recognised as equal and valued members of the society to which they belong. If this is so, and if, further, the collective decision making process is the public realisation of the equal worth of every citizen, then any practice that involves discrimination, exclusion, marginalization or oppression of groups and persons violates the principle of democracy. For our purpose here, inequality may be viewed as a condition where such exclusionary and/or discriminatory practices thrive, where power is illegitimately deployed to thwart the basic interests and values of individuals and groups. A fully realized democracy then cannot coexist with inequality.

95 The focus of this section is on one such type of inequality namely: religious inequality. Religious inequality can be of two kinds. In a society with multiple religions, members of one religious group may treat members of other religious groups as unequals, as when a

government controlled by non-Muslims refuses permission to build a mosque with minarets, or when Christian schools are provided subsidies but not schools run by Muslims, Sikhs are prevented from wearing turbans in public schools, or Hindus and Christians are debarred from standing for public office in an Islamic state. Let this be called inter-religious inequality. A second kind of religious inequality also persists in many societies. Consider the persecution of Shias by Sunnis or the de-recognition of Ahmadiyas as Muslims. Here members of a broadly conceived religious group treat their own members as unequals. Let this be called intra-religious inequality. Another deeper form of intra-religious inequality also exists. For example, in India a whole group of people, formerly called 'the untouchables' continue to find it difficult to enter many Hindu temples; in some places, women are still hounded because they are believed to be witches, women between the ages of 50-55 are not allowed entry into a temple because they are menstruating and therefore believed to be polluted; the evidence of one Muslim male is seen to be equal to the evidence of two Muslim females, and the highest offices of churches are not open to women.

96

The question before us is how should states deal with these different forms of religious inequalities. Are democratic states in a better position to address such inequalities than non-democratic states? Furthermore, are some forms of democratic states better equipped to deal with religious inequalities than others? While the distinction between democratic and non-democratic states is important, an even more important distinction for our purpose is between religion-centred and secular states. It is our view that all religion-centred states perpetuate religious inequalities and violate important principles of democracy. If the reduction of religious inequalities is our objective, then, it is argued here, religion-centred states must give way to secular states. Only secular democratic state can undermine religious inequalities. But this simple answer does not suffice because all forms of secular-democratic states are not equally capable of addressing religious inequality. This begs the question: which form of secular-democratic state is best able to reduce both intra- and inter-religious inequalities? To answer this question is the central objective of this section.

97

What are religion-centred and secular states? Religion-centred states grant privileged recognition to any one religion. They promote the values and interests of that religion and justify most of their laws and policies in terms of these values or interests. Sometimes, entire apparatus of such states is run by religious personnel. The connection of states with religion is so strong and constitutive that their very identity is defined by religion. Such states then are Christian, Islamic or Hindu.

Secular states are different. They withdraw privileges that any established religion had previously taken for granted. This they can do only when their primary ends or goals are defined independently of religion. Thus, a crucial requirement of a secular state is that it has no constitutive links with religion, that the ends of any religion not be installed as the ends of the state. For example, it cannot be the constitutive objective of the state to ensure salvation, nirvana, or moksha. Nor can it be a requirement of the state that it increases the membership of any religious community or individuals from one religion to another. No religious community in such a state can say that the state belongs exclusively to it. The identity of the state is defined independently of religion, and certainly independently of any one religion. Furthermore, laws and policies of such states cannot be justified solely in terms of by reasons provided by any one religion. Indeed, they are largely justified independently of all religions. This is largely what is meant when it is said that in a secular state, a formal or legal union or alliance between state and religion is impermissible.

Which of the two, religion-centred or secular states can better undermine religious inequalities and build an inclusive society and polity on fair and equal terms? A cursory evaluation of these states shows that all religion-centred states are deeply troublesome. Take first historical instances of states that establish a single church, the unreformed established Protestant Churches of England, Scotland and Germany, and the Catholic Churches in Italy and Spain. These states recognized a particular version enunciated by the church as the official religion, compelled individuals to congregate for only one church, punished them for failing to profess a particular set of religious beliefs, levied taxes in support of one particular church, paid the salaries of only its clergy, made instruction of the favoured interpretation of the religion mandatory in educational institutions or in the media. (Levy 1994, 5) In such cases, not only was there inequality among religions (for example between Christians and Jews) but also among the churches of the same religion, and while members of the established church may have enjoyed a modicum of religious liberty, those belonging to other churches or religions did not enjoy any or the same degree of liberty. When members of other church or religious groups possessed strength or number, then such a multi-religious or multiple-denominational society was invariably wrecked by inter-religious or inter-denominational wars. If they did not, then religious minorities were not even tolerated and faced persistent religious persecution. (as in the case of Jews in several European countries till the 19th century)

States with substantive establishments have not changed colour with time. Wherever one religion is not only formally but substantively established, the persecution of minorities and internal dissenters continues today. One has only to cite the example of Saudi Arabia to

prove this point (Ruthven 2002, 172-181). Or consider the situation in Pakistan where the virtual establishment of the dominant Sunni sect has proved to be disastrous to minorities, including to Muslim minorities. For example, under Article 260 of the constitution Ahmedis have been deemed as a non-Muslim minority and forbidden from using Islamic nomenclature in their religious and social lives. (Malik 2002, 10, Bhargava 2004, 30;) A whole community has thereby been formally excluded by the state, both symbolically and materially, from its own religion. For over three decades, citizenship in Pakistan is defined with reference to majoritarian and exclusionary Islamic parameters. Therefore, political exclusion is built into the basic law of the land. By making adherence to Islam mandatory for anyone aspiring to the highest offices in the country, the Constitution ensures the exclusion of religious minorities from high politics. (Malik 2002, 16).

101 I have taken Pakistan only as an illustration. Many people in India believe that the establishment of a Hindu Rashtra would be disastrous, particularly for Muslim minorities, perhaps even for the Dalits, (former untouchables). Likewise the Jewish state of Israel fails to grant equal rights to its Christian and Muslim minorities.

102 So if religious inequalities are to be reduced, religion-centred states must be dismantled. However, while secular democratic states are committed to equality of citizenship and to various freedoms, they also differ from one another in their respective understandings of how they must relate to religion. All agree that they must be separated or disconnected, but differ on how the metaphor of separation is to be unpacked. For one, separation is total disconnection or mutual exclusion. Here religion is excluded from the affairs of the state but the state too is excluded from the affairs of the religion. The state has neither a positive relationship with religion, for example there is no policy of granting aid to religious institutions nor a negative relationship with it; it is not within the scope of state activity to interfere in religious matters. The Constitutional state of the US is frequently interpreted to instantiate this model. It is seen to advocate mutual exclusion of state and religion (build a wall) primarily for the sake of religious liberty and denominational pluralism. Thus by protecting religious freedom of all groups and ensuring inter-denominational equality as also by ruling out discrimination in the official domain on grounds of religion, this model prevents certain forms of religious inequalities. However, it has two major limitations. (a) By its refusal to negatively intervene in religious practices, it allows discriminatory and oppressive practices within a religion to continue. (b) By eschewing any positive help to all religious groups, it overlooks that some vulnerable religious minorities may require assistance from the state for its members to



live as equals of those belonging to the majority religion. Deeper structural religion based inequalities may therefore continue to persist in societies governed by this model.

- 103 In another, second type, disconnection is partial and is conceived at the level of law and public policy in a wholly one-sided manner. Here to disconnect is to exclude religion from the affairs of the state but to have no limits on the state's interventionist powers in the affairs of religion. Such intervention may mean help or hindrance but in either case the motive is to control, regulate and even to destroy religion. Such secular states are decidedly anti-religious. They often advocate one sided exclusion primarily for the sake of a stringently guarded common public culture that gives a uniform and equal identity to citizens. In their authoritarian form this model is at least partly exemplified in Kemalist Turkey and Soviet Russia. Its democratic version is best enunciated in France
- 104 These secular states (model 2) have one advantage over model 1. Since they are willing to intervene in religious affairs, they can undercut oppressive and exclusionary religious practices and achieve some forms of inter-religious equality. However by refusing to grant positive recognition or financial aid particularly to newly immigrated religious groups and by their obstinate refusal to acknowledge the entanglement of both official and public practices with a historically embedded majority religion, they at least unwittingly perpetuate inter-religious inequality. At the very extreme, by their readiness to hinder and unwillingness to help even the dominant majority religion, they may create new inequalities between believers and unbelievers and undermine religious freedoms.
- 105 Partial disconnection is also the form of state-religion relationship in the third (model 3) type of secular-democratic state. Disconnection is partial here because the state continues to partially support one religion, usually the dominant one, on the ground that it is part of cultural inheritance and historical legacy of its citizens and therefore a significant public good. Such states are found in large parts of Western Europe, excluding France. Such secular-democratic states may not be religion-centred but they remain single religion-friendly. Why, if they provide to support to one religion, are such states secular?
- 106 There are several reasons why this is so. First, (a) because of a historical pattern of hostility to church and church-based religions on the ground that they were politically meddlesome and socially oppressive—a pattern that appeared militantly and robustly in the unchurching struggles in France but is also to be found to a significant degree in most West European countries. As a result, the social and political power of churches has been largely restricted. (b)

Second, there has over time been a decline not only in church belonging but also in belief in Christianity. If there is one place where secular humanism or what Charles Taylor calls exclusive humanism is strong, even naïvely taken for granted as the only ontological and epistemological game in town, it is surely Western Europe. Both (a) and (b) have had an impact on Europe's constitutional regimes. A fair degree of disconnection exists at the levels of ends, and so the same basket of formal rights (to different kinds of liberty, and forms of equality, etc.) are offered to all individuals regardless of their church affiliation and regardless of whether they are or are not religious. In the dominant political discourse, the self-definition of these states is that they are not religious (Christian) but (purely) liberal democratic.

107 However, it is equally true that some connection exists between state and religion. Several states continue to grant monopolistic privileges to one or the other branch of Christianity. Examples include the Presbyterian Church in Scotland, the Lutheran Church in all Nordic countries (except Sweden where it was recently disestablished), the Orthodox Church in Greece, and the Anglican Church in England where twenty-four bishops sit in the House of Lords with full voting rights and where the monarch is also the head of the church. Moreover, at the level of law and public policy, state intervention exists in the form of support either for the dominant church or of Christian churches. Thus there is neither mutual nor one-sided exclusion of religion, but positive entanglement with it. None of this entails that such states are confessional or have strong establishment. These are not religion-centred but single-religion friendly states. State-religion connections combined with a significant degree of disconnection mean that these democratic states are at best modestly secular by the standards set by the idealized American model or the French model. Indeed, Tariq Modood has called the secularism underpinning these states “moderate secularism”.

108 How do religion-friendly states of Western Europe fare when evaluated by norms of religious equality? Not all that well, it seems. Blind to the more complex dimension of inter-religious inequalities, they do not even see that in this dimension they are not secular. On the complex scale of inter- and intra-religious equality, we find all kinds of institutional biases beginning to show up in European state-religion arrangements. Despite all changes, European states have continued to privilege Christianity in one form or another. The liberal democratization and the consequent secularization of many European states have helped citizens with non-Christian faiths to acquire most formal rights. But such a scheme of rights neither embodies a regime of interreligious equality nor effectively prevents religion-based discrimination and exclusion. Indeed, it masks majoritarian, ethno-religious biases. Thus, to go back to the example

of schools run by religious communities, one finds that only two to five schools run by Muslims are provided state funding. In France there is at least one state-funded Muslim school (in Réunion), and about four or five new private Muslim schools that are in the process of signing “contrats d’association” with the state. In Germany the situation is probably worse: There is not a single school run by Muslims that is funded by the state. This is one clear example of European states failing to be secular. There are many others. For example, the bias is manifest in the failure of many Western European states to deal with the issue of headscarves (most notably France), in unheeded demands by Muslims to build mosques and therefore to practice their own faith properly (Germany and Italy), in discrimination against ritual slaughter (Germany), and in unheeded demands by Muslims for proper burial grounds of their own (Denmark, among others). All these are issues of interreligious inequalities.

109 So, do forms or conceptions of secular-democratic states that better address religious inequalities exist? Ones that advocate neither (a) mutual exclusion nor (b) one-sided exclusion of religion, nor indeed a friendliness solely towards one religion,? One particular form outside the West (in the Indian sub-continent) that has tried, often unsuccessfully, to eliminate deep religious inequalities, and which currently lies in shambles everywhere, needs careful attention.

110 Several features of this fourth kind of secular-democratic state are worth mentioning. First, multiple religions exist in their background not as optional extras added on as an afterthought but as part of its foundation. These secular democratic states are inextricably tied to deep religious diversity. Second, they are committed to deeply diverse set of values, not only liberty and equality but also fraternity (or sociability)—conceived not narrowly as pertaining only to individuals but interpreted broadly also to cover the relative autonomy of religious communities and, in limited and specific domains, their equality of status in society—as well as other to foster a certain quality of relations among religious communities, perhaps even interreligious equality under conditions of deep religious diversity. They have a place not only for the right of individuals to profess their religious beliefs but also for the right of religious communities to, say, establish and maintain educational institutions crucial for the survival and sustenance of their distinctive religious traditions.

111 The acceptance of community-specific rights brings me to the third feature of this model. Because this form of secular democratic state was born in a deeply multi-religious society, it is concerned as much with interreligious inequality as it is with intrareligious inequality. Whereas other secular democratic states appear to provide benefits

to minority religious groups only incidentally (e.g., Jews benefited in some European countries such as France not because their special needs and demands were met via public recognition but because of a more general restructuring of society guided by an individual-based emancipatory agenda), in such states some community-specific sociocultural rights are granted for their intrinsic value. Common citizenship rights are not seen as incompatible with community-specific rights in limited domains such as education.

- 112 Fourth, such secular democratic states do not erect a wall of separation between religion and state. There are boundaries, of course, but they are porous. This situation allows the state to intervene in religions in order to help or hinder them without the impulse to control or destroy them. This intervention can include granting aid to educational institutions of religious communities on a non-preferential basis and interfering in socio-religious institutions that deny equal dignity and status to members of their own religion or to those of others; for example, the ban on untouchability and the obligation to allow everyone, irrespective of their caste, to enter Hindu temples, as well as, potentially, other actions to correct gender inequalities. In short, this form of secular democratic state interprets separation to mean not strict exclusion or strict neutrality, but what I call principled distance, which is poles apart from one-sided exclusion or mutual exclusion.
- 113 When I say that principled distance allows for both engagement with or disengagement from religion, what kind of treatment do I have in mind? First, religious groups have sought exemptions when states have intervened in religious practices by promulgating laws designed to apply neutrally across society. This demand for non-interference is made on the grounds either that the law requires them to do things not permitted by their religion or that it prevents them from doing things mandated by their religion. For example, Sikhs demand exemptions from mandatory helmet laws and from police dress codes to accommodate religiously required turbans. Principled distance allows a practice that is banned or regulated in the majority culture to be permitted in the minority culture because of the distinctive status and meaning it has for the minority culture's members. For other forms of secular-democratic states, this variability is a problem because of a simple and somewhat absolutist morality that attributes overwhelming importance to one value—particularly to equal treatment, equal liberty, or equality of individual citizenship. Religious groups may demand that the state refrain from interference in their practices, but they may equally demand that the state interfere in such a way as to give them special assistance so that they are able to secure what other groups are routinely able to acquire by virtue of their social dominance in the political community. The state may grant authority to religious officials to

perform legally binding marriages or to have their own rules for or methods of obtaining a divorce. Principled distance allows the possibility of such policies on the grounds that holding people accountable to a law to which they have not consented might be unfair. Furthermore, While it does not discourage public justification; that is, justification based on reasons endorsable by all, it accepts that if the attempt to arrive at public justification fails, religiously minded citizens may support coercive laws that, although based purely on religious reasons, are consistent with freedom and equality.

114 Principled distance is not just a recipe for differential treatment in the form of special exemptions. It may even require state intervention and, moreover, in some religions more than in others, consideration of the historical and social condition of all relevant religions. To take first examples of positive engagement, some holidays of all majority and minority religions are granted national status. Subsidies are provided to schools run by all religious communities. Minority religions are granted a constitutional right to establish and maintain their educational institutions. Limited funding may be available to Muslims for Hajj. But state engagement can also take a negative interventionist form. For the promotion of a particular value constitutive of secularism, some religion, relative to other religions, may require more interference from the state. For example, suppose that the value to be advanced is social equality. This requires in part undermining caste and gender hierarchies. Hindu temples in India were thrown open to all, particularly to former untouchables should they choose to enter them. Likewise, constitutionally it is possible to undertake gender-based reforms in Hindu or personal Muslim personal law.

115 Fifth, such states are not compelled to choose between active hostility and passive indifference or between disrespectful hostility and respectful indifference towards religion. They combine the two, permitting necessary hostility as long as there is also active respect. The state may intervene to inhibit some practices as long as it shows respect for other practices of the religious community and does so by publicly lending support to them. This is a complex dialectical attitude to religion that I have called critical respect. So, on the one hand, the state protects all religions, makes them feel equally at home, especially vulnerable religious communities, by granting them community-specific rights. For instance, the right to establish and maintain their own educational institutions and the provision of subsidies to schools run by religious communities. But the state also hits hard at religion-based oppression, exclusion, and discrimination, in short all forms of religious inequalities.

116 This section has argued that secular-democratic states of the principled distance variety have a better chance of reducing religious inequalities. In sum, a society progresses the more it moves away from (a) a religion-centred to a secular-democratic state and (b) secular-democratic states hostile or aloof from religions generally or friendly exclusively to one religion to those that keep a principled distance from all religions.

## 117 **2.3 The challenge of gender inequality**

118 Gender equality is a Mission Impossible, at this point in time more than ever. There are three main reasons for that. One is that there is an ongoing perpetuum mobile of gender inequality that is driven by both structures and daily actions of human beings across all domains and dimensions of life. The second is that gender equality as an objective is deeply political and inherently contested. And finally, while deep democracy is needed to mobilize and organize the inevitable ongoing feminist struggles that could address the tenacity and complexity of gender inequality, unfortunately democracy at this point in history seems to be shrinking and deepening and strengthening.

119 My argument here is not to respond to these triple troubles by showing that they can be resolved. Rather, I will argue that this calls for more attention to the linkages between the fates of democracy and of gender equality, and for more feminist engagement in struggles for deeper democracy. In order to do this, I will first elaborate on the pervasiveness and the tenacity of gender inequality in our societies, and then on the political nature of gender equality as a goal. I will continue with presenting a perspective on deep democracy that is needed to address the interrelation between gender equality and democracy and a sad illustration of the current fate of democracy in Europe. I will end with a call for action.

### 120 **2.3.1 The pervasiveness and the tenacity of gender inequality in our societies**

121 Even the shortest look at feminist history shows how significant victories in the past have never been enough to end gender inequality. Women's access to higher education, their legal personhood, women's suffrage, all these hard-won long battles by brave and engaged feminists did not bring the end of male domination. If anything, they revealed the tenacity and complexity of gender inequality regimes. Gender inequality regimes have proven to be very flexible in readapting to changed contexts and structures. Non-discrimination laws or formal governmental regulations obliging governments to do gender budgeting or gender mainstreaming have not changed reality as intended. Progress is made, but mostly partial

and never ensured. The impact of ongoing gender inequality on people's lives is huge, given that women are half of the world's population, and gender inequality also restricts the lives of men that do not fit well in gender norms.

122 By now, we know something about the reasons why progress is so slow. The tenacity and complexity of gender inequality regimes is caused by the multilevel and multidimensional character of gender, by its location in all social domains, and by its deep connections to other inequalities. And as the world is deeply social, none of this is fixed, and everything is in flux. The multilevel character of gender means that gender is part of societal structures and organizations, of symbols and norms, of identities and behavior. Identities, personalities, routinized behavior, symbols, norms and structures are made and remade on a daily basis by the human beings on this planet. They make conscious decisions about this gendered world and their positioning in it, but also often just routinely follow the gendered tracks or scripts that history provides in their contexts. It is hard to think of a domain where these gendered tracks or scripts would be absent. Gender inequality is based in both public and private spheres, and is crucial to constructing what is seen as public and what is seen as private (similar to sexual inequality). Whether in economy, polity, violence, health or knowledge, the gender unequal configurations of the past offer the material that people use to make their lives, provide the words and signs people use to be accepted and understood by others. In doing so, people reproduce and to some degree reorganize these gendered tracks, these gendered words, this gendered world across all domains. Whether people benefit or suffer from it depends on their gendered locations (men, women or non-binary).

123 Feminist collective action – focused political pressure to change an element of these inequality regimes – such as quota in politics, a more permissive abortion law, father's leave or the opening of shelters for domestic violence victims, tries to make change happen, and their hard-won victories matter. They are small steps with tremendous impact on the lives of some women (and men). At the same time, there are intersectional caveats to most victories: not all women, not all men are equally able to benefit from these measures. Quota in politics might be opening space mostly for high educated women, access to abortion might be almost impossible for rural women, gay fathers may not be eligible to father's leave, minority women victim of domestic violence might have good reason to not engage with social work driven shelters for fear of stigmatizing of their communities or custody of their children taken away from them.

124 It is clear then that it is very hard to fundamentally change gender inequality dynamics, to abolish gender inequality. Collective action's role to induce and support change is well demonstrated. But what are the conditions that foster such actions? What makes feminist collective actions successful? How can it be ensured that these are victories for all women? To answer to these questions, the quality of democracy is key. The quality of democracy matters for gender equality because the tenacity of gender inequality in our societies calls for better conditions for feminist collective action, and such action can only thrive in democracies. This is a matter of both theory and practice, of both a better understanding of the politics needed and more engagement to make these politics happen.

### 125 **2.3.2 The political nature of gender equality[3] as a goal**

126 If anyone should know what gender equality is, feminists should. And indeed they do, each and every one of them. Yet they give very different meanings to these goals, contradictory meanings even, including objections to the wording used here. Feminism is a set of struggles over the meaning of feminism (Schmidt-Gleim and Verloo 2003). Feminists fight fiercely about what the goal of feminism needs to be even if there are many examples of large-scale collective feminist actions for an agreed upon feminist cause. To make progress on how to deal with the challenge of the multitude of feminist goals - the challenge of the deep political nature of the feminist goal -, two questions need to be addressed: what exactly are the bones of contention? Where do collective or hegemonic understandings of gender equality come from? Intersectionality is key to address these questions because history shows, over and over again, that intersectional inequalities and the political choices that need to be made about them occupy center stage in internal feminist struggles and in the outcomes of these struggles. The intersection of class and gender was a bone of contention when feminists were fighting for suffrage in Europe; the intersection of race and gender was at the heart of suffrage dynamics in the US. In both Europe and the US, sexual orientation has deeply divided the feminist movement in the 70s, and current conflicts over trans rights are equally divisive. At the level of feminist ideology and feminist theory, one of the strongest divides runs between liberal feminism – aiming for a gender equal society within the settings of a capitalist world –, and socialist feminism – aiming for a gender equal society in which capitalist exploitation is abolished or at least tamed. There is no way gender inequality can be understood or addressed separately from other major inequalities build around class, sexuality and race.

127 This political nature of gender equality cannot be escaped. Recognizing this is essential, as is aiming for a politics that allows the ongoing struggling of feminists and others about the meaning of



gender equality. Such 'productive antagonism' (Butler 1993) or refusal of 'ultimate truths' (Scott 1988) produces a more dynamic understanding of feminism that is better suited to address the moving target of gender inequality by adapting to its changing forms, and it also enables wider sets of coalitions to profit from emerging political opportunities (Lombardo & Verloo 2009). The format of ongoing struggle enables feminism to challenge domination as well as unstated 'norms' of dominant groups within itself, to uncover and address processes of hegemonisation of particular groups of women that exclude other feminist positions from the debate (hooks 1981, 1990; Lorde 1984). Open spaces and explicit rules (Strolovitch 2008) are needed to include the perspectives of subjects who have been excluded, ensuring that new inequalities are not made.

128 For all the reasons stated above, feminism as a political project needs a specific deep form of democracy.

### 129 **2.3.3 Deep democracy and its interrelation with gender equality**

130 Gender inequality as a political problem, and gender equality as a political goal are too dynamic to fit comfortably within classic formats of formal electoral representation. Formal representation and formal political actors, because of their acceptance of the boundaries of a certain nation or state, do not work well for giving voice to the non-represented, or for contributing to the articulation of political problems by those who are in one way or another not fully included in our societies. Social movements are the main actors that can introduce new actors to politics; that can develop and introduce new political problems to societies, and pursue political change to address these problems. For social movements to do this well, how citizenship is organized is key: who are included and excluded in societies, and who decides on this? Some degree of voice, of inclusive citizenship is needed for social movements to emerge and flourish. A first problem here is that formal citizenship rights do not fully translate into actual access to participation in democratic institutions. The documented list of barriers for women in politics is long, ranging from non-inclusive language, to ridicule, absence of role models, biased electoral systems, problematic access to campaign funding, lack of compliance with formal rules or outright harassment. Additionally, there are many human beings that are located at the intersection of gender and other inequalities that are lacking basic rights in democracies as we know them. Consider the lack of bodily autonomy for women from states without abortion or contraception rights, the lack of resources for many women given the persisting wage gap, the lack of access to family rights for many lesbian and gay parents, the lack of freedom of movement for trans citizens from states without full trans rights, the lack of economic rights for asylum seekers in states that forbid them to be active on the labor market.

131 Moreover, in order to really function as a democracy, a society needs to organize space not only for its subaltern groups, but also for disruptors of its way of functioning: for people who remind everyone that the political landscape does not cover all of society's problems, the political stage does not show all the actors actually involved in society, and change is needed to address newly politicized problems.

132 What feminism, the political project that is home to feminist social movements, therefore needs is radical and deep democracy. Deep democracy as a concept is inspired by Walby (2009, 2011, 2013), Mouffe (2000), Strolovitch (2008) and Tilly (2007). Deep democracy expands on the classic set of rules by which the polity and electoral representation is organized with a wider set of rules on citizenship and with attention to the practices and outcomes that sets of rules produce in a society. The wider sets of rules to be considered are non-exclusionary rules on citizenship that facilitate debate about who is part of the demos, facilitate engagement of people in the societies relevant to them, and that construct links between civil society and formal politics. Such rules define how political arenas for debate and struggle are constructed, and thereby increase the possibilities for democratic engagement towards gender equality. Following Tilly, state capacity is a crucial ingredient of democracy too as it is essential to assure democratic practices. Including the practices and outcomes and not just the classic formal rules is also essential because of the feedback effects between rules and outcomes.

#### 133 **2.3.4 Current troubles with democracy in Europe**

134 Next to ongoing problems of democracy that are not recognized by most political scientists, such as the existence of 'democratic' states that are simultaneously monarchies or colonial powers, or democracies that have rules allowing parties to be ruled autocratically, there are substantial problems to democracy in the current century impacting negatively on further progress in abolishing gender inequality. Using the wider Europe as an illustration, at least five problems can be identified. First, there is the *intrusion of the domain of the economy in the domain of the polity*, visible in the failure of democracies to constrain financial capitalism, the tendency to allow businesses to financially opt out of democratic decisions (TTIP), and the contagious spread of business reasoning in governance (as in NPM). All this weakens democracy as such, and expands the possibilities for gendered capitalist exploitation either by restricting welfare state arrangements or by increasing the possibilities for precarious labor. Second, there is a renewed *strengthening of the political power of organized religion* as part of the polity, which is a major source of opposition to gender and sexual equality. While public attention is mostly on Islamist states in this

respect, the Vatican and Orthodox churches are much more important in the European context. Third, there is *a rise of authoritarianism* that is visible in the strengthening of the Radical Right, and in the Radical Right's connection to authoritarian style geopolitics (Shekhovtsov 2016), deeply endangering democracy and generally strengthening opposition to gender and sexual equality. Fourth, there is also *a rise in illiberalism and populism*, including criticism on independent thinking and on collective action. There are increasing calls for political restriction to academic autonomy (Turkey), and laws that 'gag' civil society in European Union member states (Spain, Hungary). Fifth, there are *increasing (calls for) restrictions on citizenship based on racialized features* (religion, origin) across European countries.

135 Taken together, this shows a pattern of erosion of polity and governance elements that have been supportive of women's rights: social democracy, welfare state, civil society engagement and academic freedom. This means that all windows of opportunity are currently favorable to *opposing* gender and sexual equality. It is therefore no surprise that opposition to gender and sexual equality is growing in frequency and strength (Verloo forthcoming).

### 136 **2.3.5 Intersectional challenges for democratic struggles about gender equality**

137 Under conditions of endangered democracy, groups of women at the intersection of gender and sexuality, gender and class, and gender and race continue to suffer from severe inequality, and already encounter severe backlashes and further exclusion. Even for more privileged women, there is still an urgent need to introduce better policies on wage equality, gender based violence or political representation. But the challenges for various intersectional groups of women are far more substantial. The rise of authoritarianism and extreme right in Europe increases the salience of certain inequality projects in politics and hinders working towards more gender, sexual and racial inequality. Within conservative and extreme right political ideologies, traditional perspectives on gender prevail. Sexual equality is almost always opposed and that impacts negatively on gender equality, because of a strong commitment of such political projects to heteronormativity, to fertility in the national interest and to unbalanced gender roles in families. The far right's rise to power has set in motion backlashes against reproductive rights and has diminished hopes for such rights in countries still lacking them. Racial inequality is at the heart of most far right ideologies and proposed actions, constructing 'racialized others' based on changing contextual configurations of skin color, religion (especially Judaism and Islam), origin (migration) or language. These variations in racialization complicate collective action against it. Class inequality is on the rise

linked to incorrect crisis responses of austerity measures leading to the weakening of the welfare states in Europe. The weakening of social democratic parties combined with their traditional blind spot for gendered class inequalities, and the intrusion of economic governance on the polity seriously hinders action to reduce gendered class inequalities.

138 Strategically, the authoritarian preferences of far right and populist parties strengthen the tendency to decrease the space given to civil society, further hindering collective action towards gender equality. The tendency for civil society restriction is exacerbated by the current terrorist attacks in Europe that trigger political responses of emergency measures or restrictions to civil liberties. In such contexts it seems almost utopian to even consider giving political space to the subaltern.

139 Summarizing, while there is a very high need for more political engagement with gender equality because of the intersectional challenges to gender equality, current developments unfortunately all point to a decrease of opportunities to do so.

### 140 **2.3.6 Conclusions**

141 The quality of democracy influences the quality of gender equality. Gender equality and democracy are linked in an intricate and reinforcing feedback loop. The more democracy, the more chances for gender equality; the more gender equality there is, the more chances for democracy. Because of their interdependence, we need to be as clear and specific as possible about what kind of democratic principles and practices are aimed for and needed to achieve real gender equality. As a set of principles, practices and outcomes guiding, organizing and producing the polity and civil society, deep democracy is utopian but the only hope for achieving real gender equality.

## 142 **2.4 Generational Inequalities**

143 There are at least three forms of generational inequalities that may constitute a challenge for the goal of democratic equality: (1) inequalities between non-overlapping generations; (2) inequalities between co-existing birth cohorts; and (3) inequalities between age groups. These three forms of generational inequalities will be the focus of the sections that follow.

### 144 **2.4.1 The challenge of justice between non-overlapping generations**

145 Our unsustainable use of natural resources has created large problems that future generations will have to tackle. The damage that mass production and over consumption have inflicted on the environment is largely irreversible. Deforestation, overfishing and pollution have had a tremendous impact on biodiversity and some estimate that up to 150 species could be disappearing every single day (Brook, Sodhi, and Ng 2003; Jackson et al. 2001). The future is bleak with expected frequent natural catastrophes as a result of climate change (IPCC 2007). Some populations will be hit harder than others and, as entire territories will inevitably be replaced by water, millions will be forced to migrate. As a result, it is becoming more and more likely that future generations will have difficulties accessing the resources they need, including food, water and clean air. In sum, there are grounds to be increasingly worried that future generations may end up being dangerously worse-off than we are.

146 The environmental crisis and its myriads of consequences result in large part from the incapacity of present democratic institutions to reverse, stop, or at least stabilize climate change, global warming and their various consequences. It epitomizes an endemic short-termism in democratic politics, and gives us the suspicion that our political institutions may not adequately promote long-term interests, in general, and the interests of future generations, in particular (Gosseries and Gonzales 2016; Oxford Martin Commission for Future Generations 2013). It would be absurd to believe that we ought to sacrifice the interests of current people for the sake of future generations. We face fundamental challenges such as global poverty that demand the urgent use of some non-renewable resources. But those important interests need to be balanced with those of future people. And yet, it is fair to worry that the fundamental inequality in power and voice between current and future generations has translated into a radical form of political inequality.

147 There are at least two ways in which this inequality is challenging from the point of view of democratic equality: one is procedural and the other is substantive. First, for our decisions to have long-term procedural legitimacy, largely regardless of their actual content, adequate weight must be given to the voices of future generations. This is not easy since future generations do not exist yet. By definition, future people do not have a voice or a vote. Even though in theory we can grant that their life and interests matter as much as ours do, it is not easy to ensure that they enjoy some presence in representative and deliberative bodies. It is even harder to make sure their interests are accounted for in voting procedures. But with the increasing realization that we are harming future generations, we ought to develop imaginative mechanisms that ensure future people have some form of power and voice.

148 More controversially, the second challenge is substantive. It relates to the content of the policies that our democratic systems produce. Intergenerational justice requires at the very least that we make decisions that are sustainable (Barry 1999). This goal of sustainability through time applies to other domains than the environment. It has implications for the levels of debt we are entitled to pass on to future generations, for the public infrastructure we invest in (such as roads, libraries, and housing), for the budget we must devote to research (for instance health and sustainable energies) and for the extent to which we must protect heritage.

149 Sustainability is a substantive requirement of intergenerational justice, but also a demand of democratic equality. Indeed, the environmental crisis threatens the basic subsistence and, in fact, the very existence of future generations. Future generations have a higher stake than current people in the long-term detrimental effects of current political decisions. If those interests are sidelined, then the basic foundations of the democratic ideal – that each person's interests matter equally, and that each person's basic liberties cannot be disregarded – are undermined. Therefore, the second challenge of intergenerational inequalities for democratic equality is substantive: the challenge is to entrench the ideal of sustainability in democratic institutions. If we fail to bring about the drastic changes needed, we will have failed to recognize and act upon future citizens' status as moral equals. In other words, we will have failed the substantive demand of political equality.

150 We can distinguish at least four types of mechanisms that respond to the challenges that come from the structural invisibility of future generations. First, some institutions give voice (and ideally power) to future generations. The introduction of parliamentary commissioners for future generations (like in Hungary) and the proposal for an International Ombudsperson for Future Generations are two such mechanisms. Another promising proposal is a committee for future generations in parliaments (like in Finland), whose role would be to establish a manifesto for future generations and to scrutinize all policies from the perspective of future interests (Caney 2016). Second, independent institutions that monitor progresses and regressions are proposed – for instance, an independent Council for the Future to complement the parliamentary commission (Caney 2016). A third and fourth type of mechanisms consists in the constitutional or legal entrenchment of intergenerational provisions (Gonzalez 2016) and the implementation of institutions that directly promote a more sustainable future. The latter contributes to what we have identified as the substantive demand of democratic equality for future generations. From the proposal of a world climate bank, to the use of sovereign wealth funds with an individual dividend to give a stake to

citizens in environmental management for the benefit of current and future generations (Widerquist 2016), those reforms can help bring about more sustainability in the management of non-renewable resources.

#### 151 **2.4.2 Inequalities between birth cohorts**

152 In addition to the general anxiety about the kind of future that we may leave to future generations, there is a growing concern for a 'jilted generation' (Malik and Howker 2010) – a large mass of young adults burdened with debts, structural unemployment and precarious work. This concern is particularly stark in countries with an ageing population. Recently, it has been especially noticeable in European countries struggling with high rates of youth unemployment, as high as 50% in Greece and Spain, but often two to four times as high as for older age groups in other European countries. In some OECD countries, the situation of young people, at least in terms of unemployment and poverty rates, could in fact be worse than that of their parents at the same age. In the US, young adults are more likely to be poor and unemployed than the baby boomers in the 80s, and so even though they are more likely to have a college degree. Young adults also earn about \$2000 less than young adults did in the 1980s.<sup>[4]</sup> What is more, young people are not likely to be compensated later in their lifespan: high rates of unemployment at a young age scar people in the long run and make them more likely to be unemployed or underpaid later in life compared to other cohorts at the same age (Chauvel 2010).

153 The emergence of a disadvantaged generation may be a challenge for our generational contract and for intergenerational justice, but it is not as such a challenge to the ideal of democratic equality the authors of this chapter subscribe to. Young cohorts may be worse off in terms of their job-market related opportunities or they may enjoy lower rates of benefits to contribution, but their basic civil rights and liberties may still not be threatened in a fundamental manner. In other words, the fact that the young generation may not be getting its fair share is best described as a justice-based concern than as a problem for democratic legitimacy. Nonetheless, as we will now show, there is ground to be concerned that such inequalities between birth cohorts might still pose a challenge to democracy.

154 Indeed, in addition to being massively at risk of social exclusion, young cohorts are at the margins of formal politics. They enjoy a low political power both through their low voting turnout and the ageing of the electorate. When populations age, the median age of the electorate ages too. The numerous superior ageing generations enjoy a comparatively higher voting power. Voters' turnouts are strongly correlated with age as well. In the 2009 local elections in the

UK, only 10 per cent of 18-24 year-olds said that they had voted compared to 85% of people of 65 years old and over (The Electoral Commission 2009, 27). Young people tend to have less settled lives and change home frequently - this makes voting registration more difficult than for older people with more settled lives. For instance in the UK in 2011, only 56% of young people between the age of 19 and 24 were registered, whereas 90% of people between 55 and 64 years old and 94% of people aged above 65 years old were registered (The Electoral Commission 2011, 5). The quantitative difference between potential voters, registered voters, and actual voters is directly correlated with age: the younger the voters, the higher the difference between potential and actual voting turnouts will be (Berry 2012, 34). This trend is widespread. Young people have become relatively disenfranchised in many OECD countries. One could go as far as arguing that there is an emerging “intergenerational democratic deficit” whereby young people are becoming marginalised within the democratic process (Berry 2012, 5).

155 Together, the socio-economic concerns of current younger generations and their political disengagement from formal politics feed the suspicion that their interests may not be represented fairly by democratic institutions. The problem does not necessarily have to be that older generations are willingly trying to exclude or disadvantage younger generations. The concern is that they are more numerous, vote in higher proportions and are overrepresented in parliamentary institutions; they may thus be in a privileged position to shape politics and parliaments with their values, attitudes and interests. One recent example of this is the generational data of the Brexit referendum in the UK. Some studies show that up to 73% of the 18-24 age group have voted Remain when more than 60% of voters over the age of 65 years old voted Leave.<sup>[5]</sup> Younger generations’ views, values and perceived interests may in fact get side-lined even when fundamental decisions that will affect them for longer than older age groups are taken.

156 There are a number of possible ways to improve youth involvement in formal politics. One set of solutions consists in re-enfranchising the young through lowering the voting age to 16 years old, for instance, or through making voting compulsory. Youth participation can also be promoted through implementing easier voting systems and making registration simpler. Increasing funding for youth political initiatives as well as providing political training to more young people are also ways to work towards their re-engagement. In a recent report aimed at identifying ways to enhance youth participation, the UNDP (2013) also suggests encouraging parties to recruit more young people, supporting the development of youth wings in political parties, and developing civic education in schools



and universities. Some of the mechanisms introduced earlier for future generations can also be introduced to ensure that the interest of younger and smaller cohorts do not get sidelined - for instance ombudspersons, or parliamentary committees for younger generations. This is likely to be all the more relevant in ageing societies.

### 157 **2.4.3 Inequalities between age groups**

158 There is another form of generational inequality that is often hidden behind the aforementioned inequality between birth cohorts: inequalities between age groups. Age groups are groups of people of a given age at a given period of time. While birth cohorts age, age groups are categories of transit through which all cohorts pass as they age. Individuals will only belong to one birth cohort in their life, but they will change age membership throughout their lives as they age. This distinction between age groups and birth cohorts is important because inequalities between age groups do not necessarily translate into inequalities between birth cohorts over time. Take the phenomenon of low voting turnouts in young people: we need to know whether lower rates of participation have to do with age membership, in which case the disengaged will end up re-engaging at normal rates in the future as they age, or whether this has to do with a generational change in attitude that is likely to have an impact on their voting behaviors in the long run. In fact, recent studies suggest that we must appeal to both age and cohort effects to understand youth disengagement (Sloam 2012). Age inequalities pose a challenge to democratic legitimacy, regardless of whether they translate into inequalities between successive birth cohorts. Let me focus on two examples.

159 First, age groups have access to unequal social rights. In most countries, young people below the age of 18 cannot vote or run for office. For instance, while 16 and 17 years olds were allowed to vote in the Scottish referendum, they were not allowed to vote in the Brexit referendum. One must also be of a certain age to be a member of the Senate or to run for president. These age-based inequalities in basic rights are meant to capture unequal levels of competence, abilities and sense of responsibility. But they are not unproblematic. For a start, the young have a higher stake in the long-term consequences of decisions made today. There are very good reasons to keep children out of politics (that have to do with their autonomy and the fact that they could end up manipulated, for instance) but it is not clear that there are such reasons for older teenagers and young adults. Older teenagers are allowed to join the labour force, they can be imprisoned, and they can join the army in many countries. Even if we decide that the costs of letting older teenagers participate is too high, there may be other ways to integrate their interests in

democratic institutions. If all members of a democratic community cannot get an equal say, then perhaps their votes ought to be given to those most well placed to represent their interests; hence the political proposal of proxy votes for parents, for instance.

160 A second example is the unequal representation of different age groups in parliaments. Young people between the age of 18 and 35 years old are quantitatively underrepresented in parliaments throughout the world. The global average age of a parliamentarian is 53 years old when the median age of the global population is about 26 years old (Inter-Parliamentary Union 2012). In fact, at the international level, fewer than 2% of representatives are younger than 30 years old in two thirds of single and lower houses (Inter-Parliamentary Union 2014). Three quarters of upper houses do not elect young parliamentarians at all (Inter-Parliamentary Union 2014). Even in countries that do not have large ageing electorates, as it is often the case in the developing world where the national average age is much lower than in developed countries, representative bodies and politicians are much older.

161 Politics is essentially seen as the task of wise elders. And, as many have pointed out, the underrepresentation of young adults in parliaments does not look as unfair as the exclusion of women or ethnic minority, since they are only unequally represented for a portion of their lives. Still, the underrepresentation of youth remains problematic for a number of reasons. First, it reinforces the self-image of youth as apolitical and may have a negative impact on participation rates (young people may be left feeling that politics is not for young people). Second, decision-makers may be lacking experiential knowledge because of the lack of young representatives. Norman Daniels (1988) argues that the right procedure to establish the requirements of age group justice is to ask age-blind planners how they would distribute their fair share  $X$  across their life course. In real life, we cannot blind parliamentarians to their age to ensure they give adequate weight to the interest of old and young. But the least we can do is ensure politics and decision-making is not made in exclusion of some age groups.

162 One radical policy to correct the under-representation of young people in parliaments is the introduction of youth quotas in the legislatures (Bidadanure 2016). Drawing on existing examples of youth quotas in the form of reserved seats for young people in parliament in Uganda, Kenya and Morocco, the UNDP (2013) puts forward the introduction of youth quotas in electoral laws as a way to enhance youth representation and participation. The presence of young MPs can be expected to have at least two kinds of impacts on decision-making. The first is substantive. Regardless of their party membership, young MPs can be expected to contribute to expanding

the available party policy packages through pushing for the better inclusion of youth concerns in political agendas. Bringing in more young persons in parliament will also increase the likeliness that misconceptions about young people will be challenged. As Furlong and Cartmel argue, “when issues emerge that have a core relevance for young people, they are often tackled from a paternalistic and condescending ‘we know what’s best for you’ perspective” (Furlong and Cartmel in Berry 2012: 16). Quotas can prevent the important risk that policies and debates become driven by disrespectful misrepresentations, if conducted solely within some age groups and in exclusion of others.

163 The second potential impact of youth quotas relate to their symbolic role. If we consider that people’s self-image are partly tied to their political image, as Goodin (1977: 259) and many others have argued, then it seems that descriptive representation has meaning for whether given individuals are acknowledged as equals. Youth quotas would signal to society and young people that their contribution is valued and that they are considered with equal respect. Their status of equally respected citizens would be attested, recognized and emphasized. The absence or underrepresentation of young people in parliament, on the contrary, signals the opposite and may contribute to an apolitical self-image of young adults. If we care about the goal of democratic equality, then the existence of such social meaning of political inferiority must be undermined. Youth quotas may thus act as a strong symbolic gesture to reengage youth in politics, with a potential impact on their future participation.

#### 164 2.4.4 Conclusions

165 In summary, this section has considered three inequalities between generations that pose a challenge to democracy, and yet are often overlooked. We must devote more time and resources to understanding how each of them threatens democratic equality and to identifying adequate policy responses. The first challenge derives from the political invisibility of future generations and the endemic short-termism that comes with it. Mechanisms to give voice to future generations today (like parliamentary commissions) to legally entrench long-termist goals and to monitor progress and draw-backs must be considered. The second challenge is that of an ‘intergenerational democratic deficit’ between co-existing generations: the risk is that small and/or disenfranchised generations may see their interests sidelined. Many worry that this is an important risk with current young cohorts in some rich countries. Solutions to re-enfranchise the young include simplifying registration and voting processes and investing in youth initiatives. The last challenge was identified as relating to age-group equality. Here we questioned the exclusion of some age groups (including children,

teenagers and young adults) de jure or de facto from political institutions, including from electoral and parliamentary ones. We urged politicians to not take for granted those age-based differential treatments and to at least consider ways to make sure the interests of disenfranchised age groups are not sidelined. We also looked into the potential benefits of the descriptive representation of young adults in parliaments for democratic equality.

## 166 2.5 The challenge of globalization

### 167 2.5.1 Introduction

168 Democracy has something of an ambivalent relationship to globalization. On the one hand, globalization is typically seen as a product of the highest stage of democratic development. Here globalization is depicted as a benign condition of healthy interdependence, interconnectedness and mutual exchange that is only made possible by the attainment of a prior condition of democracy amongst its beneficiaries. Globalization is, in effect, the product of a democratic peace. Yet, on the other hand, the more detailed analysis of the consequences of globalization typically depicts globalization as a complex agent of de-democratization – a condition whose attainment makes the practice of democracy (particularly at the national level) ever more difficult, invariably because it is associated with a series of non-negotiable imperatives trumping democratic choice or, indeed, the proliferation of problems for which there is no clear democratic solution. Globalization produces, in other words, a democratic deficit.

169 The two perspectives are, of course, not strictly incompatible. It is perfectly possible to think of globalization as the product of a wider process of democratization but as a process that, at the same time, serves to usher in a new condition of interdependence between nations that is corrosive of democracy at the national level. But this kind of connection is rarely made, with the literature and wider public discourse of and about globalization typically resolving itself to a positive and benign view of globalization on the one hand starkly counterposed to a negative view of globalization's corrosive effects on the other.

170 The aim of this short chapter is to bring these two opposed perspectives into greater dialogue, establishing in the process something of the contested nature of the 'democracy-globalization' balance sheet. The argument is presented two parts dealing, respectively, with the challenge posed by globalization and the responses to which it might give rise. It unfolds over three sections. In the first, the complex semantics of globalization are briefly discussed as a prelude, in the second, for a review of the various

claims that economic globalization, in particular, is corrosive of democratic choice. The final section considers the extent to which democratic innovation, particularly at levels above the national, might rectify globalization's democratic deficit, offering future generations the capacity to hold globalization itself to account democratically.

## 171 2.5.2 The challenge of globalization

### 172 *Semantics*

173 Given the seeming certainty with which so many commentators discern the consequences of globalization for democracy, one might expect a clearly expressed and highly conserved understanding of the term within the existing literature. Yet nothing could be further from the truth.

174 Globalization is in fact a generic term for a rather disparate array of things and, where it is defined at all, it is understood in a great variety of different ways. For the most part, however, these understandings can be arrayed along a continuum. This ranges from the geographically least precise and inexact to the geographically most restrictive and demanding. At the definitionally inexact end of the spectrum, to point to globalization means little more than to identify cross-border flows of goods and services, finance, migrants, pollutants, infectious agents and so forth. By contrast, at the definitionally demanding end of the spectrum, such flows need to be increasingly planetary in their scope to be regarded as evidence of globalization. Yet this is not the only definitional divide. It is important also to distinguish between contending understandings of globalization in terms of whether they see globalization as a condition or property of the world system (or of the units from which it is comprised) that has *already been achieved* or as a *still ongoing* process or tendency (which may be resisted) for the world system (or the units within it) to become more global or globalized over time.

175 The crucial point is that such definitional choices have significant implications – both for whether we see evidence of globalization or not and, indeed, for the significance of any such observation for the viability of democratic systems of governance. Clearly, if to confirm the globalization thesis we need only show a proliferation of cross-border flows of goods, services and so forth, then evidence of globalization abounds. But, and this is perhaps the key point, understood in this way globalization may be rather less significant a factor than we tend to assume. Conversely, if to confirm the globalization thesis we need to establish that such flows are in fact both increasingly *extensive* in their (planetary) scope and increasingly

*intensive* in their magnitude, then evidence of globalization is going to be rather more difficult to find – but all the more significant if, as and when we do find it (on extensity and intensity, see Held *et al.* 1999).

- 176 There is clearly plenty of room for conceptual confusion here. Authors who may well agree on the facts themselves may nonetheless disagree over the extent of globalization simply because they impose upon the term different definitional standards. Indeed, on closer inspection what may seem at first like a dispute over the evidence itself often boils down to little more than a semantic difference of opinion (compare, for instance, Hirst, Thompson and Bromley 2009 and Perraton *et al.* 1997, with O'Rourke and Williamson 1999, 2002 and Frank and Gills 1993). This makes it all the more important that we are clear from the start about what we mean by globalization and fully aware of the implications of our choice for the significance of identifying evidence of globalization.
- 177 But it is at least equally important that we are consistent. And herein lies a second problem with much of the existing literature and, indeed, the public debate on globalization. As we shall see presently, when it comes to demonstrating that we live in a 'globalized' world, many commentators appeal explicitly or, far more likely, implicitly, to the most inexacting of definitional standards. In making the case for globalization, they show a proliferation of cross-border flows and little more. Yet, having ostensibly demonstrated 'globalization' in this way, they then invariably go on to infer from it a variety of highly significant effects. This they do typically by assuming the existence of a perfectly integrated world market, for which of course they have presented no evidence. In other words, they switch from the least to perhaps the most exacting of definitional standards at precisely the point at which they turn from evidential induction to logical deduction. The effect is to exaggerate the significance of 'actually existing' globalization, not least for its impact on democratic governance.
- 178 The full implications of this become clear when we start to look in more detail at those theories which suggest that globalization and the respect for democratic choice are likely to be in significant tension with one another. For, as we shall see, what many of these share is a common analytical structure in which the effects for democracy governance of globalization (typically, a series of imperatives) are derived logically from a stylized assumptions about both the behavior and motives of business and the degree of integration of world markets. It is to such theories directly that we now turn.

- 180 The idea that globalization is corrosive, if not of democracy itself, then of the effective space for democratic choice – since its effects serve to restrict the array of credible policy options – is not a new one. Indeed, it is perhaps nowhere better described than by Adam Smith in the *Wealth of Nations*:
- 181 “The ... proprietor of stock is properly a citizen of the world, and is not necessarily attached to any particular country. He would be apt to abandon the country in which he is exposed to a vexatious inquisition, in order to be assessed a burdensome tax, and would remove his stock to some country where he could either carry on his business or enjoy his fortune at his ease. A tax that tended to drive away stock from a particular country, would so far tend to dry up every source of revenue, both to the sovereign and to the society. Not only the profits of stock, but the rent of land and the wages of labour, would necessarily be more or less diminished by its removal” Smith (1776: 848-49).
- 182 What is striking about the logic of Adam Smith’s argument is that it almost perfectly captures the very contemporary idea that the mobility of capital generates a series of imperatives (here, for states to reduce the ‘vexatious inquisition’ of taxation that they impose on business) that must override democratic deliberation and choice.
- 183 The contemporary form of the argument is, in fact, only subtly different. It goes something like this. In closed national economies, such as those which characterized the pre-globalization era, capital was essentially immobile and national in character; it had no ‘exit’ option. In such an environment governments could impose punitive taxation regimes upon unwilling and relatively impotent national businesses with little cost to the domestic economy (save except for the tendency for the latter to hoard rather than to reinvest their profits).
- 184 In a world of globalization, by contrast, open economy conditions pertain. Capital may now exit from national economies at minimal cost (invariably, in most neoclassical-inspired models, at zero cost). Accordingly, by playing off the regulatory regimes of different economies against one another, capital can ensure for itself the highest rate of return on its investment. *Ceteris paribus*, capital will exit higher taxation jurisdictions for their lower taxation counterparts, comprehensive welfare states for residual states, highly regulated labor-markets for flexible labor-markets and economies characterized by strict environmental regulations and high union density for those characterized by lapse environmental standards and low union density.

185 The process pits national economy against national economy in an increasingly intense competitive struggle. States must effectively clamber over one another in an ever more frenzied attempt to produce a more favorable investment environment for mobile ('footloose') foreign direct investors than their competitors. Yet this is not a one-shot game – and an early influx of foreign direct investment only increases the dependence of the state upon its continued 'locational competitiveness'. If investment is to be retained in such an environment, states must constantly strive to improve the investment opportunities they can offer relative to those of their competitors. Any failure to do so can only precipitate a haemorrhaging of invested funds, labor shedding and, eventually, economic crisis. In other words states must internalize and continue to internalize the preferences of capital, offering ever more attractive investment incentives, ever more flexible labor-markets, and ever less restrictive environmental regulations, if they are not to be emptied of investment, economic activity and employment. Big government, and more importantly perhaps the democratic choice for big government, is rendered increasingly anachronistic – a guarantor not of the interests of citizens or even consumers, but a sure means to disinvestment and economic crisis.

186 If this is the general form of the argument, then there are two important extensions of it that it is also important to consider. The first concerns financial markets – and the political imperatives arising from the financial market integration associated with globalization. The second is more specific to the period following the global financial crisis. It concerns public debt, the state's obligations to its creditors and the associated political imperatives arising from such financial dependence.

187 Globalization, of course, is not only associated with trade and foreign direct investment flows. Increasingly significant in accounts of globalization's political imperatives are financial flows, particularly short-term financial flows. Here the argument is again very simple. In a world of heightened financial interdependence, financial market actors can be seen, effectively, to 'take positions' on the policy preferences exhibited by governments. In a sense they reward and penalize governments for their conduct of domestic economic governance. In so doing they have the capacity to wreak almost instant domestic havoc through the positions they adopt in foreign exchange markets and/or by modifying the effective rate of interest on government debt. Understood in this way, governments have a need to appease financial market actors through their economic and social policy choices by, in effect, internalizing a series of external and non-negotiable financial imperatives (for fiscal prudence, deficit and



debt reduction through austerity and a hawkish commitment to price stability). Such imperatives, once again, circumscribe as they discipline democratic governance at the national level.

188 Finally, in a context of unprecedented levels of public (and, indeed, private) debt following the global financial crisis, such imperatives are typically seen to have been ratcheted up several notches. As Wolfgang Streeck (2014) puts it so clearly, today's nation-states are 'consolidation states', simultaneously beholden to their citizens for democratic legitimacy and to global financial market institutions for the borrowing on which their spending relies. These, of course, are typically conflicting relations of dependence. What financial market institutions might demand in return for the conditional rolling-over of national debt is not the same as what citizens desire from the government they elect democratically. Here, as elsewhere, global economic interdependence (here financial interdependence) makes democratic governance a more complex juggling of conflicting imperatives in which the capacity to respond directly to the demands of citizens is seemingly attenuated.

189 But is this credible? Insofar as we are right to accept the combined and mutually reinforcing logics of the above argument – for they all pull in precisely the same direction – democratic choice is, at the national level at least, profoundly threatened by economic globalization. The stakes could scarcely be higher. And for this reason, above all, we need to proceed with some caution.

190 Whilst the logic is a compelling one and one that has proved exceptionally persuasive, not least amongst political elites (a point to which we return presently), the evidence for the anticipated effects of such a logic is not nearly so strong. The problem here is the convenient simplicity of the analytical assumptions from which logics of this kind are derived. Adam Smith simply assumes that all taxation is anathema to the interests (and profits) of capital – and hence, that in a context in which capital enjoys mobility, it will consistently exercise the exit potential this brings by fleeing high taxation jurisdictions for low taxation jurisdictions. It is but a short step to the imperative of fiscal and, hence, state retrenchment.

191 But this stands in marked contrast to the available empirical evidence. This shows, amongst other things, a strong, positive and strengthening correlation between state expenditure and economic growth under conditions of globalization (Cameron 1978; Katzenstein 1985; Rodrik 1997; Swank 2002); a propensity for foreign direct investment to be attracted not by low but by high rates of corporate taxation, not by highly flexible but in fact tightly regulated labor markets and not by low but by high environmental standards (Cooke and Noble 1998; Hay and Wincott 2012; Wilensky

2002); and a similar tendency for financial market actors to be comparatively lenient on budget deficits, accumulated debt and even the inflationary preferences of governments (and central banks), at least in OECD countries (Mosley 2003).

192 The reason for all of this is relatively simple. State expenditure, and hence the taxation receipts out of which it is funded, is not nearly as damaging of competitiveness nor, relatedly, the return on capital invested, than is typically assumed in such stylized models. Foreign direct investors, it seems, seek not deregulated labor markets nor low corporate taxation so much as highly skilled and flexible labor, stable industrial relations regimes and privileged access to the kinds of affluent consumer economies typically characterized by the highest levels of social and other state expenditure (Hay and Wincott 2012; Rodrik 2012). Similarly, in a context of incomplete information and information that is often time-consuming and expensive to acquire, financial market actors are typically disinterested in the finer details of macroeconomic and social policy in advanced liberal democracies – tending simply to assume that, in the absence of a handful of clear warning signs, all is in relatively good working order (Mosley 2003). Financial markets, it seems, are less discriminating – and, crucially, less constraining – in their behavior that we tend to assume.

193 From the perspective of democratic choice that, of course, is a very good thing. For it suggests that the space for democratic deliberation and the national policy-making autonomy on which it relies is not as restricted as we might assume. But there is a catch. Insofar as our political elites are impressed by such logics – and there is plenty of evidence that they are – they may well act as if such non-negotiable economic imperatives were real (Hay and Rosamond 2002). The effect is much the same, even if the mechanism by which it is achieved is very different. The irony, of course, is that it is the acceptance by political elites of the idea of globalization (and the imperatives with which it has come to be associated) that turns out to be more corrosive of democratic governance at the national level than globalization itself.

### 194 **2.5.3 The prospects for political globalization**

195 This is all very well – and for how we think about democratic governance at the national level, it is undoubtedly profoundly important. But it is to privilege the national level and, in a context of globalization, that is unquestionably problematic. Perhaps the simplest way to conceive of this is in terms of the uneven character of the process of, not economic, but *political* globalization. We might think of this in terms of the (uneven) globalization of political problems and the globalization of political solutions – the point, of

course, being that there is a gross disparity between the former (evidence of which abounds) and the latter (where we are surely right to identify a governance deficit).

196 Both forms of political globalization pose problems for traditional forms of democratic governance, which tend to privilege the national level. Two examples serve particularly to reveal the extent of the difficulty. The first is the challenge of global climate change – an issue that, though clearly unevenly distributed in terms of its immediate effects (both current and anticipated) is no less clearly planetary in terms of its aggregate consequences. Here, respect for the democratic preferences of citizens at the national level is likely to compromise profoundly the capacity and authority to impose solutions at a global level. And, whilst we still lack a vision of what a genuinely democratic, yet at the same time global, resolution of such a problem might entail, this disparity between national and global solutions is likely to manifest itself in terms of a political stalemate.

197 The second example, the problem of global financial market regulation, seems as yet no less intractable. Here again we witness the palpable disparity between the need for, and supply of, global governance (here in the form of global financial market regulation). If, indeed, global financial market actors are as globally interconnected and interdependent as the global financial crisis reveals them to be, then regulation at a national level, however prudential, cannot guard against crisis through contagion. Clearly global governance is required (Hay and Payne 2015). Yet in a context in which different states have, in effect, different exposures to and investments in the financial markets they ostensibly regulate there is a proliferation of potential veto players in the move from national to global regulation. The outcome is predictable. The transition from national to global governance, despite the inherent logic of such a move, has proved as yet impossible. Here the impediment is not so much the capacity to envision democratic global governance as to envisage genuinely global governance at all.

198 And herein lies the cusp of our contemporary dilemma. There is a demonstrable and palpable need for global governance and yet, at the same time, a clear and compelling argument that respect for the democratically expressed wishes of citizens at the national level is both anathema to, and will ultimately always thwart, the passing of political authority from the national to the trans-national level. In the end there is only one solution to that problem – the envisioning of a form of global governance that is not only efficacious at a planetary level (in terms of its capacity to regulate financial markets and to mitigate judiciously the effects of global climate change, for

instance) but also credibly democratic at the planetary level too. That is a tough ask – a challenge to political theorists as much as it is a challenge to proponents of democratic global governance.

199 Put bluntly, we have yet to make democracy and globalization compatible – and we have, for far too long, proceeded on the rather naively optimistic basis that, since globalization is a benign process, there is little or no risk to promoting its development in advance of any clear strategy for its democratization. We are rapidly reaching the point at which that comforting delusion no longer holds – and, in so doing, we reach a political watershed. The choice is ours.

## 200 2.6 Populism: A challenge from within

201 After years of neglect, populism is now a central theme of political experience and research. Until recently, interest in the study of populism was traditionally strongest among scholars who saw it as a problem. Political scholars who have suggested that populism might have a positive role to play in contemporary democracy are thus rare. For this minority, however, populism's putative virtues include "folk politics" versus "institutionalized politics"; the concerns of large numbers over the interests of the few; the lived experience of local, the village, the neighborhood over an abstract, distant state; and finally the consistent actualization of popular sovereignty as the substance of the whole over and above constitutional rules (Canovan 1999; Mudde 2001). Populist scholars emphasize also the political directness, sincerity, and transparency of ordinary people versus the indirection and opacity of representative institutions; they oppose the "purity" of political purpose of the many to the bargaining games by the politicians, who are part of the few and the elite; they praise decisiveness (and also decisionism) over time-consuming parliamentary compromises, procedural formalism, and institutional obfuscation; they use the language of the organic unity of the *populus* rather than the artificial and abstract language of intellectuals and scholars; finally they stress the priority and homogeneity of the whole versus pluralism and the conflict of interests (Kazin 1995; Canovan 2002). They make the character of populism overlap with that of democracy and propose to see both of them as the best expressions of politics, the art of persuasion and decision by which means the people construct their community according to their will (Laclau 2005a).

202 Despite the power contrasts drawn by scholars sympathetic to populism, they have yet to converge on even a rough definition of it. Populism remains a deeply contested term, more useful polemically than analytically, often used merely to brand and accuse actual political movements or leaders; this explains the "repugnance with which words 'populism' and 'populist' are uttered," particularly

among European scholars (D'Eramo 2013). However, recent events in Europe and the United States and recent literature have helped shed light on populism and some agreement is possible upon basic definitions of it concerning its ideological character, its relation to democracy's promises of public equality, its socio-cultural content and its strategic mechanism.

### 203 2.6.1 Populism's recognizable characters

204 Although plural and diverse because it is socially and historically contextual, populism develops within representative democracies (not merely democracies) as a fight over the meaning and representation of the people, an extreme expression of intense majority politics and thus a straining of constitutional democracy to its extreme limits, beyond which a change of regime (tyranny or dictatorship) could occur. Recognizing populism's contextual specificity (thus its plural manifestations) is no impediment to using comparative analyses in view of understanding the reasons of its present success in democratic societies. All populist movements exhibit a strong reservation and even hostility to the mechanisms of representation, in the name of an almost unanimous collective affirmation of the will of the people under a leading figure and above party pluralism. Yet they do not renounce representation to institute direct democracy. Populism is "parasitical" not on democracy in general but rather on representative democracy in particular;<sup>[6]</sup> it is a distorted form developing from within it, rather than a regime of its own. The relationship of populism with democracy is an issue of contention rather than compatibility.

205 Populism is not external to representative democracy but competes with it about the meaning and use of representation as a strategy for claiming, affirming, and managing the will of the masses. Its representative claim is the source of its radical contestation of parliamentary democracy, its real target. Indeed, it treats pluralism (of interests and ideas, but also as manifested by parties) as litigious claims that fragment the body of popular sovereignty and thus must be simplified so as to create a polarized scenario that makes the people immediately know how to judge and with whom to side. *Simplification* and *polarization* are in the view of achieving a deeper unification of the masses against the existing elites and under an organic narrative that most of the time a leader embodies (Urbinati 2014). Benjamin Arditi has thus written (2008) that populism can be seen as representative democracy's "internal periphery" hardly conceivable without a politics of personality. Hence, I propose to identify populism with two intertwined political processes: one that goes toward polarization of the citizenry in two homogenous groups (the many and the few), and the other that goes toward a verticalization of the political system that minimizes the role of

deliberation and mediation and exalts instead that of strong majorities and steadfast decisions. Polarization and Caesarism go hand in hand and both of them constitute a radical challenge to constitutional democracy. Populism can thus be rendered in the following way: it is a **symptom of representative democracy's malaise as denunciation of the failure of constitutional democracy to be consistent with its promises of guaranteeing that all citizens enjoy an equal political power and that public equality is the norm leading institutions, politicians, and citizens.**

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## 2.6.2 The promise of democracy

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Both in its classical and modern version, democracy promises to institute and guarantee legal, civil and political equality. It promises *isonomia* or that all the members of the *demos* (the citizens) are equal as subjects to the law and are treated equally by the law. To make legal equality and civil equality certain and secure, modern constitutions incorporate a list of rights that limit the decision-making power of the government and watch over the equal treatment of all by the magistrates. Democracy promises also *isegoria* or that all adult citizens have the same identical political power when making decisions on public issues and the same chance to speak up frankly in public, to associate for and promote their views. In representative government, this entails that as *electors* all are identical because their votes have equal weight (on this premise only majority rule achieves democratic legitimacy); and it entails that as *citizens* all are different in their social conditions and endowed with an equal right to give voice to their differences, to form and make public their opinions, to know what their government does, and finally to influence elected and electors as well.

208

Legal, civil and political equality inspire both the mode and the substance of public behavior because identical as members of the *demos* and in their voting power, democratic citizens are not identical and not even equal when they give expression to their voice and cast their vote. In relation to its promises of equality, thus, democracy proposes things at first glance seem contradictory: that political power should be distributed regardless of the social, cultural, and economic conditions of the citizens and that it should be used by the citizens to make sure that those conditions are not so unequal if the equal political power is to be effective. Democracy claims that procedures must ignore the social conditions of the citizens and yet that they will be used so that the citizens can make their social condition as close as possible to their political status. The tension between formal and substantial equality is in the very genes of democracy, not an accident or a defect because citizens' equality

refers to both a way of making decisions (government form) and a way of participating in making them (political form). This makes a procedural conception of democracy simply an incomplete picture.

209 A purely procedural reading is too narrow to be explicative of the potentials and transformations which a democratic society is capable of. For sure it can hardly grasp populist forms of representation but also ideological identifications among citizens and partisan aggregations animating the public forum. To complete our picture, we should consider that in nation-state based constitutional governments, the diarchic nature of democracy has been actualized through the construction of “the people” as the legal and legitimate sovereign of the law but also as the representative claimant that contests and proposes, that reclaims its visibility beyond its legal status. Like democracy, the people possess a double nature as is at once the norm or legal actor in whose name decisions are made and the concrete actor of the proposals and decisions.

210 *De iure* and *de facto* levels are intertwined and their tense combination makes a democratic society an amalgam in permanent and sometime turbulent motion, in which the promises of equality are at once working procedures and instigations to social criticism and innovation. This tension feeds populism, which represents an all-political transformation of the forum of opinions that becomes a force more authoritative than elections, often amplified by the media. Populism repudiates democracy’s diarchy of opinion and decision in view of merging fully the way people think and the way people want. It is to representative democracy what demagoguery was to direct democracy. According to Aristotle’s pivotal analysis, demagoguery within democracy is: (a) a permanent possibility insofar as it relies upon the public use of speech and opinion like democracy; (b) a more intense use of the principle of the majority so as to make it almost absolute or a form of power more than a method for making decisions (populism is the rule of the majority rather than a politics that uses majority rule); and (c) a waiting room for a possible tyrannical regime. We may attribute the following four aspects to populism: it flourishes as a fellow traveler of democracy; is a radical form of democratic action as strong majoritarianism; develops in times of social distress and increasing inequality; and its outcome may be risky to constitutional democracy (Taggart 2000).

### 211 2.6.3 Populism’s contextual specificity

212 A complex category hard to synthesize in a clear-cut definition, populism’s factors and implications are deeply contextual and connected to the malaise of democratizing or democratic societies. In the United States, where the term was coined as a party name in the age of post-civil war industrial reconstruction and never brought

upon a regime change, populism developed along with political democratization and was, and still is, predictably met positively by historians and political theorists because of its claim of inclusion of the many or no so well represented (Kazin 1995). Born when the country was ruled by an elected notabiliate representing the interests of an oligarchy (before universal suffrage was implemented), the Declaration of Independence and the Bill of Rights became extant conditions for a more democratized polity, and populism a collective movement against the “domestic enemies of the people” (Frank 2010) in the name of an alleged purity of the origins of popular government and its adulteration by the artificial complexity of civilization and the institutional organization of the state (Lash 1991). The bureaucratic and normative state apparatus, which started to be built in mid-nineteenth century, made the work of the government more distant from the people and its operations more opaque and hard to be understood by ordinary citizens.

213 On the other hand, in some Latin American countries, “the land of populism” in Carlos de la Torre’s words (2016), populism has been met with mixed feelings in relation to its historical phases: thus whether it was evaluated at the beginning of its career or at the pick of its fulfillment as a regime; as an opposition party mobilizing against an existing government or as a regime itself; and then also, as a regime in its consolidation or facing a succession in power (Rovira Kaltwasser 2012; Finchelstein 2014). Like in the United States, populism in Latin America also emerged in the age of social modernization but much like fascism in Italy it governed the path towards modernity that used state power to protect and empower their popular classes, repress dissent, and meanwhile implement social-welfare policies (Germani 1978). Thus Ernesto Laclau described populist (and Peronism in particular) as a strategy of hegemonic rebalancing within the “power blocs” through the incorporation of the popular-democratic ideology of the masses within the ruling majority (Laclau 2005). Finally, in Western Europe, populism made its appearance with democratization in early twentieth century, along with colonial expansionism, militarization of society coinciding with World War One, and the growth of ethnic nationalism per effect of the distress that the war. It helped justify xenophobic ideologies that aimed at homogenizing the nation and in fact promoted Fascist regimes based on mass propaganda, political simplification of friends/enemies divide and Caesaristic leadership incorporating the people as one (Mueller 2011).

214 Populism is growing once again, not only in Latin America and in poor societies struggling to modernize and democratize. Populism is back in several European countries, within a supranational quasi-federative context and several decades of cosmopolitan culture of rights and toleration that lessened nationalistic politics. The



European Union, which developed as anti-totalitarian project after World War Two, is a novel frontier of populism, which is emerging no longer and simplistically as a claim for going back to a pre-European Union order, but rather as a design for a new representation of the European peoples as ancestral totalities against external sources of contamination such as affluent cosmopolitan elites and migrants. Decline of socio-economic wellbeing combines with an erosion of democratic legitimacy in relaunching populist leaders and movements in several European states and also the United States, which is experiencing resurgent nativism aimed against immigrants much like the old Europe and is no longer the exceptional and only place in which populism is the name of good democracy. To be sure, some leftwing forms of populism in both continents there are that claim to be inclusive of the new immigrants rather than exclusionary, yet they make their claim not in the name of the democratic promises but as a challenge to the constitutional fabric of representative democracy (Weyland 2013).

215

**Renascent populism witnesses waning confidence in core representative democratic institutions such as parties, parliaments and elections. As leading scholars have stressed, shrinking party membership and increasing estrangement between politicians and voters testify to disillusionment with representative democracy (Mair 2013, Manin 1987; Merkel 2014, Rosanvallon 2016). Politicians are regularly accused of having lost touch with ordinary people's concerns and made politics into an insipid *mainstreamism* that chooses to neglect society's most grave needs and concerns in order not to compromise electoral consent. Yet anti-party sentiment is primed to damage constitutional democracy as citizens need to be offered recognizable political proposals in order to side with and against and choose and participate. In consolidated democracies, thus, populism seems to follow a cycle of electoral abstention and apathy, which is a side effect of mainstreamism and at the origin of citizens' mistrust in party politics, the growth of anti-party sentiments, and the attraction of the populist rebuff of "practical democracy" (Mair 2002). When elected politicians and citizens become two separate groups that make the opposition between "the many" and "the few" an easily grasped catchword, when ordinary citizens witness increase of social distress and gross violations of economic equality in the general indifference of their representatives and while the most powerful acquire more voice in politics, it may very well happen that people distrust "practical politics" (Mény and Surel 2002).**

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**These are traditional factors that help explain the growth of populism in democratic societies: the quest for more intense power by the majority is primed to emerge from time to time like a symptom of mistrust in democracy's ability to fulfill its promise of**

equal political power. Yet some additional factors contribute today in reinvigorating the populist rhetoric, such as a globalized financial capitalism that weakens the decision-making power of sovereign states and a globalized market of labor force that narrows the possibility of striking a social-democratic compromise between capital and labor upon which democracy was rebuilt after World War Two. The weakening of state sovereignty before global corporate business meets with the people's call for closed borders in several nation-states as if democratic citizens thought that the protection of their political power demands the containment of free movement of peoples and of free competition over salary and social benefits. Like in the past, populism associates politics of social redistribution with protectionist politics; in addition, the dramatic phenomenon of terrorism associated with Islamic extremism propels a politics of state security at expense of civil rights and highlights the nationalistic character of democracy as a vital condition of cultural and religious homogeneity to be protected against external enemies. Hence, in several member-states of the European Union, anti-European sentiments, economic distress, and a cultural discourse dominated by cosmopolitan elites determine a representative deficit which can open a political space for those who have the perception of not having their voice represented: populist leaders are primed to find there an inviting milieu for their anti-establishment plans.

217 In a globalized world, populism comes to play two roles: that of denouncing social inequality and the privileges of the wealthy few and that of reclaiming the priority of the national unity of the people. Resuming the two ancient categories—*ethnos* and *demos*—whose mix steered the construction of post-Eighteenth century democratic “people”, one might say that populism’s renaissance in several democratic countries is both a symptom and a triggering force that can disrupt that mix. Indeed, on the one hand, the *demos* (“the people”) tends to deflate its political meaning as the collective of equals in power (citizens/electors) and to translate it into a social unit identified with the majority, and on the other hand, the *ethnos* (“the nation”), which the political nation of the equal subjects to the law was meant to neat of all ancestral meanings, tends to be identified with pre-political characters not acquirable by simply being subjects to the law (Portinaro 2013). Briefly, populism combines two processes: of politicization of the ethnical aspect and of ethnicization of the political aspect that have made for “the popular sovereign” in modern democracy. It thus shows how weak and context-dependent the roots of representative democracy are.

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Based on these premises, a distinction has to be made between *populism as a popular movement* and *populism as a ruling power*, a prospective that allows us to face populism both in its rhetorical style, its propaganda tropes and ideology, and finally its aims and achievements. This double condition mirrors the diarchic character of democracy we have mentioned above: power of decision and power of opinion qualify constitutional democracy as an order in which citizens have an equal right to make decisions by voting directly on issues (referenda) and for representatives and to construct the issues or claims that ask for decisions to be made, sustained, or revised.

220

**Populism has to be evaluated and judged in relation to both authorities: as a movement of opinion and as a system of decision-making.** It is inaccurate to treat it as identical with “popular movements,” movements of protest, or “the popular” as it can be much more than that. Hence there is populist rhetoric but not yet populist power when the polarizing and anti-representative discourse is made up of a social movement that wants to be a constituency independent of elected officials, wants to resist becoming an elected entity, does not have nor want representative leaders unifying its several claims, and wants to keep elected officials or the government under the scrutiny of the public. This was the case, for instance, of popular movements of contestation and protest like the Girotondi in Italy in 2002, Occupy Wall Street in the United States in 2011, and Indignados in Spain in 2011. Without an organizing narrative, the aspiration to win seats in the Parliament or the Congress and a leadership claiming its people to be the true expression of the people as a whole, a popular movement remains very much what it is: a sacrosanct democratic movement of opinion, protest, and contestation against a trend in society that betrays some basic principles of equality, which society itself has promised to respect and fulfill.

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On the other hand, there is populist rhetoric and populist power when a movement does not want to be a constituency independent of the elected officials but wants instead to conquer the representative institutions and win a majority in order to model society on its own ideology of the people. This is for instance the case of Hungary’s Fidesz party that in 2012 won a supermajority of the seats in Parliament and used it to scrap the old Constitution by amending it continuously, entrenching its own political vision at the expense of opposition parties and an independent judiciary. Similar events happened in Poland after the electoral victory of Kaczinski’s PiS after 2014.

Populism, both as a movement and populism as an intra-state power, is parasitical on representative democracy either because it opposes representative democracy or wants to conquer it. But while a certain populist rhetoric is to be detected in almost all parties (particularly when they radicalize their claims close to elections), populism as a ruling power has some recognizable characteristics that can sharply contrast with “practical democracy” and the procedural structures of ordinary politics, like hostility towards party pluralism, the principles of constitutional democracy and the division of powers. Hence although ingrained in the ideology of the people and the language of democracy, populism as a ruling power tends to give life to governments that stretch the democratic rules toward an extreme majoritarianism, often discriminating against minorities. Populism in power is a *pars-pro-toto* project that may have devastating effects on constitutional democracy (Arato 2013). This makes me conclude that while a **symptom of political and social malaise in democratic societies, populism can hardly be a cure. Factors** driving populism can be found in the partial regimes of elections and political rights to participation within embedded democracies (see: Introduction), where people at the lower end of the social strata feel systematically excluded and underrepresented or simply fear to be victims of threats they cannot face and control with ordinary legal and political means. In addition, a cause for populist discourse is also to be found in the partial regime of “power to govern” as national sovereignty is challenged by global markets and supranational governances such as the European Union. Yet regardless of its social specificity and the objective duress that fuels it, if populism comes to power it explicitly challenges the proper working of the “civil rights” regime and the regime of horizontal accountability granting too much power to the executive (decisionism and democracy of the leader) at the expenses of the legislature and the judiciary (deliberation and the rule of law). The question is that although populist leaders seeking power promise to include the excluded and overturn an elected oligarchy, once in power they end up by attacking the institutions of liberal democracy, seizing central government, controlling and even repressing social movements and oppositions, limiting civil liberty and contrasting media pluralism. For this reason, although a symptom of malaise of democratic societies, populism can hardly be a remedy.

## 2.7 Science, Technology and Inequality

As contemporary societies increasingly build their governance structures and their imaginations about future developments around scientific knowledge, as they privilege specific kinds of expertise and cherish technological innovation as a sign of unquestioned advancement, it is essential to carefully reflect how this politics of knowledge and technology is entangled with questions of inequality.

Indeed, when it comes to the question of democracy and inequality we often witness the co-existence of rather contradictory positions. While we encounter a strong vision that science and technology will help even out some of the existing inequalities, create new possibilities and contribute to an overall improvement of the human condition, simultaneously concerns are voiced that this “scientization” of societies might, quite on the contrary, reinforce existing or even create new inequalities.

225 Indeed, in the immediate post-WWII period a great hope was palpable that the growing importance of knowledge and technologies and their distribution across the globe would allow to create a world more equal and inclusive; a world that could grow beyond the conflicts which had so deeply marked the first half of 20th century. A well-known example of this hope can be found expressed in CP Snow’s (1959) famous speech on “The two cultures” in which he expressed his confidence that major inequalities then governing the world could be gradually lowered through the spread of knowledge and through the education of more scientists. While this quickly turned to be a utopian dream and critical analysts pointed to the fact that access to the advancements in science and technology had become an important generator of power differentials both within and across societies, this did not hinder political actors to rehearse such a view at occasions when cherishing technological innovations. Indeed at the advent of the new information and communication technologies (ICT), we encounter such narratives of hope by highly techno-optimistic analysts and policy makers, stressing the *advantages for all* this global information infrastructure would bring. US Vice President Al Gore’s 1994 speech at the meeting of the International Telecommunication Union in Argentina is one example nicely capturing this vision. Describing the internet as information highways, he stressed that it, “will allow us to share information, to connect, and to communicate as a global community. From these connections we will derive robust and sustainable economic progress, strong democracies, better solutions to global and local environmental challenges, improved health care, and—ultimately—a greater sense of shared stewardship of our small planet”. (Gore 1994)

226 We therefore witness repeatedly efforts to establish sociotechnical imaginaries of societal progress, i.e., “collectively held, institutionally stabilized, and publicly performed visions of desirable futures, animated by shared understandings of forms of social life and social order attainable through, and supportive of, advances in science and technology.” (Jasanoff 2015) Following the ideal of scientific and technological rationality as a key governance principle was expected to quasi-automatically improve democratic societies and render them more equal for its constituencies.

227 Yet, much of the analysis in Science and Technology Studies (STS) and neighbouring fields has shown that this imaginary of a sociotechnical future equally open to all has its clear limits. While both scientific knowledge and technologies have definitely created solutions to problems in the areas of health, food, energy, communication, or transport, inequalities persisted. Thinking democracy and inequality together, therefore means to question the impact of the knowledge and technological infrastructures which form the basis of contemporary democracies, to be attentive to the many places and moments the performance of democracy is tied to questions of technoscientific choices, and to unpack the new challenges citizens have to face in order to fully participate in a technoscientific society.

228 Before entering a more detailed debate on some areas where the relation of science, technology and inequality becomes visible, it seems essential to underline the complexity and the relative nature of the very concepts of inequalities and democracy. In what follows, equality in relation to technoscientific change is understood as fragmented in nature, a situated outcome of specific performances of change and always shifting. In analogy also “a democratic society cannot fully or at every moment be a democracy” and will “depend upon mutually reinforcing democratic ideas, political culture, political imaginaries, institutions, and practices”. (Ezrahi 2012) Science and technology play an essential part in both, democracy and equality, and the aim is to think how we can perform them together reasonably well.

229 The attention therefore has to move from asking principled questions—is something democratic and do technoscientific developments create conditions of equality—, but much rather be attentive to the multiplicity of situations in which both democracy and equality have to be realized over and over again. This also means considering shifting socioeconomic conditions, the ways in which access to education and to different kinds of innovation is structured, the distribution of the capacities to raise voice in relation to technoscientific issues, and many more. And it becomes essential to investigate the structural conditions—i.e., technological infrastructures but also infrastructures in which knowledge circulates and can be accessed—which might keep inequalities in place.

### 230 **2.7.1 Values, science and technology – Whose values?**

231 Indeed scholarship in science and technology studies has shown how technoscientific developments and societal values are deeply intertwined. The knowledge and the technologies we create, on the one hand, and the dominant values and normative ideals expressed in our societies, on the other hand, therefore have to be seen as

coproduced. (Jasanoff 2004) The idea is thus to neither embrace technological nor social determinism, but much rather to see how the places where technologies are designed and knowledge is generated matter as well as the persons who hold the capacity to steer or at least to participate in these processes. We can therefore speak of a geography of innovations and responsibilities which needs our attention. Any technology we develop always already contains what Akrich (1992) calls a script, i.e., a „framework of action together with the actors and the space in which [they are] supposed to act”. Scientific knowledge and its technological realisations are thus imbued with values specific to the environment in which they were created; they have to be understood as deeply situated and thus—at least to some extent— as (re)producing existing value orders. In terms of asking the democracy-equality question it is thus essential to pay attention to who gets imagined as potential user (groups) and who is forgotten; to who defines the problems at stake and what constitutes an adequate solution; to the places where innovations are created; and, finally, how do specific sets of values get imposed in the guise of the introduction of new technologies or in the foregrounding of specific kinds of knowledge.

232 Langdon Winner’s (1986) famous question “Do artefacts have politics?” therefore calls us to pay attention to how specific technological arrangements are tacitly implemented for “settling an issue in the affairs of a particular community”, such as keeping certain boundaries in place as well as to how specific technological systems “require or [are] strongly compatible with particular kinds of political relationships”. In particular feminist scholars such as Judy Wajcman (2009) have pointed to the fact that “the materiality of technology affords or inhibits the doing of particular gender power relations”. If we consider the importance of broader economic and social circumstances for women to participate in the development of different artefacts, this also “reformulates the question of the exclusion of groups of people from technological domains and activities” and thus points to a reinforcement of inequalities in a technoscientific world. This then does not stay limited to questions of equal employment opportunities, but “is also crucially about how the world we live in is shaped, and for whom”. As we live in “a society that is constituted by science and technology”, Wajcman would continue to argue, “the politics of technology is integral to the renegotiation of gender power relations.”

233 These arguments become all the more important when moving into the domain of so-called “development work.” There we frequently observe how specific solutions get imposed on people and their lives without considering their distinct values they live by. Thinking of equality and democracy from such a perspective therefore means that we have to seriously consider what and how we govern the

production of knowledge and innovations, but also how we can grant citizens some access in order to rule themselves in a responsibly manner.

### 234 **2.7.2 Ordering societies through classification and standardization: Whose order?**

235 Indeed, classifications as well as standards have become the basic infrastructures assuring that contemporary democracies function in practice. They are an expression of our attachment to “the idea that if our lives, our organisations, our social theories or our societies, were ‘properly ordered’ then all would be well.” (Law 1994) Whether or not you are granted certain civil rights, have access to specific kinds of health care, or can choose your way of living, all this is related in one way or another to how well somebody is represented in such classifications and standardization processes. Thus the very idea of equality and its realization in the political realm very much depends on the outcome of such orderings. Indeed when looking into the history of 19th and 20th century we witness countless efforts of emerging nation states to make their constituency “legible” and thus calculable, and we efforts to design nation states in line with what is believed to be scientific rationality. (Porter 1995; Scott 1999)

236 These processes of ordering society produced ever more extended collections of information on citizens, on social relations, economic life and many more, but also supported numerous planning efforts (e.g. urban and rural planning) realising desired futures. Such processes, as Anderson (1991) has taught us, never only describe the world as it is, but they make it through the description. He points to the fact how, among other technologies, the census contributed to the creation of imagined communities, i.e., communities which did not exist prior to the counting of and the accounting for them. In the end it was a small elite who decided what should be counted, thus allowing political power greater control over different resources and the lives of their subjects.

237 While standards are essential to extending our reach in space and time, we have to be aware that “each standard and each category valorizes some point of view and silences another” (Bowker and Star 1999). While classifying is conceptualized as inescapable, “it is an ethical choice, and as such it is dangerous.” (ibid.) The danger consists in the fact that “for any individual, group or situation, classifications and standards give advantage or they give suffering. Jobs are made and lost; some regions benefit at the expense of others.” Therefore democratic societies need to carefully reflect how these classifications are made, and how they are decided upon, giving voice to specific groups and individuals, while denying it to others.



238 In contemporary societies these classification schemes have become so normalized that we do take them for granted, thus making them invisible und unquestionable. They only become explicit when belonging to a specific category denies access or does not give the same rights as to others. In many ways ethnic and racial, but also gender and sexual categorizations, though used very differently in different national and supranational contexts, are excellent examples for the making of essential differences and thus defining relevant groups, to be cared for.

239 Part of these questions of addressing differences have be more recently reformulated in an expanding diversity discourse, which tries to re-evaluate what it means to attend to differences among human bodies and lives. Indeed implementing the concept of diversity in health care, which is key area where inequality matters, shows the difficulty of dealing with “a variety of partly diverging normative meanings, bringing together social justice concerns with evidence about the uneven distribution of health and disease across population groups”, with empowering and positive visions of differences and concerns of being able to uphold contemporary healthcare systems. (Felt et al. 2016) Access to equal health care and classifications are thus deeply intertwined.

### 240 **2.7.3 Living in an experimental society: Whose benefit? Whose voice?**

241 More than two decades of scholarship have pointed at the experimental nature of contemporary societies and at our limited capacity to anticipate the outcomes of technoscientific change. Notions describing “society as the laboratory” (Krohn and Weyer 1994) or talk of “real-world experiments” (Gross and Krohn 2005) aim at capturing this shift. Nuclear power, or genetically manipulated organisms (GMO) represent powerful examples. Also the recent disaster in Fukushima has clearly pointed to the complexities of what it means to live in an experimental society. Or, when it comes to the impact of environmental damages, we clearly witness the unequal distribution of risks and benefits. Under the label of environmental justice STS scholars carefully investigated how the consequences of such real-world experiments often have to be carried in a disproportional manner by marginalized groups, pointing to the importance of considering categories like race, gender, or class as they come to matter in important ways. (e.g., Ottinger and Cohen 2011)

242 Underlying these discussions is the observation that “social practices increasingly present themselves as experiments via a willingness to remain open to new forms of experience” and that this type of experiment “appears to be precariously perched both on the actions

of its participants and on the structures created by the members of society” (Gross and Krohn 2005: 79). Reflecting the nexus of democracy and inequality thus means asking: Who has the authority to design and perform experiments? Who is exposed to them? And, whose values decide whether any experiment is regarded as a success or not? Answering these questions might lead us to understand how inequalities do both emerge and are kept in place.

- 243 Caring for the lives in experimental societies also means being attentive to questions of who can make knowledge claims and with what authority, who has access to relevant information and who can thus gain voice. These reflections have a quite immediate connection to two related debates: one on participatory justice in technoscientific societies and the other on the role of information access in a world structured by ICTs.
- 244 More than two decades ago, the question of an increased need for public participation has started to be raised persistently with the crumbling of the strong belief that the spread of scientific knowledge and rationality across contemporary societies would lead to more democracy. With science and technology taking on more important roles in making political choices, also concerns were voiced about the emergence of new hierarchies, allowing only a rather exclusive elite of knowledgeable subjects to direct societal choices. This has triggered a flurry of participatory exercises which were on a formal level deeply committed to openness, equality, representativeness and transparency and in which citizens should be able to express their concerns regarding technoscientific developments. However, science and technology studies scholars have also pointed the severe limitations such exercises meet in practice. (Wynne 2006) Not only are assumptions about who may legitimately speak in the name of society already built into participatory designs, i.e., publics do not simply exist out there, but they are constructed through such exercises. (Felt and Fochler 2010) In most exercises also the questions were pre-framed by the organisers or by experts, severely limiting the potential outcomes. Furthermore, social orders at work within the discussion settings, but a strong educational bias of those participating hinted at rather unequal conditions of participation. (e.g., Chilvers and Kearnes 2016)
- 245 While the fear that, in the end, the expressed choices might be overruled by governing elites, a number of STS case studies have successfully demonstrated the potential value of granting lay expertise space in public debates. Examples would be the AIDS movement in the 1970ies as analysed by Epstein (1996) which managed to change essential parts in treatment and prevention or, more recently, the citizen science groups forming around radiation

measurements in the aftermath of the Fukushima disaster. (Plantin 2014) In all these cases we have seen how important it is to open up knowledge generation to different perspectives.

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This brings us, second, to the question of new information and communication technologies (ICTs), which feature prominently in debates concerning questions of science, technology and inequality. (Wyatt et al. 2001) When introduced, they were expected to free people from a number of limitations, such as accessibility to information from a broad variety of sources; participation in political processes from remote places as well as access to health expertise and many more. In the end a more equal distribution of access to different knowledge resources would allow a gain in overall justice and thus get closer to the ideal of democratic societies. This rather positive and inclusive view of information technologies is however clearly opposed by critical analysts who argue that the “ICT revolution” might, quite to the contrary, be a source of new inequalities. The rather unequal access to the internet between and within regions, but also the need to develop new skills in searching, sorting, and assessing information, creates advantages only for some while further disadvantaging others. (Wyatt et al. 2005) Improving the technological infrastructures or bringing to life of educational programs were the most frequent reaction to these inequalities, paying however too little attention to the often rather profound social reordering that is inevitable part and parcel of the introduction of ICTs. Threats to exercise social control through different forms electronic surveillance would then undermine the value of privacy held very high in liberal democracies and might touch vulnerable groups stronger than any other parts of society. In the same move we also witness new forms of segregation on the labour markets, given the information intensive forms of work emerging. Finally, the spread of algorithms introduces unaccounted biases and calls for algorithmic literacy as one way to be able to reflect and navigate the information landscape in a self-defined manner. Also here we can expect quite important discrepancies in the ways how people can navigate environments organised by algorithms.

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To sum up, there is no doubt that science and technology have made essential contributions to the advancement of contemporary democracies. Yet, putting scientific and technological rationality at the core of governance has not necessarily led to creating more equality, both with nation states as well as between regions of the world. Even though it has in some areas even rendered societal inclusion more challenging than ever before. This means that we need to recognize that fostering science and technology alone will not suffice to create the desired outcome, but that new models assuring access to the benefits of technoscientific advances for a broader constituencies of societies and meaningful models of

participation need to be developed. The challenge will thus remain, to achieve both building our democracies along technoscientific rationalities while acknowledging that this is necessarily always also linked to ethical choices for which we need to take responsibility. Embracing science and technology can thus not be conceptualised as a moment of depoliticising choices concerning the directions in which our societies develop, but much rather of acknowledging that this is politics by other means.

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## 248 3. Responses

### 249 3.1 Learning from democratic innovations

250 A consistent challenge that has emerged throughout this chapter is the manner in which contemporary democratic systems generate significant political exclusions. This section analyzes a set of responses to this condition: democratic innovations that are explicitly designed to increase and deepen citizen participation in the political decision making process. By expanding citizen participation, these new institutions seek to strengthen democratic systems by enhancing political and/or social equality.

251 New forms of participatory governance are increasingly enacted across the world, and such processes are the subject of an emerging and vibrant field of study. Experiments with participatory governance are largely sponsored and organized by public authorities, although there are a number of examples of civil society organizations that establish democratic innovations independently or in collaboration with state actors. In some countries such as the US, there is a growing 'industry' of professional participation practitioners from both private and nonprofit sectors. In many countries of Africa, Latin America and South Asia, international development organizations have played an important role in the development and implementation of democratic innovations.

252 Experimentation with democratic innovations is manifold. New institutional designs have been engaging citizens in constitutional change, political reforms, formulation of public budgets, the implementation of social policies, and the monitoring of public services delivery – just to mention some examples. However, it is problematic to generalize about their impact, as variations in design

and implementation across the world mean that these institutions realize democratic goods in very different ways (Fung 2003; Smith 2009).

- 253 The spread of participatory practice does not entail however that all democratic innovations respond effectively to inequalities and exclusions and have meaningful impact. Many processes are badly organized and can have detrimental effects – for example, reinforcing inequalities and mistrust in public authorities and the democratic process. Skeptics are justified in claiming that many examples of participatory engagement are little more than forms of cooption (Cooke and Kothari 2001).
- 254 But there is enough evidence that democratic innovations can be designed effectively to overcome aspects of political and social exclusion, for example giving voice to and increasing the wellbeing of politically marginalized and disadvantaged social groups. Citizens can exert meaningful influence, and in some cases control, over the decisions that affect their lives.
- 255 Given the complexity of practice, our approach in this section is necessarily selective and illustrative. We discuss the practice of four democratic designs. Participatory budgeting (PB), policy councils and national public policy conferences (NPPCs) originate from Latin America. This region has experienced an explosion of participatory governance following the period of re-democratization. A particularly critical condition for experimentation and institutionalization of democratic innovations has been the far-reaching decentralization that has led to high levels of administrative, legal and financial autonomy. The fourth innovation – randomly-selected mini-publics – emerged in Europe and North America. Both PB and mini-publics have experienced significant policy transfer. The diversity of approaches that these forms of participatory governance represent provides a sense of the different democratic effects they can enable.
- 256 We show how democratic innovations can be designed to enhance political equality, by giving voice to marginalized groups and increasing citizens' competence and political skills. We also show how participatory governance can respond to problems of social exclusion through the engagement of citizens in the process of formulating and implementing social policies, in some cases achieving redistributive results. We end the chapter with reflections on the challenge of institutionalizing democratic innovations so that they become part of the institutional architecture of contemporary democratic systems.

257 **3.1.1 Participatory budgeting**

- 258 Participatory budgeting (PB) is arguably the most well-known of democratic innovations. Typically operating at the municipal level, citizens participate in the definition, formulation, decision, and control over significant proportions of the municipal budget. PB was first established in Porto Alegre in 1989 as an explicit challenge to endemic clientelism and as a way of implementing redistributive policies. It was designed to motivate high levels of participation amongst poorer neighborhoods, reversing traditional patterns of influence on budget decision-making (Abers 1998: 54). By the turn of the 21st century, around 16,600 citizens were participating in Porto Alegre's popular assemblies (Harvard University Center for Urban Development Studies 2003: 40) that effected the distribution of around \$160 million in investments (Baiocchi 2005: 14).
- 259 In its original form, PB's sophisticated design cleverly separates demand making and rule making. Across the city a series of neighborhood assemblies attract a significant number of participants who hold the administration accountable, and deliberate on and vote for priorities for infrastructure and service investment. Those neighborhood assemblies also elect delegates, who will later meet in smaller area-based forums charged with final decision making on which projects to put forward, and oversight of the actions of the administration in delivering projects. There is a strong incentive to mobilize participation in the assemblies: the more participants, the more delegates – and hence the more likely that a local project will be prioritized.
- 260 This demand making process is complemented with a separate body that applies a set of rules to distribute the budget – after all, there will always be too many demands to fund. The rule making body is constituted by two representatives elected from each of the areas of the city. As such, no area or partisan interest is able to dominate. The rules that guide the distribution of resources thus tend to reflect considerations of social justice. In the initial Porto Alegre model, the rules have always included at least one criterion related to relative poverty and infrastructure and services deficiencies, thus generating a distributional bias that favors the poor. The popular support for the budget generated through the PB process ensured that it was accepted and implemented by the mayor and city council.
- 261 PB processes continue to innovate, developing digital and multi-channel forms that broaden participation: La Plata in Argentina combines offline, online and remote (SMS) voting, which in its 2010 cycle directly engaged 10 percent of the local eligible population (49,457 citizens), many resident in remote and marginalized areas of the city. There is evidence that this resulted in improvement of local health-care services (Peruzzotti, Magnelli and Peixoto 2011). Other developments include experimentation with specific policy areas,

committees and procedures (including quotas) dedicated to promoting the interests of women, young people, indigenous people and other politically excluded groups (Cabannes 2004). The 25-year experiment with PB in Montevideo, Uruguay, is an example of how the process can be integrated with existing participatory practices, including neighborhoods councils (*consejos vecinales*), to increase participation rates, the amount of budget allocated, and social outcomes that privilege poorer neighborhoods (Veneziano 2014).

262 In cities where PB has been successful, the administration has played an active role in promoting the process, employing community organizers to develop civic infrastructure in poorer neighborhoods and restructuring bureaucratic processes to ensure delivery of infrastructure decisions. It is argued that this 'demonstration effect' (Abers 1998: 138) has been critical in motivating participation as neighborhoods witness the impact of investment in infrastructure and services in neighboring communities that have been active in the process.

263 The attractiveness of PB, particularly in Latin America, is tied particularly to its capacity to generate a more equitable redistribution of public goods and to increase the levels of participation among disadvantaged groups, the less educated and lower-income citizens (Avritzer 2009; Baiocchi 2003; Sousa Santos 2005; Wampler 2007). There is evidence that PB improves social wellbeing, with increased spending in health care and decreases in infant mortality rates across Brazil's 253 largest cities (Touchton and Wampler 2014). The transparency of the PB process and its capacity to ameliorate the impact of clientelism and corruption are cited as generating higher levels of systems trust, even amongst the middle class that tends not to enjoy direct investment from the process (Abers 2003: 202-3; Gret and Sintomer 2005: 91-2; Schneider and Goldfrank 2000: 15; Cabannes 2004).

264 PB has spread well beyond Latin America to over 1,000 cities across Africa, Asia, Europe, North America and Oceania. In Europe, for example, by 2009, over two hundred European cities had implemented a variation of PB, involving around eight million citizens (Sintomer et al 2010). International agencies, particularly the World Bank, have been active in promoting PB as part of development strategies aimed at ameliorating corruption and increasing civic participation. Too often, however, in its adaptation to new conditions, what has been implemented under the name of PB has not reflected earlier Latin American experience (Sintomer et al 2009). There is enough evidence that PB can be transferred effectively, but also that the willingness of political authorities and pressure from civil society to embed more participatory and redistributive practices varies considerably.

- 266 Policy councils are a form of co-governance bringing together public officials, civil society organizations, ordinary citizens, private stakeholders, and service providers and users in areas such as development, infrastructure and social policies. In some countries, such as Brazil and Paraguay, virtually all cities have a form of policy council and there are examples of national level councils in several countries.
- 267 Like PB, policy councils have varied in design as their practice spread. Three broad categories of policy councils can be identified: deliberative, representative and management councils.
- 268 *Deliberative councils* are in many ways the ‘standard model’ – an ‘invited space’ (Cornwall 2004) typically restricting participation to state, civil society and private sector leaders, although often more open at the local level. At the national level, these bodies tend to have an agenda-setting and advisory function, seeking cooperation and coordination across diverse and sometimes conflicting interests. At the local level, there are examples of councils with more decision-making competences, playing a larger role in the local administration. Deliberative councils will sometimes also assume a role in the evaluation of public policies. In Mexico, there are at least 163 deliberative councils at the federal level with advisory role on various fields of public policy, including environment, rural and economic development, culture, education, health, and security (Hevia *et al.* 2011). There is evidence that national councils on environment and agriculture policy have improved inclusion, collaboration, transparency, and accountability (Gómez *et al.* 2012: 135-163). At the local level, advisory councils have been evaluated positively for increasing women’s participation and power-sharing with the government (Fox 2005: 229-230).
- 269 *Management councils* have a more explicit decision-making function, empowering citizens and civil society leaders in the formulation and implementation of policies in areas such as health, education, and housing. Health councils exist at the local level in countries including Bolivia, Brazil, Chile, Paraguay, Peru and Mexico. In Brazil, all 5570 municipalities have a health council constituted by representatives of government institutions (25 percent), non-governmental organizations (25 percent), and citizens (50 percent), who meet at least once every month to formulate health policies and oversee their implementation. Explicit attention is given to participation of citizens from poorer and traditionally excluded social groups to improve the responsiveness of the national health system to their needs (Schattan 2007). In 2012, health councils were active in 216



out of the 243 of municipalities of Paraguay, charged with the formulation of the local health plan and budget, witnessing improvement in the quality of health services (Rojas 2000).

270 *Representative councils* are an explicit attempt to promote political equality and fight discrimination through the direct engagement of under-represented and minority groups in the policy process, particularly women, indigenous peoples, ethnic minorities, racial and religious groups – and more recently youth and the elderly. Where management councils are more concerned with redistributive policies and operate mostly at the local level, representative councils deal with recognition policies primarily at the national level. Representative councils tend to have an agenda-setting and monitoring role. Both Ecuador and Brazil have national policy councils for women, the elderly, people with disabilities and indigenous peoples. In Ecuador these and other councils were created in 2014 under the *Law of the National Councils for Equality* aimed at protecting minority rights. Seats in these Ecuadorian councils are shared among state and civil society actors, the latter including ordinary citizens. In Brazil, the national council for women's policy has been responsible for the drafting and enforcement of the first national policy plans exclusively addressed to their needs, improving women's representation and the realization of social rights (Pogrebinschi 2014).

### 271 **3.1.3 National public policy conferences**

272 The national public policy conferences (NPPCs) are a multilevel process of deliberation designed to enable citizens and civil society organizations to provide inputs to policymaking at the national level. Brazil has a long tradition of experimenting with NPPCs in over 50 policy areas including health, education, culture, cities and racial equality. Again this democratic innovation has spread to other countries of Latin America with some interesting variation in format and scope. Contributions to the formulation of policies at the national level are realized by linking the engagement of citizens at the local, regional and federal level through multiple and successive rounds of deliberation and representation (Pogrebinschi 2012).

273 The Brazilian NPPCs are initiated by the federal government, although the process begins at the municipal level, when the first round of deliberations is entirely open to anyone to participate. Over a weekend, any citizen can join local public officials in discussions of proposals and the election of delegates who will represent the municipality in the state (regional) conference. In this intermediary stage participation is restricted to delegates from the municipal level and public officials from different branches of the government. They deliberate on the policy proposals originated from the local stage,

and come up with a set of proposals and delegates to be sent to the final, national stage. At the national level, rounds of deliberation take place in smaller panels and forums over a three-day period, concluding with a long session of voting in the plenary. Although the outcome – a set of policy proposals – is not binding, evidence suggests that in Brazil the government has taken these inputs seriously in the formulation of federal policies and laws, including policy areas such as food security and nutrition (Pogrebinschi 2012, Pogrebinschi and Samuels 2014).

274 The NPPCs have been particularly important in achieving inclusion. Impressive numbers of citizens have taken part in conferences (7 million people are reported to have participated in 82 NPPCs that took place between 2003 and 2011), mobilizing thousands of cities (over 4,000 municipalities organized the local deliberations of the NPPC on Health in 2011). Important social outcomes have been achieved, with NPPC proposals leading to progressive policy change in areas of gender, race, ethnicity, disabilities and age. Many of these policies recognize new groups and enact rights – including constitutional rights – for groups previously excluded from the policy process (Pogrebinschi 2014).

275 In general, the NPPCs affect mostly the agenda setting and formulation stages of the policy cycle. However, as the process has institutionalized in some policy areas and NPPCs were gathered for the second, third, or fourth time, they have started also to play an important role in policy evaluation and monitoring. For example, the third NPPC on Women's Policy convened primarily to revise and monitor the implementation of the national plans for women's policy that had been drafted following the first two conferences.

#### 276 **3.1.4 Mini-publics**

277 Where the previous innovations have emerged from Latin America, mini-publics have been developed in North America and Europe, although their practice has spread to other continents. Mini-publics are defined by their use of random or stratified selection and facilitated deliberation amongst a diverse body of citizens who hear evidence from experts and witnesses aimed at generating a political recommendation. Examples include citizens' juries, consensus conferences, deliberative polls and citizens' assemblies (Smith 2009).

278 In the 1970s, Ned Crosby in the US and Peter Dienel in Germany developed the citizens' jury and planning cell respectively to provide recommendations on issues ranging from urban planning to aspects of social policy. While they share similar characteristics, engaging 12-25 citizens, planning cells are run in parallel thus including hundreds of citizens in the process. The consensus conference model was

developed in Denmark, providing the government with recommendations on controversial scientific and technological policies. James Fishkin popularized the deliberative poll that typically engages 200 or more citizens – the difference with this design is that citizens answer a post-deliberation survey rather than develop collective recommendations. More recently the G1000 and Icelandic assemblies have brought citizens together on a larger scale, although for only one day. The Belgian Minister for Culture organizes a regular randomly selected citizens' cabinet to review his priorities (Chwalisz 2015).

279 Arguably the most impressive experimentation with mini-publics over the last decade has been the citizens' assemblies in Canada, the Netherlands and Ireland that have dealt with constitutional issues. Whereas other designs require citizens to participate for between 1 to 5 days, in Canada and the Netherlands, citizens met over a series of weekends for a number of months, learning, deliberating, consulting and deciding on a new electoral system. The assemblies in British Columbia and Ontario were particularly innovative as the provincial governments committed to put any recommendations to a province-wide referendum. The Irish Constitutional Convention took the unusual step of including one-third politicians as members alongside randomly selected citizens. There is evidence that its recommendations were critical in the recent legalization on same-sex marriage.

280 Political inclusion is designed into the recruitment and structure of mini-publics. Forms of random or stratified selection recall the fundamental democratic procedure of ancient Athenian democracy: no social group is systematically excluded; all citizens are on an equal footing in relation to selection. Stratified selection has been used particularly by smaller mini-publics to ensure the presence of citizens from politically excluded social groups. Mini-publics thus generate a group of citizens that is close to sociologically representative of the broader population and is thus far more heterogeneous than legislatures and other political institutions. Inclusion in the deliberative process is promoted through active facilitation.

281 Mini-publics are one of the most researched democratic innovations and there is evidence that structured deliberation amongst such a socially diverse group of participants increases sensitivity to the perspectives and arguments of others (Anderson and Hansen 2003; 2007) and defends against group polarization that is common amongst more homogenous groups (Sunstein 2003). There is a growing evidence base that citizens are willing and able to come to sound judgments and recommendations on highly complex and

technical issues, and that there are positive effects on participants' knowledge, interpersonal trust and political efficacy (Grönlund et al 2010).

282 Mini-publics typically only have recommendatory force – they are used as consultative bodies by political decision-makers. An interesting development is the use of mini-publics to provide informed recommendations for binding referendums – for example, the Oregon Citizens Initiative Review (along with the Canadian citizens' assemblies discussed above). Important evidence is emerging that the broader public views the judgments of mini-publics as credible and trustworthy (Warren and Gastil 2015).

### 283 **3.1.5 Institutionalizing democratic innovations**

284 Democratic innovations can be designed to realize political equality in very different ways – for example, through random selection and facilitation, group representation or rules that prioritize the interests of the politically marginalized. The same is true for social equality, as new institutional designs can empower minority groups, enforce constitutional rights, recognize new social and cultural identities, as well as incorporate historically marginalized groups in the public sphere. The practice of well-organized and politically salient innovations provides evidence that citizen participation can lead to decisions that redistribute state resources, refocus the delivery of public goods to those most in need and provide access to public services for the poor.

285 One of the lessons that can be drawn especially from the Latin American examples is the importance of political, administrative and fiscal autonomy for different levels of authority within a polity. This provides both space for experimentation and an opportunity to have a meaningful impact.

286 There are at least two significant and related challenges facing participatory governance. The first is the extent to which they are embedded effectively within democratic systems. There is plentiful evidence that citizens are willing and able to participate in meaningful participatory processes. But too often, democratic innovations are either not given decision making power or are poorly coupled or integrated with existing decision-making processes. The decision to sponsor, organize and respond to democratic innovations is often at the discretion of elected or appointed public officials. When innovations are not institutionalized through norms or law, they lose their force and citizen efficacy is undermined. The internationally renowned PB in Porto Alegre exemplifies this challenge: its design was not codified and was weakened by the incoming mayor as soon as the Workers Party lost control of the city.

In other parts of Latin America, such as Peru and the Dominican Republic, PB is mandatory under national law. However, if participatory governance achieves a legal or constitutional status, there is always the risk that codification can be a break on creativity and further innovation.

287 The second, related challenge is that the radical impulse of the original designs is often watered down as practice has spread. Again, PB is a good example. Many of the PBs across Latin America bear a strong family resemblance to early Brazilian practice. However, as it travelled to Europe and North America, many of the newer PBs were relatively poor imitations.

288 An emerging institutional development may offer one strategy for ensuring higher quality forms of participatory governance: autonomous public organizations dedicated to public participation (APOPPs) (Bherer et al 2014). APOPPs are created by governments with the mandate to organize or oversee democratic innovations in legally specified areas of policy. Examples include the Danish Board of Technology (DBT) (Teknologiraadet), French National Commission on Public Debate (Commission nationale du débat public) (CNDP), Montreal Board of Public Consultation (Office de consultation publique de Montréal) (OCPM) and Tuscany Participatory Authority (TPA) (Autorità regionale per la garanzia e la promozione della partecipazione). While APOPPs remain relatively rare, their institutionalization has proved important in establishing independent and recurrent practices of participatory governance. The degree of autonomy and visibility enjoyed by APOPPs protects them to some extent from day-to-day political pressures, ensuring a degree of quality and oversight of participatory arrangements and a competent authority to promote the outcomes of democratic innovations within decision-making processes.

289 It should be no surprise that vested political and economic interests are suspicious of democratic innovations: when well designed they open up the political process. Empowered citizens are less subject to existing inequalities and exclusions. The remaining challenge is to embed meaningful modes of participatory governance rather than sham practices of public engagement that pay only lip service to democratic empowerment. Designing new and creative ways of inclusive engagement is not enough; it is crucial also to embed these practices within, alongside or, more radically, replacing representative institutions if democratic innovations are to contribute to overcoming political and social inequalities in contemporary democracies.

290 **3.2 Democracy below, beyond and across the state? Equality between citizens or states?**

In this paper I propose to give a unified account of the ideal of equality of voice across the domains of the domestic state and the international community. Some have thought that some variant of a democratic world state is the natural application of this idea. I argue that the ideal of political equality in the modern democratic state is a special case of a more general principle, which covers equality in collective decision making traditionally conceived and a kind of equality in the conditions under which voluntary agreements are made among separate parties. I argue for a principle of proportionality, which asserts that persons ought to have a say in some issue area that is proportional to the stake they have in that area. Proportionality is particularly useful in the context of international decision making where societies have very different stakes in the agreements they make. I then define an ideal of fair negotiation among states that conforms to the broader ideal of equality. This is an individualistic ideal in the sense that the ultimate entity that is to have a say is the individual. States act as representatives of individuals in the process of making voluntary agreements.

### 3.2.1 Globalization

The basic challenge of globalization to democracy is that the citizens of a democratic state are deeply affected by the policies and actions, or the lack thereof, of citizens in other states. Partly this is the consequence of the fact that certain goods, or bads such as pollution or the spread of disease, cannot be contained within the borders of states. Partly it is a consequence of decisions that states have made to increase openness to international trade and the movements of persons and capital. Both of these activities increase the levels of mutual affectedness of persons around the globe. And to the extent that the democratic principle implies that persons should have a voice in the basic conditions that affect their lives, there is a strong impulse to give citizenship a wider scope than it has had till now. Relatedly, the global community is currently facing some fundamental moral challenges, which can be recognized as such on virtually any scheme of morality. The aims of the preservation of international security and the protection of persons against serious and widespread violations of human rights are already recognized in Article One of the *Charter of the United Nations*, which lays out the purposes of the United Nations.<sup>[7]</sup> In addition, it must pursue the avoidance of global environmental catastrophe; it must pursue the alleviation of severe global poverty; and it must establish a decent system regulating international trade and the movements of people and capital. Meeting these challenges will require significant cooperation from many of the world's states at least. As a

consequence there are moral duties on the part of the people who are members of different states, to attempt to achieve effective cooperation with other people in pursuing these mandatory aims.

294 We do know that all states have signed on to these aims.<sup>[8]</sup> Moreover these aims make sense from the standpoint of any moral theory that takes the promotion, protection and respect for the fundamental interests of persons to be essential to a well ordered political system. The morally mandatory aims I described do not exhaust the moral requirements on people in the world. They specify certain very weighty aims that it makes sense to require the international community to pursue, given its current capacities and challenges. For a cosmopolitan theory, these aims must be regarded as provisional in the light of the limited capacities of the international system. The long run aims must involve the universal realization of distributive justice and basic freedoms. But these are far beyond anything the system is capable of pursuing at the moment. Hence the political view that I am describing might be called a progressive cosmopolitanism.

### 295 3.2.2 Fairness

296 The question is, from the standpoint of democratic ideals, how are to make decisions regarding how to pursue these aims? A natural thought here is that a fair process of decision making among states would be a majoritarian one. But this majoritarian idea can take different forms. One can imagine a majoritarianism of states such as one state, one vote. There are two problems with this approach that I think attend many of the majoritarian approaches to international rule making. The first problem is that states are of very different size and so a majoritarian rule would not conform to the more fundamental principle that we want power apportioned to individuals in a way that treats individuals as equals.

297 The second problem is that a majoritarian rule of this sort violates in some way the political and legal integrity of political societies. Despite the arbitrariness of the origins and boundaries of these societies, many of the political societies within these initially arbitrary borders have developed highly integrated legal systems with integrated economic and social arrangements, as well as systems of accountability for transforming and adjusting these arrangements. States have arisen to establish justice and protect the basic needs of persons within limited areas. These institutions have developed over a number of centuries and have been moderately successful in establishing justice and prosperity for large numbers of people. States have some interest in protecting the borders and the

integrity of the systems operating within those borders to the extent that such protection is necessary for them to carry out their core responsibilities.[\[9\]](#)

- 298 From an international perspective, the way to think about this situation is that it is a kind of division of labor in which the world is divided into units that are capable of establishing justice in each unit (Goodin 1988). What this means is that aside from the states that pursue justice and the common good for their societies, there is no other entity that is presently, and for the medium term future, capable of carrying out the tasks states carry out. On a cosmopolitan view, justice ultimately must relate all persons in a single framework, but it would be extraordinarily premature to suggest that we should wish away the state as it is currently constituted in order to achieve cosmopolitan justice.
- 299 Hence, it is through state consent that democratic ideals be realized. But the requirement of consent must be modified in three ways: first, unreasonable refusal of consent must be excluded; second, consent must be given under fair conditions; third, state consent must be broadly representative of the people of the state.
- 300 The justification for the state consent requirement, and thus some moral liberty to say no, is grounded in the fact that there is a great deal of uncertainty as to how to pursue the morally mandatory aims. Though there is general agreement among scientists that the earth is warming up due to human activity, there is disagreement as to how much this is happening and how quickly or what a fair and efficient distribution of costs might be. The same uncertainties attend thinking about how to alleviate global poverty and how to protect persons from widespread human rights abuses. And there is significant disagreement about the limits of free trade and the methods for opening up trade as well as how to deal with the relationship between uneven development and trade. This kind of uncertainty, together with the centrality of states in making power accountable to persons, provides a reason for supporting a system of state consent with freedom to enter and exit arrangements because it supports a system which allows for a significant amount of experimentation in how to solve the problems.[\[10\]](#)
- 301 But the system of state consent must be heavily bounded given the morally mandatory need for cooperation. In the usual case of treaties, refusal of entry and exit are permissible and require no explanation (Helfer 2005). But in the case of treaties that attempt to realize a system of cooperation that is necessary to the pursuit of morally mandatory aims, exit or the refusal to enter it must be accompanied by an acceptable explanation. States must lay out the reasons for thinking that the treaty would not contribute to solving



the problem and that some alternative might be superior. Such an explanation must not be irrational, unscrupulous or morally self-defeating and must display a good faith effort to solve the problem at hand. The explanation must be in terms of the morally mandatory aims or in terms of a crushing or severely unfair cost of cooperation. The reasons given do not need to be the right reasons, but they must fall within the scope of what reasonable people can disagree on. An irrational explanation goes against the vast majority of scientific opinion. An unscrupulous explanation free rides on others' contributions to morally mandatory aims or it refuses to shoulder any share in a morally mandatory pursuit. A morally self-defeating explanation is one that insists on a different coordination solution, defeating a coordination solution that in the circumstance advances everyone's aims. The international community is permitted to pressure or coerce states that fail to provide adequate explanations for refusal to participate in cooperation for mandatory aims (Christiano 2012).

- 302 It seems to me that it is in this context that we have to think about one of the major effects of globalization, which is the increase in the relative bargaining power of capital over labor as a consequence of the increasing mobility of capital. Democratic societies have had increasing difficulty imposing constraints on capital because of the threat of flight. This imbalance can only be rectified by states cooperating in producing an international regime of taxation and regulation of capital.
- 303 How do we assess the fairness of state consent and the negotiations that lead up to this? A state's consent to a treaty must not be coerced by the other party and must not be the consequence of fraud by the other party. And states cannot validly create obligations that violate the *jus cogens* norms.<sup>[11]</sup> But the avoidance of force and fraud are compatible with the most appalling unfair advantage taking. The general idea that stronger background conditions are required is recognized quite generally in the legal systems of the West.
- 304 But I think we can see this through the lens of democratic theory as well. When a state engages in making agreements, contracts and other arrangements with other states, it is in effect attempting to shape the social world surrounding it. It alters the rights, duties and powers that other states have in relation to it. That world is the product of coordination and in part the product of conflict since states are able to shape this world more or less depending on how much social power they have.

- 305 Just as a citizen participates in shaping the overall character of the society he lives in by participating in collective decision making about the overall collective features of the society, so a state shapes parts of the social world in which it exists by engaging in agreement making with others. The justification of these different powers of shaping the social world is grounded in the same common liberal concerns. Persons and the groups of which they are members have fundamental interests and concerns that often conflict and they disagree on how best to shape their common social worlds and so we give each person or group some power to pursue those interests.
- 306 I want to assert here as a general principle that persons ought to have a say in a collective decision in proportion to the legitimate stakes they have in the decision (Fleurbaey and Brighouse 2010). The basic idea is that if persons are participating in collective decision making, those with a lot more stake in a decision ought to have more of a say. To say that a person has more at stake in a decision than another is to say that their interests are more affected by the decision than the others'.
- 307 On the whole persons ought to have an equal say in democratic decision making within states because on the whole they have roughly equal stakes in the set of decisions overall. Where there are unequal stakes, we distribute power unequally, ideally speaking. Federalist arrangements, for example, can be justified on the grounds that over some groups of decisions people have roughly equal stakes, but over other groups of decisions, primarily local in impact, some have much more at stake than others.
- 308 Given the analogy of agreement making to democratic participation, we can also see that the principle of proportionality applies to agreement making. In the case of voice, as discussed above, stakes are defined in terms of the whole range of plausible and legitimate alternatives in the different issue spaces. In the case of agreement making, the fundamental determinant of stake is the outside option or what a person or group can expect if no agreement is made with the other party, in other words, the value of exit. I have a lot at stake in an agreement if I would be very badly off without it. You have a lot less at stake if you would not be so badly off without the agreement.
- 309 The fundamental argument for the principle of proportionality of power to stakes is that persons and groups of persons know their interests better than others do, normally. Thus in situations of conflict of interest, one should want the party with the most interest at stake to have more of a say if one is concerned with advancing the interests of persons.

310 There are four key differences directly relevant to fairness between states and persons that complicate the application of the above ideas of fairness to interstate transactions. First, states come with different size populations; second, states have very different levels of wealth for which the present generation cannot be held responsible (usually); third, these conditions occur against a background in which there are no higher order political institutions with the capacity to rectify serious differences of opportunity and information; fourth, the negotiations that create a regime of international trade are morally deeply fraught issues or at least more so than most ordinary negotiations. Two important structural differences also mark the transactions among states. They involve more complex strategic games than ordinary individual exchange. They are what Robert Putnam describes as two level games: there is the strategic interaction among states and there is strategic interaction within states and both of these determine the outcome of international negotiation (Putnam 1988). Second, there are a small number of states so the interactions among states never replicate the conditions of competitive markets, which sometimes play a large role in equalizing bargaining power among individual persons.

311 Population and wealth are two important determinants of stake for states. From the standpoint of democratic theory, the power of a particular state in negotiation ought to be proportioned to population so that each state has power apportioned to per capita stakes. On the other hand, the role of wealth is not so straightforward. If one has two states that are roughly of equal wealth but one has more at stake in terms of wealth in coming to an agreement the society with more wealth at stake ought to have more of a say. On the other hand, suppose one has two societies at very different levels of wealth entering a negotiation. The one that has less at stake in terms of wealth is also very poor and so dependent on a deal to finance basic education or health care. In this case, the characterization of stakes in terms of wealth would be a mistake. Here the democratic principle is: "the poorest he hath a life to live as much as the richest he."[\[12\]](#) Hence when impoverished societies negotiate with wealthy societies, they have a lot less wealth at stake but they have more at stake in some fundamental sense since their abilities to finance basic goods for their populations are at stake.

312 One of the most fundamental puzzles in a system of free transactions among persons is that this principle of power proportionate to stakes can easily be violated. For example if you have two persons who depend on making an agreement to advance certain interests, the one who has the least stake will often have more power. This is because they can more easily afford no agreement. But this means that power is often inversely proportioned to stakes in a scheme of free transactions, while the normative principle tells us that power

ought to be proportioned to stakes. This is the fundamental puzzle that Marx pointed to in the relations between capital and labor (Marx 1990).

313 This problem arose in the negotiations on the foundations of the WTO in which many poor societies found themselves having to agree to a deal, which benefitted wealthy countries the most because they were in danger of losing out on some basic goods (Steinberg 2002). And of course it is present in the context of negotiations on climate change since developing countries tend to have the highest vulnerability to the effects of climate change while having the least power (Mendelsohn, Dinar and Williams 2006).

314 The big puzzle in international negotiation is to determine how to arrange the process of negotiation so as to satisfy proportionality despite the tremendous inequalities among societies in the world today.

315 The problem of inequality of stakes in international politics is extremely hard to solve because there is no higher political entity capable of rectifying the imbalance of power. The poor and the vulnerable are frequently in very difficult bargaining positions relative to wealthy and powerful societies as we see in trade negotiations and in environmental negotiations. But it is not as if nothing can be done here. First of all, multilateral and inclusive conferences tend to be helpful to poorer societies. But this is only if they are highly transparent and if they are the site of good coalition building. One, transparency can play a significant role in making negotiations fairer because though rich and powerful states are willing and able to engage in very hard bargaining with poorer states, they do not like to be seen to be doing so, either to their own citizens or to the global public. If hard bargaining becomes too open, it becomes damaging to the reputations of powerful states, which reputations are important assets in international politics. Two, coalition building among poorer countries can also offset the tremendous bargaining power that comes with wealth. This is because the great majority of the world's population is poor and the sheer size of this group can give it bargaining power, as is evident from the strong bargaining position by developing countries in the WTO since they have formed strong coalitions (Narlikar 2012). This alteration of the bargaining situation is not unlike the change in bargaining between capital and labor that occurs when unions are allowed to form. But here again, the absence of the kind of higher political entity that protects unions in many countries does make the formation of coalitions among developing countries more precarious (Christiano 2015).

317 *The construction of a 'people' is the sine qua non of democratic functioning (Laclau, On Populist Reason, 2005:169)*

### 318 3.3.1 Introduction

319 'We the people' was a formative proposition, declaring many people into *a* people and thereby constituting them as one people. It was a democratic people because the constitution enhanced the fundamental democratic values – liberty, equality, well-being – into an institutional design. But it was also – crucially – a *democratic* people because of the public debate about constituting it: the discourse of the Federalist on public newspapers, the anti-federalist response, creating a shared forum of political debate, a political consciousness. A democratic people is more than institutions with checks and balances. It is a body of citizens that perceives itself to be one people, with conflicts and arguments and various interest groups and representative bodies that nevertheless adhere to a set of rules and feel themselves part of the same collective political identity, contested and changing as it may be. This is why democracy is a government of the people, for the people and by the people: the people – as a unitary body – are the sovereign. The demos rules by way of expressing the will of the people. This will is first and foremost a shared will – to be part of the people, and to be involved in the decision making, policy setting and direction of the polity. Being a *demos* is a continuous prerequisite for democratic self-rule. The expression of this self-rule is through political equality: one person, one vote. Each citizen, being part of the body politic, has her own unique voice, casted as a vote. A vote for a candidate, a party, a view – that represents her through the elections in the policy-making process. The will of the people is at the outset, being part of the shared will; yet, it is not one will of the people that is being determined in elections, but an expression of the contingent will of the majority, respecting the minorities, believing in the continuous debate and the principal possibility of replacing one political power by another.

320 However, much of contemporary developments of democracy – on the ground and in the literature – abandon the demos. As a response to the crisis of democracy they move above the people to cosmopolitanism or below the people to multiculturalism. In this section we argue that the demos is at the heart of being a democracy. Nationalism, populism, racism, neo-Fascism and xenophobia are true problems of contemporary democracy; however, democracy without a sovereign people – a civic body that shares a political collective identity that expresses itself through public media, public opinion and public consciousness – and based on shared values of freedom, self-realization and crucially political equality – is a defective democracy.

### 321 3.3.2 Democracy and Inequality: the Structure of the Argument

- 322 Global inequality is becoming mixed up with social inequality. That is why the renationalization of democracy (through greater social cohesion and reappropriation of the political by citizens) is one way of combating both simultaneously. This struggle must therefore be a top priority for our time (Rosanvallon, 2013:299).
- 323 To suggest renationalization of democracy in an age of post-national constellation of a globalized era sounds like a reactionary project. Yet renationalization – or, alternately, re-democratization of democracy by way of rethinking the demos as a core concept of democracy – is at the heart of democracy. Rosanvallon wants to renationalize democracy in order to combat economic inequality. He analyzes – as many scholars do – capitalism as the driving force behind the crisis of democracy which is manifested in a crisis of equality (Rosanvallon, 2013:2). Yet the crisis of democracy is also a crisis of equality as a political concept. There are strong connections between economic inequalities and political disempowerment – but we consider democratic inequality on its own terms, as stemming from the disenchantment with the demos as the locus of the political collective identity. Re-instating the demos is thus a precondition for democratic equality.
- 324 Both Weber and Habermas analyzed the crisis of modernity and late modernity as crises of rationality, that is, disenchantment with politics. However, the crisis of rationality is always also a crisis of collective identity. Rather than disenchantment, I suggest a process of re-enchantment with politics. Whereas the re-enchantment of modernity moves the collective unit from the old regime to the modern state – and thus to national identity, the contemporary crisis is a crisis of the nation-state, moving away from it to the global and local communities. Weber focused on the state and Habermas on constitutional patriotism in a post-national constellation that develops a thin-but-shared commitment to civic rights. They both neglected the role of the demos. Hence the project of renationalization – redemocratization of the polity – is one of re-inventing the demos by way of cementing anew a collective democratic political identity.
- 325 We take Benhabib's theory of cosmopolitanism as a case in point, as mainstream democratic theory today turns to either globalism or localism, as well as to deliberative democracy, as the alternative to representative democracy. We translate her arguments for a global deliberative democracy to four levels of analysis: citizenship, participation, representation and governing. We demonstrate how

they work against the demos and against political inequality. We finally turn to the concept of the demos that best protects political equality.

### 326 **3.3.3 Beyond the Nation-State: Cosmopolitanism, Civil Society and the withering of the *Demos***

327 The challengers to the nation-state – cosmopolitanism and local communities within civil society – are heralded by activists and theorists alike as the new arena of democracy. Benhabib argues that the demos was conflated with ethnos (2006:68) and takes the global community as the ethical-cum-political community: the true demos is all humanity. Citizenship should therefore be flexibly, moving from the local to the regional, national and global with no priority to political citizenship.

328 In representative democracy, based on popular sovereignty expressed through collective will of the people, citizenship constitutes the citizens' body to which universal suffrage pertains. Citizenship is the democratic starting point. For Rawls "a democratic society, like any political society, is to be viewed as a complete and closed social system. It is complete in that it is self-sufficient and has a place for all the main purposes of human life. It is also closed . . . in that entry into it is only by birth and exit from it is only by death" (Rawls, 1993: 41). Conversely, Walzer argues that citizenship is the first public good to be distributed within a democratic state, namely, membership in the community (Walzer, 1983; Benhabib, 2002a:448).

329 However, for Benhabib both Rawls and Walzer's theories have failed to recognize that "we are at a point in political evolution when the unitary model of citizenship, which bundled together residency upon a single territory with the subjection to a single administration of a people perceived to be a more or less cohesive entity, is at an end" (Benhabib, 2004:178). She argues that "decline-of-citizenship theories err by conflating the boundaries of the political community with those of the ethical one" (Benhabib, 2004:115). Benhabib challenges the concept of 'we the people' perceived by her apparently as ethnos, and seeks to render not just the right to exit, but also the right of admittance – universally accessible (Benhabib, 2001:26). She argues that "the boundaries of the civic community and the boundaries of the national state are not coterminous" (Benhabib, 2002a: 448). How does it reflect on our understanding of democracy? Three main dimensions to her alternative vision: ethical cosmopolitanism, empirical complex realities, and democratic iterations. We criticize them from the perspective of the demos.

330 *Ethical vs. the Political community?*

331 The political community is an arbitrary, historically contingent one; the ethical community that underlies it is a cosmopolitan community, based on universal human rights: Borders, she argues, are morally arbitrary and therefore liberal-democracies should practice policies compatible with the vision of a borderless world (Benhabib, 2002a: 446). But what toll does democracy pay for dumping into history's bin the idea of political community that is coextensive with a sovereign people? There are two options here: one, re-uniting the political and ethical community on a global scale, another, acknowledging the arbitrariness of the political community as only one among many circles of communities. Extending the political to the ethical community means eventually world-domination. From the ethical perspective, all humans possess human rights. But is the best way to protect human rights under one unitary regime? Empirically, we live in a world of sovereign states with some international bodies that their legitimacy is derived from the legitimacy of the agreements among the constituting states. There are no global political institutions which their legitimacy is not derivative, hence parasitic – on states. Moreover, those international bodies enjoy declarative force but a minimal real ability to coerce or sanction against violation of human rights. Some members of the human rights council of the UN, for example, are far from protecting human rights. The best records for human rights quality are doubtless advanced democracies where their protection is enshrined in their constitutions and political cultures. Power and liberty go together. Human rights are universal in nature; yet, they are, today, best protected under governments of democratic states. Thus, realizing human rights is not a given but a process. The risky idea of one ethical-political community, actually undermines the legitimacy of the sovereign states taking them as arbitrary entities that need to be transcended by world-power.

332 What about a normative perspective, a possible world of global democracy – where the demos as the whole of humanity – is envisioned? What would citizenship granted for all entail? The first principle to be damaged is sovereignty: the people is no longer sovereign as it is not a body of citizens but partly a flux of moving in and out immigrants-as-citizens. The second is the trust of the people in the system. The third is solidarity. The foundations of a functioning political community would be severely challenged. It is one thing to pay taxes and gain national security, public health and education, quite another to provide it to every traveler passing by declaring he wants to become a citizen by his universal right.

333 Crucially, citizenship as membership provides not passive but active membership, namely, political participation. Any format of global rule is going to be distanced from the people. Would participating in this one-world regime correspond to the needs, interests, ideas, or



visions of the people who vote? We know that even the most minimal participation in democracies – voting – is on the wane. Could we envision higher rates for a global rule? What if only 30% of the people are going to vote, would this constitute a legitimate rule of law? The legitimization of a democratic regime is based on the trust of the people in the institutional design that embeds values of freedom, equality and welfare. It is not just a one-time approval but an on-going lively political community shaping everyday life of the people. Constitution and elections provide the framework; political culture creates the traditions of dealing with conflicts, the rise of new issues, problems, groups – are part of the on-going democratic project. It is not just rules of the game but playing by the rules that makes a people into a people. Should the ethical and political communities coincide on a global level, the soul of democracy – the demos – would be lost. Human rights are universal; democratic states are the best protectors of human rights as they provide an active framework for realization of these rights and practice self-rule of the demos.

334 *Changing Empirical Realities: Flexible Citizenship?*

335 But what about the other vision, that of multiplicity of communities? Benhabib's second dimension is the changing empirical realities towards flexible citizenship. In many European countries third-country nationals may vote in local elections and also dual citizenship becomes an option in elites South America (Benhabib, 2007:20). Flexible citizenship allows variability of citizenships – both on local, regional, national and global levels, and cultural, social, economic and political ones.

336 Think about third-country nationals who participate in local elections in another country: they may work there, and vote for the local candidate but not on issues of taxes, security, education and welfare that are determined on national level. In what sense is this citizenship? In what sense is this meaningful participation? Are they part of the city but not the state? Crucially, this argument plays into the hands of the extreme right: fair terms of employment for foreign workers but no citizenship as 'France is for the French' and cultures have inherent features that one cannot acquire by formal citizenship. Benhabib's argument is thus dangerous in terms of dividing the notion of the demos and facilitating what she herself terms 'permanent alienage' (Benhabib, 2001:22): civil and social citizenship rights might be granted without ever completing the transition into full political rights.

337 The third issue is political representation. Whereas in representative democracy parties are the main actors, flexible citizenship emphasizes global civil society "in which activists from all nations, representing women's, ecology, ethnic rights, cultural self-

determination, economic democracy groups, NGOs and INGOs, gather together, and plan strategy and policy... They are members of the new global civil society” (Benhabib, 2007:31). Isn’t that a positive development, democratizing of democracy, to extend representation into associations, movements and NGOs? First, let’s be reminded that all extreme right phenomena – from neo-Fascists to radical Islam – are part of civil society; there is also dark civil society. Second, the central place of political parties in representative democracy has a complex role. They move up the ladder from identity politics into interest-representation into interests’ aggregation, into ideology formation and set of policies for implantation. There is a tacit and complex role of pulling away from pure identity politics. Going back to identity politics brings to the fore the primordial, the non-negotiable, the raw materials which part of democracy is to transfigure gradually into something else. Moreover, political representation is about worldviews. Politics of identity – both on the extreme right and the radical left – neglects the connection between political and economic views in favor of the particularity of the group and politics of recognition. Identity politics of civil society often delegitimizes institutional democracy.

338 *Governing beyond the demos?*

339 The third level of ruling is governing.

340 We need transparent and accountable structures of world governance and coordination. Some of these structures are already in sight through the networking of economic, judicial, military, immigration, health and communication experts. They form horizontally networked sites of information, coordination, and regulation. The future of global citizenship lies in becoming actively involved in such transnational organizations and working towards global governance. Whether this implies world government or not is at this stage beside the point: what matters is to increase structures of global accountability and governance (Benhabib, 2007:29).

341 The ethical community is governed by a web of organizations providing global governance and deliberative democracy. But what is the legitimacy of these organizations? And what is their responsibility and ability to plan and implement? In representative democracy the responsibility lies with those elected by the people. But civil society lacks accountability. Moreover, the majority of deliberative initiatives are declarative – they develop shared understandings among those who partake in them – but they have no authority over actually making it into a policy and no legitimacy to be deciding on behalf of --- whom? Furthermore, networks of governance are almost always composed of those who have interests in the matter at hand. Instead of protecting the people from private

and particular interest global governance adopts them as part of the web of decision makers. The silent majority is out of the web of stakeholders' deliberation. The self-selectivity of governance by networks, their lack of accountability and responsibility and the bias in their participation in the policy making process makes it highly problematic. Rather than complementing representative democracy, it de-legitimizes the system. Elected members of governments and parliaments are supposed to generate public hearings and decide according to networks and not according to the policy sets and ideologies for which they were chosen by the people. Governing by networks – diversified and plural as it may seem – actually undermines the legitimacy of sovereign states and democratic processes, as well as weaken the demos as the main unit of self-rule by incorporating those with clear interests into the policy making process.

#### 342 **3.3.4 The Demos and Political Equality**

343 Thus, Benhabib's concept of citizenship disassociates civic and social rights from political rights and envisions many manifestations of global democratic governance beyond and below the states. Her theory of citizenship seems to undermine the idea of self-determination of nations, and rather than propagating a civic demos actually perpetuates cultural, ethnic and national communities. While her ultimate moral community is composed of individuals with human rights in a global world, the units that compose this world are collectivist units which may challenge some of the claims of democracy to universalism, freedom and indeed equality. With no privileged framework to regulate and maintain civic and political rights, the state is undermined but its citizens become more vulnerable. Most important: democratic polities are also about solidarity. Benhabib's fragmented vision provides no incentive for redistribution within and among states. This brings us to the perspective of political equality in participation, representation and governance.

#### 344 *Political participation*

345 Active civil society gives the impression of extending participation far beyond the meagre act of voting every few years. Moving participation from institutional democracy to global (or local) civil society entails moving from universal participation to voluntary one; from individuals to organizations; from relatively compact participation – voting – into complex engagement. The clear losers of such transformations are the disadvantaged groups. First of all, universal voting is based on political equality; moving towards voluntary participation leaves those who do not have the time, the resources or the education outside of the effective participation

circle. Second, despite the fact that universal vote has the pretention of equality, we know that even here the dropping levels of participation is much more dramatic for the poor (Merkel and Petring, 2007). It is all the more so in terms of voluntary associations and deliberative processes in which the participation lies firmly with the highly-educated middle-classes. The vow for political equality is severely harmed. Finally, the more demanding form of participation is less accessible to those without the right kind of knowledge, time and funding and hence entails further discrimination against the disadvantaged. While within a democratic state there is institutionalized solidarity within the demos, and a role of the state to further education and welfare so as to enable participation, there is no such ethos and obligation in global civil society.

#### 346 *Political Representation*

347 Deliberative democracy and cosmopolitan politics belittle the role of parties and sovereign states. NGOs, social movements and interest groups become the main actors. The move from the individual to the group is the first hindrance to equality. Furthermore, politics of recognition – symbolic power and the right to be different as a group – often works against economic equality (Fraser). Finally, the main ideological axis of the party system is the Left-Right one, meaning that the major conflict in society is about redistribution of resources, life chances and welfare. Identity politics takes the conflict-field away from economics into culture and out of the state into global civil society, both which decrease the ability of economic and political equality to be central on the political agenda.

#### 348 *Governing*

349 As for governing, working through networks and deliberative governance means that the partners of policy making are no longer elected representatives of the demos, but philanthropic or self-interested groups. Such groups have access to resources, decision makers, communication, Media and funding and thus discriminate against those who have no such resources. Furthermore, there is no accountability and responsibility. The main vow of democratic politics – self-rule of the people by the people for the people – is being severely damaged as the sovereign people has no priority in terms of decision making, the public interest is not clear in a borderless world and it is not clear who governance networks work for – as they have no democratic legitimacy.

#### 350 **3.3.5 Reinstating the *Demos* within Democracy**

351 The crisis of legitimation of late modernity is one of political re-enchantment – in view of the decline of the nation-state and advances in democratic theory that favor plurality and freedom over equality. Can the demos be reconstructed as a core concept of democracy in a post-national constellation? Two major approaches to the contemporary idea of 'the people' might shed light on this question. The first is Laclau's approach in *On Populist Reason*. Laclau argues that in the end of the day, populism is an empty signifier, one that can be translated into populism, fascism, fundamentalism or democratic precondition alike. History, not normative theory, decides which forms of populism prevail and where. On the other hand, Rancière's notion of politics is one with clear political direction: the people never equal itself. It is an on-going emancipatory project by which new categories of social groupings present themselves as the people and endeavor to gain access to the political. Politics is an emancipatory process of extending the people beyond itself through popular political struggle over equality.

352 The legitimation crisis of late-modernity is also one of re-enchantment of politics. We saw that a part of contemporary democratic theory abandons nation as its community and state as its locus and transcend it either towards the global or local communities. Moving towards complexified model of democracy, we asked whether this enriched pluralism has indeed created more opportunities for all citizens within the polity, thus deepening equality, or whether pluralism is actually almost confined to the winners of the knowledge global society: the educated middle classes. If indeed those enjoying diverse forms of political participation, varied kinds of representation, social networks of governance and involvement in deliberative democracy are designated elites, leaving out of the equation the lower classes and the underclass, pluralism, in the context of democratic theory, may actually work against equality.

353 In order to allow a democratic space with the vision of an ever expanding project, both the demos and equality need to be at the core of democracy. In our world, the state is still the more likely arena for materializing political rights. In a post-national constellation, constitutional-patriotism is too thin and populism-as-fundamentalism is all too dangerous. To go beyond the nation should not mean to abandon the demos; multi-ethnic in its nature hence remote from organic nationalism, and moving towards greater human rights on international scale as a regulative norm, the evolving, equality-striving demos as a creation of democratic states is a guiding principle of humanism. It is therefore still a viable route to claim a civic demos at the heart of democratic polity as the main institutional design to embed political equality.

354 **References**

- 355 Abers, R. 2000. *Inventing Local Democracy. Grassroots Politics in Brazil*, London: Lynne Rienner Publishers.
- 356 Akrich, Madelaine (1992), 'The De-scription of Technical Objects', in W.E.; Law Bijker, J. (ed.), *Shaping Technology/Building Society - Studies in Sociotechnical Change* (Cambridge MA: MIT Press), 205-24.
- 357 Alesina, A., R. Baqir, and W. Easterly. 1999. "Public Goods and Ethnic Divisions." *The Quarterly Journal of Economics* 114 (4): 1243-1284.
- 358 Alonso, S., J. Keane, and W. Merkel (2011): *The Future of Representative Democracy*, Cambridge: Cambridge University Press.
- 359 Andersen, V. and K. Hansen. 2004. "Deliberative democracy and the deliberative poll on the Euro," *Scandinavian political studies* 27 (3): 261-286.
- 360 Anderson, Benedict (1991), *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso).
- 361 Anderson, E. 2010. *The Imperative of Integration*, Princeton: Princeton University Press.
- 362 Arato, A. 2013. "Political Theology and Populism," *Social Research* 80 (1): 143-172.
- 363 Arditi, B. 2008. *Politics on the Edge of Liberalism: Difference, Populism, Revolution, Agitation*, Edinburg: Edinburg University Press.
- 364 Avritzer, L. 2009. *Participatory Institutions in Democratic Brazil*, Baltimore, MA: The Johns Hopkins University Press.
- 365 Baiocchi, G. 2003. *Radicals in Power: The Workers' Party and Experiments in Urban Democracy in Brazil*, London: Zed Books.
- 366 Baldwin, K. and J.D. Huber. 2010. "Economic versus Cultural Differences: Forms of Ethnic Diversity and Public Goods Provision," *American Political Science Review* 104 (4): 644-662.
- 367 Barry, Brian. 1999. "Sustainability and Intergenerational Justice." In *Fairness and Futurity: Sustainability and Social Justice*, edited by Andrew Dobson, 93-117. Oxford: Oxford University Press.
- 368 Bell, Jr., D.A. 1978. "Democracy's Barrier to Racial Equality." *Washington Law Review* 54 (1).

- 369 Benhabib, Seyla. 1999. Citizens, Residents and Aliens in a Changing World. *Social Research* Vol. 66:3, 709-744.
- 370 Benhabib, Seyla. 2001. Dismantling the Leviathan: Citizen and State in a Global World. *The Responsive Community* Vol. 11 issue 2:14-27.
- 371 Benhabib, Seyla. 2002a. Transformations of Citizenship: The Case of Contemporary Europe. *Government and Opposition* Vol. 37, Issue 4: 439-465.
- 372 Benhabib, Seyla. 2002b. *The Claims of Culture: Equality and Diversity in the Global Era*. New Jersey: Princeton University Press.
- 373 Benhabib, Seyla. 2004. *The Rights of Others: Aliens, Residents, and Citizens*. Cambridge: Cambridge University Press.
- 374 Benhabib, Seyla. 2006. *Another Cosmopolitanism*. Oxford: Oxford University Press.
- 375 Benhabib, Seyla. 2007. 'Twilight of Sovereignty or the Emergence of Cosmopolitan Norms?'. *Citizenship Studies* 11: 1, 19- 36.
- 376 Berry, Craig. 2012. *The Rise of Gerontocracy? Addressing the Intergenerational Democratic Deficit*. London: Intergenerational Foundation.
- 377 Bherer, L., M. Gauthier, and L. Simard. 2014. "Autonomy for what? Comparing the role of autonomous public organizations dedicated to public participation", paper presented at European Consortium for Political Research Joint Sessions, Salamanca, April 10-14.
- 378 Bidadanure J. forthcoming 2016. "Youth quotas, diversity and long-termism: can young people act as proxies for future generations?" in *Institutions for Future Generations*, edited by Axel Gosseries and Inigo Gonzales. Oxford: Oxford University Press
- 379 Bidadanure, J. 2015. "Better Procedures for Fairer Outcomes: Can Youth Quotas in Parliaments increase our Chances of Meeting the Demands of Intergenerational Justice." in edited by Joerg Tremmel, et al. (eds) *Youth Quotas and Other Forms of Youth Participation in Ageing Societies*, London: Springer.
- 380 Bowker, Geoffrey and Star, Susan L. (1999), *Sorting Things Out. Classification and its Consequences* (London/Cambridge: MIT Press).
- 381 Brook, Barry W., Navjot S. Sodhi, and Peter K. L. Ng. 2003. "Catastrophic extinctions follow deforestation in Singapore." *Nature* (424): 420-426.

- 382 Butler, J. 1993. *Bodies that Matter: On the Discursive Limits of 'Sex'*, New York: Routledge.
- 383 Cabannes, Y. 2004. "Participatory budgeting: a significant contribution to participatory democracy," *Environment and Urbanization* 16 (1): 27-46.
- 384 Cameron, D. 1978. 'The expansion of the public economy: a comparative analysis', *American Political Science Review*, 72 (4), 1243-61.
- 385 Caney, S. forth. 2016 "Political Institutions for the Future: A Five-Fold Package" in Gonzalez-Ricoy I. and A. Gosseries(eds) (2016) *Institutions For Future Generations*. Oxford: Oxford University Press.
- 386 Canovan, M. 1999. "Trust the People! Populism and the Two Faces of Democracy," *Political Studies* 47 (1): 2-16.
- 387 Canovan, M. 2002. "Taking Politics to the People: Populism as the Ideology of Democracy," in Y. Mény and Y. Surel (eds.), *Democracies and the Populist Challenge*, Oxford: Palgrave.
- 388 Chandran, K. 2006. "What is Ethnic Identity and Does It Matter?" *Annual Review of Political Science* 9: 397-424.
- 389 Chandran, K. 2010. "Introduction," in K. Chandra (ed.), *Constructivist Theories of Ethnic Politics*, Oxford: Oxford University Press.
- 390 Charter of the United Nations, July 26, 1945.
- 391 Chilvers, Jason and Kearnes, Matthew (eds.) (2016), *Remaking Participation: Science, Environment and Emergent Publics* (London: Routledge).
- 392 Christiano, T. 2012. "The Legitimacy of International Institutions," in A. Marmor (ed.), *The Routledge Companion to Philosophy of Law*, New York: Routledge.
- 393 Christiano, T. 2015. "Legitimacy and the International Trade Regime," *San Diego Law Review* 52: 981-1012.
- 394 Christiano, T. 2016. "Democracy, Migration and International Institutions," in J. Knight (ed.), *NOMOS LVII: Immigration, Emigration and Migration*, New York: New York University Press.
- 395 Chwalisz, C. 2015. "An Athenian solution to democratic discontent", *Democratic Audit UK Blog*, 26 February 2015, online: [www.democraticaudit.com/?p=11287](http://www.democraticaudit.com/?p=11287) (12.08.2016).



- 396 Cooke, B. and U. Kothari. 2001. *Participation: The new tyranny?* New York: Zed Books.
- 397 Cooke, W. N. and Noble, D. S. 1998. 'Industrial relations systems and US foreign direct investment abroad', *British Journal of Industrial Relations*, 36 (4), 581-609.
- 398 Cornwall, A. 2004. "New Democratic Spaces? The Politics and Dynamics of Institutionalised Participation," *IDS Bulletin* 35 (2): 1-10.
- 399 Crouch, Colin. 2004. *Post-democracy*. Cambridge: Polity Press.
- 400 Cycle: A Good Practice Guide. New York: UNDP.
- 401 D'Eramo, M. 2013. "Populism and the New Oligarchy," trans. Gregory Elliott, *The New Left Review* 82 (July-August): 5-28.
- 402 Daniels, Norman. 1988. *Am I My Parents' Keeper? An Essay on Justice between the Young and the Old*. Oxford: Oxford University Press.
- 403 De La Torre, C. 2016. "Populism and the politics of the extraordinary in Latin America", *Journal of Political Ideologies* 21 (2): 121-139, DOI: 10.1080/13569317.2016.1150137.
- 404 De Lucas Martín, J. et al. 2013. *Identificación Policial por Perfil Étnico en España: Informe Sobre Experiencias y Actitudes en Relación con las Actuaciones Policiales*, Valencia: Tirant Lo Branch.
- 405 Donovan, T. and S. Bowler. 1998. "Direct Democracy and Minority Rights: An Extension," *American Journal of Political Science* 42 (3): 1020-1024.
- 406 Epstein, Steve (1996), *Impure Science: AIDS, Activism, and the Politics of Knowledge* (Berkeley: University of California Press).
- 407 Eurofound. 2012. "Economic Cost of Europe's Youth Not in Employment, Europe Education or Training Estimated at over €150 Billion." Press Release, October 22.  
<http://www.eurofound.europa.eu/press/releases/2012/121022.htm> (accessed 13 August, 2014).
- 408 Ezrahi, Yaron (2012), *Imagined Democracies: Necessary Political Fictions* (Cambridge: Cambridge University Press).
- 409 Felt, Ulrike and Fochler, Maximilian (2010), 'Machineries for Making Publics: Inscribing and Describing Publics in Public Engagement', *Minerva*, 48 (3), 219-38.

- 410 Felt, Ulrike, Felder, Kay, and Penkler, Michael (2016), 'How differences matter: tracing diversity practices in obesity treatment and health promotion', *Sociology of Health & Illness*.
- 411 Finchelstein, F. 2014. *The Ideological Origins of the Dirty War: Fascism, Populism, and Dictatorship in Twentieth Century Argentina*, New York: Oxford University Press.
- 412 Fleurbaey, M. and H. Brighthouse. 2010. "Democracy and Proportionality," *Journal of Political Philosophy* 2010: 137-155.
- 413 Fox, J. 2007. *Accountability Politics: Power and Voice in Rural Mexico*, Oxford: Oxford University Press.
- 414 Frank, A. G. and Gills, B. 1993. *The World System: Five hundred years or five thousand?* New York: Routledge.
- 415 Fung, A. 2003. "Recipes for Public Spheres: Eight Institutional Design Choices and Their Consequences," *Journal of Political Philosophy* 11 (3): 338-367.
- 416 Furlong, A., and F. Cartmel. 2007. "Changing Patterns of Dependency." In *Young People and Social Change: New Perspectives*, 53-70. Maidenhead: McGraw-Hill/Open University Press.
- 417 Gamble, B. 1997. "Putting Civil Rights to a Popular Vote." *American Journal of Political Science* 41(1): 245-269.
- 418 Garcia-Navarro, L. 2014. "In Brazil, Race Is a Matter of Life and Violent Death." [Radio Broadcast]. Weekend Edition. Washington, DC: National Public Radio.
- 419 General Agreement on Tariffs and Trade, Oct. 30, 1947, 61 Stat. A-11, 55 U.N.T.S. 194
- 420 Germani, G. 1978. *Authoritarianism, Fascism, and National Populism*, New Brunswick, NJ: Transaction Books.
- 421 Gómez, E., A. Varela, and S. Rivera., 2012. *Mejores Prácticas de gobernanza en los Consejos Consultivos nacionales en materia agropecuaria y ambiental*, Distrito Federal, México: Instituto para la Defensa del Interés Público.
- 422 Gonzalez-Ricoy I. and A. Gosseries (eds) (forth.2016) *Institutions For Future Generations*. Oxford: Oxford University Press.
- 423 Goodin, R. 1977. "Convention Quotas and Communal Representation." *British Journal of Political Science* 7 (2): 255-261.

- 424 Goodin, R. 1988. "What's So Special about My Fellow Countrymen?" *Ethics* 98: 663-686.
- 425 Gore, Al 'Speech at the International Telecommunications Union Meeting', <<http://www.istl.org/sts-9404-special-bulletin.txt>>, accessed.
- 426 Gret, M. and Y. Sintomer. 2005. *The Porto Alegre Experiment: Learning Lessons for Better Democracy*, London: Zed Books.
- 427 Grönlund, K., M. Setälä, and K. Herne. 2010. "Deliberation and civic virtue: lessons from a citizen deliberation experiment," *European Political Science Review* 2 (1): 95-117.
- 428 Gross, Matthias and Krohn, Wolfgang (2005), 'Society as experiment: sociological foundations for a self-experimental society', *History of the Human Sciences*, 18 (2), 63-86.
- 429 Habermas, J. 1992. *Faktizität und Geltung. Beiträge zur Diskurstheorie des Rechts und des demokratischen Rechtsstaats*, Frankfurt a. M.: Suhrkamp.
- 430 Habermas, Jurgen. 1973. *Legitimation Crisis*. Boston: Beacon Press.
- 431 Harvard University Center for Urban Development Studies. 2003. *Assessment of Participatory Budgeting in Brazil*, Washington: Inter-American Development Bank.
- 432 Hay, C. and Payne, A. 2015. *Civic Capitalism*. Cambridge: Polity.
- 433 Hay, C. and Rosamond, B. 2002. 'Globalisation, European Integration and the Discursive Construction of Economic Imperatives', *Journal of European Public Policy*, 9 (2), 147-67.
- 434 Hay, C. and Wincott, D. 2012. *The Political Economy of European Welfare Capitalism*. Basingstoke: Palgrave.
- 435 Held, D., et al. 1999. *Global Transformations*. Cambridge: Polity.
- 436 Helfer, L.R. 2005. "Exiting Treaties," *Virginia Law Review* 91: 1579-1648.
- 437 Hevia, F., S. Vergara-Lope, and H. Ávila Landa. 2011. "Participación ciudadana en México: consejos consultivos e instancias públicas de deliberación en el gobierno federal," *Perfiles latinoamericanos* 19 (38): 65-88.
- 438 Hirst, P. Thompson, G. and Bromley, S. 2009. *Globalisation in Question*. Cambridge: Polity.

- 439 Hooks, B. 1981. *Ain't I a Woman: Black Women and Feminism*, Boston, MA: South End Press.
- 440 Hooks, B. 1990. "A conversation about race and class", in M. Hirsch and E.F. Keller (eds.), *Conflicts in Feminism*, New York/London: Routledge.
- 441 Horowitz, D. 1985. *Ethnic Groups in Conflict*. Berkeley, CA: University of California Press.
- 442 Howker, Ed, and Shiv Malik. 2010. *Jilted Generation: How Britain Has Bankrupted Its Youth*. London: Icon Books.
- 443 Huber, J.D. and P. Suryanarayan. 2016. "Ethnic Inequality and the Ethnification of Political Parties," *World Politics* 68 (1): 149-188.
- 444 International Panel on Climate Change. 2007. *Climate Change: Synthesis Report*. In *Climate*, edited by R.K. Pachauri and A. Reisinger. Geneva.
- 445 Inter-Parliamentary Union. 2012. *Global Parliamentary Report: Facts and Figures*. Geneva: Inter-Parliamentary Union/United Nations Development Programme.
- 446 Inter-Parliamentary Union. 2014. *Youth Participation in National Parliaments*. Geneva: Inter-Parliamentary Union.
- 447 Jackson, Jeremy B. C., Michael X. Kirby, Wolfgang H. Berger, Karen A. Bjorndal, Louis W. Botsford, Bruce J. Bourque, and Roger H. Bradbury. 2001. "Historical Overfishing and the Recent Collapse of Coastal Ecosystems." *Science* no. 293 (5530): 629-637.
- 448 Jasanoff, Sheila (2004), *States of knowledge: The co-production of science and sociela order* (London, New York: Routledge).
- 449 Jasanoff, Sheila (2015), 'Future Imperfect: Science, Technology, and the Imaginations of Modernity', in Sheila Jasanoff and Sang-Hyun Kim (eds.), *Dreamscapes of Modernity: Sociotechnical Imaginaries and the Fabrication of Power* (Chicago: Chicago University Press), 1-47.
- 450 Jobard, F. and R. Levy. 2009. "Profiling Minorities: A Study of Stop-and-Search Practices in Paris." Open Society Justice Initiative. New York, NY.
- 451 Katzenstein, M., L. Ibrahim, and K. Rubin. 2010. "The Dark Side of American Liberalism and Felony Disenfranchisement," *Perspectives on Politics* 8 (4): 1035-1054.

- 452 Katzenstein, P. 1985. *Small States in World Markets*. Ithaca, NT: Cornell University Press.
- 453 Kazin, M. 1995. *The Populist Passion: An American History*, New York: Basic Books.
- 454 Keane, J. 2011. "Monitory democracy?", in S. Alonso, J. Keane, and W. Merkel (eds.), *The Future of Representative Democracy*, Cambridge: Cambridge University Press.
- 455 Keohane, R. and D. Victor. 2011. "The Regime Complex for Climate Change," *Perspectives on Politics* 9: 7-23.
- 456 Krohn, Wolfgang and Weyer, Johannes (1994), 'Real-life experiments. Society as a laboratory: the social risks of experimental research', *Science and Public Policy*, 21 (3), 173-83.
- 457 Laclau, 2005, *On Populist Reason*, London: Verso.
- 458 Laclau, E. 2005. *On Populist Reason*, London: Verso.
- 459 Laclau, E. 2005a. "Populism: What's in a Name?" in F. Panizza (ed.), *Populism and the Mirror of Democracy*, London: Verso.
- 460 Lasch, Ch. 1991. *The True and Only Heaven: Progress and Its Critics*, New York: Norton.
- 461 Law, John (1994), *Organizing Modernity* (Oxford: Blackwell).
- 462 Lombardo, E. and M. Verloo. 2009. "Contentious citizenship: feminist debates and practices and European challenges", *Feminist Review* 92:108-128.
- 463 Lorde, A. 1984. *Sister Outsider: Essays and Speeches*, Trumansburg: Crossing Press.
- 464 Mair, P. 2002. "Populist Democracy vs Party Democracy," in Y. Mény and Y. Surel (eds.), *Democracies and the Populist Challenge*, Oxford: Palgrave.
- 465 Mair, P. 2013. *Ruling the Void: The Hollowing of Western Democracy*, London: Verso.
- 466 Manin, B. 1997. *The Principles of Representative Government*, Cambridge: Cambridge University Press.
- 467 Mansbridge, J. 1999. "Should Blacks Represent Blacks and Women Represent Women? A Contingent "Yes"!" *The Journal of Politics* 61 (3): 628-657.

- 468 Marrakesh Agreement Establishing the World Trade Organization, Apr. 15, 1994, 1867 U.N.T.S. 17-39.
- 469 Marx, K. 1990. *Capital: A Critique of Political Economy*, Volume I, (ed. Ernest Mandel), London: Penguin.
- 470 Mendelsohn, R., A. Dinar, and L. Williams. 2006. "The Distributional Impact of Climate Change on Rich and Poor Countries," *Environment and Development Economics* 11 (2): 159-178.
- 471 Mény, Y. and Y. Surel. 2002. "The Constitutive Ambiguity of Populism," in Y. Mény and Y. Surel (eds.), *Democracies and the Populist Challenge*, Oxford: Palgrave.
- 472 Merkel, W. 2004. "Embedded and Defective Democracies", in A. Croissant and W. Merkel (eds.), *Special Issue of Democratization: Consolidated or Defective Democracy? Problems of Regime Change* 11 (5): 33-58.
- 473 Merkel, W. 2014. "Is There a Crisis of Democracy?" *Democratic Theory* 1 (2): 11-25.
- 474 Merkel, W. 2014. "Is there a Crisis of Democracy?", *Democratic Theory* 2 (1):11-25.
- 475 Merkel, W. 2014a: "Is capitalism compatible with democracy?", *Zeitschrift für Vergleichende Politikwissenschaft* 8 (2): 109-128.
- 476 Montreal Protocol on Substances that Deplete the Ozone Layer, Sept. 16, 1987, S. TREATY DOC. NO. 10, 1522 U.N.T.S. 29.
- 477 Mosley, L. 2002. *Global Capital and National Governments*. Cambridge: Cambridge University Press.
- 478 Mouffe, Ch. 2000. *The democratic paradox*. London: Verso
- 479 Mudde, C. 2001. "In the Name of the Peasantry, the Proletariat, and the People: Populisms in Eastern Europe," *East European Politics and Societies* 15 (1): 33-53.
- 480 Mueller, J.-W. 2011. *Contesting Democracy: Political Ideas in Twentieth Century Europe*. New Heaven: Yale University Press.
- 481 Narlikar, A. 2012. "Collective Agency, Systemic Consequences: Bargaining Coalitions in the WTO," in A. Narlikar, M. Daunton, and R.M. Stern (eds.), *The Oxford Handbook on the World Trade Organization*, Oxford: Oxford University Press.

- 482 O'Rourke, K. H. and Williamson, J. G. 1999. *Globalisation and History*. Cambridge, MA: MIT Press.
- 483 O'Rourke, K. H. and Williamson, J. G. 2002. 'When did globalisation begin?' *European Review of Economic History*, 6 (1), 23-50
- 484 Open Society Initiative. 2009. *Ethnic Profiling in the European Union: Pervasive, Ineffective, and Discriminatory*, New York, NY: Open Society Initiative.
- 485 Ottinger, Gwen and Cohen, Benjamin R. (eds.) (2011), *Technoscience and Environmental Justice* (Cambridge, MA: The MIT Press).
- 486 Oxford Martin Commission for Future Generations (2013) *Now for the Long Term*. Oxford: Oxford Martin School.
- 487 Perraton, J. et al. 1997. 'The Globalisation of Economic Activity', *New Political Economy*, 2 (2), 257-78.
- 488 Peruzzotti, E., M. Magnelli, and T. Peixoto. 2011. *La Plata; Argentina: Multi-Channel Participatory Budgeting*, Gütersloh: Bertelsmann Stiftung.
- 489 Petring, Alexander, Wolfgang Merkel. 2007. „Social Democracy in Power: Explaining the Capacity to Reform“, *Zeitschrift für Vergleichende Politikwissenschaft, Comparative Governance and Politics (ZfVP)* 1(1): 125-145.
- 490 Philips, Anne. 1995. *The Politics of Presence*. Oxford: Clarendon Press.
- 491 Plantin, Jean-Christophe (2014), *Participatory Mapping. New Data, New Cartography* (London/Hoboken: ISTE and John Wiley & Sons).
- 492 Pogrebinschi, T. 2012. "Participation as Representation. Democratic Policymaking in Brazil," in M.A. Cameron, E. Hershberg, and K. Sharpe (eds.), *New Institutions for Participatory Democracy in Latin America. Voice and Consequence*, New York: Palgrave Macmillan.
- 493 Pogrebinschi, T. 2014. "Turning Participation into Representation: Innovative Policymaking for Minority Groups in Brazil," in C. Sirianni and J. Girouard (eds.), *Varieties of Civic Innovation: Deliberative, Collaborative, Network, and Narrative Approaches*, Vanderbilt Place: Vanderbilt University Press.
- 494 Pogrebinschi, T. and D. Samuels. 2014. "The Impact of Participatory Democracy: Evidence from Brazil's National Public Policy Conference," *Comparative Politics* 46 (3): 313-332.

- 495 Porter, Theodore M. (1995), *Trust in Numbers. The pursuit of objectivity in science and public life* (Princeton, NJ: Princeton University Press).
- 496 Portinaro, P.P. 2013. "Ethnos e Demos. Per una genealogia del populismo," *Meridiana* 77: 47-66.
- 497 Posner, D. 2005. *Institutions and Ethnic Politics in Africa*. Cambridge, UK: Cambridge University Press.
- 498 Putnam, R. 1988. "Diplomacy and Domestic Politics: The Logic of Two Level Games," *International Organization* 42: 427-460.
- 499 Ranciere, Jacques. 2009. *Hatred of Democracy*, London: Verso.
- 500 Rawls, John. 1993. *Political Liberalism*. New York: Columbia University Press.
- 501 Rodrik, D. 1997. *Has Globalisation Gone Too Far?* Washington DC: Institute for International Economics.
- 502 Rodrik, D. 2012. *The Globalisation Paradox*. New York: W. W. Norton & Co.
- 503 Rosanvallon, P. 2015. *Le bon gouvernement*, Paris: Seuil.
- 504 Rosanvallon, Pierre. 2013. *The Society of Equals*, Boston: Harvard University Press.
- 505 Rosenbaum, A., C. Rodriguez-Acosta, and M.V. Rojas. 2000. "Decentralizing the health service delivery system in an emerging democracy: a case study of organizational change, civil society participation and local institution building in Paraguay," *International Review of Administrative Sciences* 66 (4): 655-672.
- 506 Rovira Kaltwasser, C. 2012. "The Ambivalence of Populism: Threat and Corrective for Democracy," *Democratization* 19 (2): 184-208.
- 507 Santos, B.D.S. 2005. *Democratizing democracy: beyond the liberal democratic canon*, London: Verso.
- 508 Schattan Coelho, V. 2007. "A democratização dos Conselhos de Saúde: o paradoxo de atrair não aliados," *Novos Estudos-CEBRAP* 78: 77-92.
- 509 Schmidt-Gleim, M. and M. Verloo. 2003. "One more feminist manifesto of the political". IWM Working Paper No. 2/2003, Vienna: IWM.



- 510 Schumpeter, J.A. 1942. *Capitalism, Socialism, and Democracy*, New York: Harper & Brothers.
- 511 Scott, J. 1988. "Deconstructing Equality-versus-Difference: or, the Uses of Poststructuralist Theory for Feminism", *Feminist Studies* 14 (1): 33-50.
- 512 Scott, James C. (1999), *Seeing Like a State. How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press).
- 513 Shekhovstov, A. 2016. The far-right front of Russian active measures in Europe, online: <http://euromaidanpress.com/2016/08/16/the-far-right-front-of-russian-active-measures-in-europe/> (18.08.2016).
- 514 Sintomer, Y., C. Herzberg, G. Alegretti, and A. Röcke. 2010. "Learning from the South: Participatory Budgeting Worldwide – An invitation to global cooperation," *Dialog global series No. 25*. Bonn: InWEnt gGmbH.
- 515 Sintomer, Y., G. Allegretti, C. Herzberg, and A. Röcke. 2009. *I bilanci partecipativi in Europa: nuove esperienze democratiche nel vecchio continente*. Rome: Ediesse.
- 516 Sloam, James. 2012. "Introduction: Youth, Citizenship and Politics." *Parliamentary Affairs* 65 (1): 4-12.
- 517 Smith, A. 1776. *An Inquiry Into The Nature and Causes of The Wealth of Nations*. Oxford: Oxford University Press.
- 518 Smith, G. 2009. *Democratic Innovations: Designing Institutions for Citizen Participation*, Cambridge: Cambridge University Press.
- 519 Snow, C.P. (1959/1998), *The Two Cultures* (Cambridge: Cambridge University Press).
- 520 Steinberg, R.H. 2002. "In the Shadow of Law or Power? Consensus-Based Bargaining and Outcomes in the GATT/WTO," *International Organization* 56: 339-374.
- 521 Streeck, W. 2014. *Buying Time*. London: Verso.
- 522 Strolovitch, D.Z. 2008. *Affirmative advocacy: Race, class, and gender in interest group politics*. Chicago: University of Chicago Press.
- 523 Sunstein, C.R. 2003. "The Law of Group Polarization," in J.S. Fishkin and P. Laslett (eds.), *Debating Deliberative Democracy*, Oxford: Blackwell.

- 524 Swank, D. 2002. Global capital, political institutions, and policy change in developed welfare states. Cambridge: Cambridge University Press
- 525 Taggart, P. 2000. Populism, Philadelphia: Open University Press.
- 526 Tilly, C. 1998. Durable Inequality. Berkeley, CA: University of California Press.
- 527 Tilly, C. 2007. Democracy. Cambridge: Cambridge University Press.
- 528 Tormey, Simon. 2015. The End of Representative Politics, Cambridge: Polity Press.
- 529 Touchton, M. and B. Wampler. 2014. "Improving Social Well-Being Through New Democratic Institutions," Comparative Political Studies August 2014, online:  
<http://cps.sagepub.com/content/early/2013/12/27/0010414013512601.full> (18.08.2016).
- 530 UNDP. 2013. Enhancing Youth Political Participation Throughout the Electoral
- 531 United Nations Framework Convention on Climate Change, May 9, 1992, S.TREATY DOC.NO. 102-38, 1771 U.N.T.S. 107.
- 532 United Nations Millennium Declaration, Sept. 18, 2000, G.A. Res. 55/2.
- 533 Urbinati, N. 2014. Democracy Disfigured: Opinion, Truth and the People, Cambridge, MA: Harvard University Press.
- 534 Veneziano, A. and I. Sánchez. 2014. "Participatory Budgets in Uruguay. A Reflection on the cases of Montevideo and Paysandú," in N. Dias (ed.), Hope for democracy: 25 Years of participatory budgeting worldwide, São Brás de Alportel: In Loco Association.
- 535 Verloo, M. (forthcoming). Opposition to gender equality in Europe. London: Routledge.
- 536 Verloo, M. 2016. "Subaltern", in N. Naples (ed.), The Wiley-Blackwell Encyclopedia of Gender and Sexuality Studies, Oxford: Wiley-Blackwell.
- 537 Vienna Convention on the Law of Treaties. 1969. United nations Treaty series: Vol. 1155-I-18232.
- 538 Wajcman, Judy (2009), 'Feminist theories of technology', Cambridge Journal of Economics, 34 (1), 143-52.

- 539 Walby, S. 2009. *Globalization and inequalities: Complexity and contested modernities*. Thousand Oaks, CA: Sage.
- 540 Walby, S. 2011. *The future of feminism*. Oxford: Polity.
- 541 Walby, S. 2015. *Crisis*. Oxford: Polity.
- 542 Walzer, Michael. 1983. *Spheres of Justice: A Defense of Pluralism and Equality*. New York: Basic books.
- 543 Wampler, B. 2007. *Participatory Budgeting in Brazil: Contestation, Cooperation, and Accountability*, Pennsylvania: Penn State University Press.
- 544 Warren, M.E. and J. Gastil. 2015. "Can Deliberative Minipublics Address the Cognitive Challenges of Democratic Citizenship?" *The Journal of Politics* 77 (2): 562-574.
- 545 Weber L. and B. Bowling (eds.). 2014. *Stop and Search: Police Power in Global Context*, London: Routledge.
- 546 Weyland, K. 2013. "The Threat from the Populist left," *Journal of Democracy* 24:18-32.
- 547 Widerquist 2016. "The People's Endowment" in Gonzalez-Ricoy I. and A. Gosseries(eds) (2016) *Institutions For Future Generations*. Oxford: Oxford University Press.
- 548 Wilensky, H. L. 2002. *Rich Democracies: Political Economy, Public Policy and Performance*. Berkeley, CA: University of California Press.
- 549 Winner, Langdon (1986), 'Do Artifacts Have Politics?', *Daedalus*, 109 (1), 121-36.
- 550 Wootton, D. 1980. *Divine Right and Democracy*, Harmondsworth: Penguin Publishers.
- 551 Wyatt, Sally, et al. (2001), *Technology and In/Equality. Questioning the Information Society* (London, New York: Routledge).
- 552 Wyatt, Sally, et al. (2005), 'The digital divide, health information and everyday life', *new media & society*, 7 (2), 199-218.
- 553 Wynne, Brian (2006), 'Public engagement as means of restoring trust in science? Hitting the notes, but missing the music', *Community Genetics*, 9 (3), 211-20.
- 554 Young, I.M. 1990. *Justice and the Politics of Difference*. Princeton: Princeton University Press.

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- 557 [3] I use gender equality and feminism as empty signifiers here, to be able to discuss its various contested meanings (Verloo 2007).
- 558 [4] US census:  
[https://www.census.gov/content/dam/Census/newsroom/c-span/2015/20150130\\_cspan\\_youngadults.pdf](https://www.census.gov/content/dam/Census/newsroom/c-span/2015/20150130_cspan_youngadults.pdf)
- 559 [5] <http://lordashcroftpolls.com/2016/06/how-the-united-kingdom-voted-and-why/>
- 560 [6] Following Ardit (2008) I take this definition of a parasite from Jacques Derrida (1988, 90): “The parasite then ‘takes place.’ And at the bottom, whatever violently ‘takes place’ or occupies a site is always *something* of a parasite. *Never quite* taking place is then part of its performance, or its success, as an event, or its ‘taking place.” Populism is a permanent possibility within representative democracy, and the “never taking place” refers to its being a permanent mobilizing possibility even when it is strong enough to manifest its power. If all the populist potentials were actualized it would replace representative democracy altogether but this would be a regime change (like what happened when fascism “took place”).
- 561 [7] UN Charter (1945), art. 1.
- 562 [8] See the U.N. Charter (1945) art. 56, the United Nations Millennium Declaration (2000), (aiming to reduce extreme poverty); Marrakesh Agreement Establishing the World Trade Organization, (1994); United Nations Framework Convention on Climate Change (1992) art. 11, the Montreal Protocol on Substances that Deplete the Ozone Layer (1987), (aiming to reduce ozone-depleting substances), General Agreement on Tariffs and Trade (1947).
- 563 [9] To be clear, the mandatory aim of alleviating severe global poverty, I think, argues strongly for much greater openness to migration. I make this argument in detail in (Christiano 2016).

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[10] See, for example, Keohane and Victor (2011: 9, 12, 15) for a discussion of how uncertainty plays a role in motivating and perhaps justifying fragmentation of regimes attempting to deal with global problems.

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[11] *Jus Cogens* norms are norms that are generally recognized by the community of states as having a peremptory force, from which no derogation is permitted. Whether they are moral norms or positive norms remains a matter of controversy and which norms are on the limited list of *jus cogens* is also a matter of controversy. See Vienna Convention on the Law of Treaties art. 53.

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[12] Colonel Rainborough in, "Putney Debates," in (Wooten 1980).