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Sovereignty, International Democracy, and the United Nations

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- [The Future of Sovereignty - Rethinking a Key Concept of International Relations](#)
Andreas Hasenclever, Peter Mayer, Volker Rittberger, Frank Schimmelfennig, Christina Schrade
 - [Democracy in the United Nations System - Cosmopolitan and Communitarian Principles](#)
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The Future of Sovereignty - Rethinking a Key Concept of International Relations

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Table of Contents

1. Introduction
2. Sovereignty in the Modern International System
 1. Internal and External Sovereignty
 2. Models of Sovereignty
3. Models of Sovereignty and Models of International Organizations
 1. The Absolutist Model: The Great Power Concert
 2. The Liberal Model: Permanent Multilateral Policy Coordination

3. The (Neo-)Medieval Model: Syndicate or Mediator

4. The Future of Sovereignty - Directions of Research

Endnotes

References

1. Introduction[Note 1]

Reflecting about the future of sovereignty necessarily involves raising two questions: "What role is state sovereignty *likely* to play in the global politics of the 21st century?" And: "What role *should* it play?" These are big questions, indeed. And as such they are both important and difficult to deal with.

The *importance* of these questions derives from the fact that there is hardly a concept more fundamental to the theory and practice of international relations than state sovereignty. Their *difficulty* has both general and specific sources. It is a *general* fact that there are tight limitations to forecasting in the field of International Relations, and the future of sovereignty is no exception to this rule. Similarly, ethical justification in the absence of a value consensus is *generally* problematic, and this certainly applies when state sovereignty is at issue.

But the questions suggested by my topic are difficult ones for yet another reason, which originates more *specifically* in this particular subject matter. As I have just noted, sovereignty is a phenomenon that is of central importance to International Relations in either meaning of the word: it is central to the social system of international relations as well as to the academic discipline, also called "International Relations", that is preoccupied with the study of this system. However, theoretical and practical centrality of a phenomenon does not guarantee that it is better understood than other, less fundamental concepts and relationships - and sovereignty may well be a case in point. This is not to deny that the vast and rapidly growing literature addressing this subject includes important insights and illuminating analyses. Nevertheless, the overall impression is one of considerable confusion. Why?

First of all, the reader of this literature is amazed by the extent to which competent observers differ in their assessment of the contemporary significance of state sovereignty. There are those who are fascinated by apparently unambiguous indications of a secular erosion of sovereignty or even talk of the concept of sovereignty as of an anachronism which inhibits rather than facilitates our understanding of world politics in the late 20th century.[Note 2] Others, however, while they do not deny the momentous changes that have been taking place in transboundary relations not only since the end of the Cold War, regard sovereignty as essentially alive and well and contend that, overall, the power of states is probably greater today than in earlier periods which are commonly regarded as the heyday of sovereignty.

Differences in opinion even about fundamental aspects of their field of study are not uncommon among International Relations scholars. Meanwhile, the antagonistic nature of these views suggests that at least part of the difference may not be attributable to poor and ambiguous data or to a sloppy choice of indicators, but originate in properties of the concept itself. On closer inspection, state sovereignty turns out to be a complex notion which combines several ideas and dimensions.[Note 3] Moreover, the ubiquity of this term in a plurality of discourses - the political, the juridical, the ethical, etc. - may have created a semantical situation in which the various referents of sovereignty do no longer share a common

set of features, but are linked together only through relationships of family resemblance in the Wittgensteinian sense.[Note 4] In such a situation researchers and other observers are clearly in danger of talking past one another.

Two aspects of the concept of sovereignty may serve to illustrate this point. One can be referred to as material, the other as institutional. Sovereignty in the *material* sense refers to the *de facto* power and control of the State *vis-à-vis* domestic society and the external environment. Sovereignty in the *institutional* sense can be a source of power, but is in itself not a form of power. Sovereignty as an institution is constituted by certain norms and rules which depend on the recognition by, and the reproduction in the practice of, other actors, first and foremost other *states*. [Note 5] These two aspects of sovereignty may well account for some of the confusion and the "ritual of affirmation and denial" (Walker/Mendlovitz 1990: 8) that characterizes the academic literature on this subject. In particular, it is perfectly possible that sovereignty as state power *vis-à-vis* domestic society and the external environment is on the decline, while, at the same time, the inter-state institution of sovereignty is pretty much intact.[Note 6]

These observations indicate that, before speculating about the future of sovereignty, scholars are well-advised to rethink the concept of sovereignty and to take stock of its past and present manifestations. Consequently, the following remarks break down into two parts. First, the concept of sovereignty (in the material sense) will be examined, and a typology of states and (inter-)state systems will be developed which is based on two conventional dimensions of sovereignty, referred to as internal and external sovereignty. Thereafter, this typology will be used to delineate various scenarios of state sovereignty. In doing so, the contribution will focus on the interrelationship of models of state sovereignty and models of international organization with particular reference to the role that the UN system might play in these various scenarios. Normative questions will be touched upon, but, by and large, the discussion will be confined to examining possibilities and, to a lesser extent, probabilities.

2. Sovereignty in the Modern International System

2.1. Internal and External Sovereignty

Sovereignty as an institutional concept is inextricably related to the territorial and hierarchical organization of rule ("Herrschaft" in Max Weber's sense) in the modern state system. Territoriality creates a distinction between "inside" and "outside", the "domestic" and the "international" (Ruggie 1986: 142f). Hierarchical rule refers to the subordination of society to the state which is, however, limited to the state's territory. Outside a state's territory, and in its relations to other states, anarchy reigns. The state's internal sovereignty thus consists in its claim of a hierarchical position *vis-à-vis* domestic society, its external sovereignty in the recognition that it is not subordinated to foreign or supranational jurisdiction.

Table 1

| External Sovereignty | | |
|---------------------------|-------------------------------|--------------------------|
| independent, autarchic | interdependent, autonomous | dependent, penetrated |

| | | | |
|---------------------------------|---------------------------------------|-----------------------------------|----------------------|
| Internal Sovereignty | authoritarian, dictatorial | absolutist, totalitarian model | |
| | liberal | | liberal model |
| | fragmented | | "new medievalism" |

However, if one uses the concept to describe the *factual power of the state* vis-à-vis domestic society and the external environment, i.e. "material sovereignty", then sovereignty becomes a matter of degree. Table 1 distinguishes three degrees of internal and external sovereignty. This categorization represents pure types; real-world states usually fall in between them.

Internal sovereignty encompasses two aspects: the way in which policies are formed and selected and the way in which they are implemented. Internal sovereignty is at its zenith in an *authoritarian* or *dictatorial* political system; here, the state can hierarchically allocate social values without having to take into account societal interests or individual rights.

By contrast, the *liberal* state is seen as an agent of society, as a mere regulator and referee for a relatively autonomous civil society. State sovereignty is reinterpreted as the sovereignty of the *citizens* of the state. According to the early liberal idea of the "state as watchman", the state was to withdraw from the intrusive regulation of social affairs and leave the allocation of social values to the market. Its only role was to guarantee domestic peace and the rule of law. The contemporary liberal-democratic state regulates societal transactions more actively and redistributes at least part of the values produced in civil society due to its role as a "welfare state". However, it still executes the popular will. In either form, the liberal state is considered an effective and efficient hierarchical organisation: It is able to enforce the law, to aggregate and integrate societal interests and to regulate the markets.

Internal sovereignty is at its nadir in a *fragmented* political system. In such a system, state-society relations are being dehierarchized. The state loses its ability to integrate societal interests, to make binding decisions, to enforce the law, and, eventually, to ensure domestic peace. Two cases have to be considered separately: If civil society is strong, as it is the case in many highly developed countries, state hierarchy is transformed into sectoral policy networks, in which public and private actors voluntarily coordinate their interests without necessarily producing lower levels of social peace and welfare than in the liberal state (Scharpf 1991: 624ff). In the absence of a well-ordered civil society, however, social relations may revert to the Hobbesian "state of nature" with, e.g., civil wars and large-scale organized crime.

External sovereignty reaches the peak when states are completely *independent* or *autarchic*. Not only is the autarchic state free of external intrusion and able to control the transborder activities of its society - it does not even need the cooperation of external actors in order to realize its goals.

The *interdependent* state is relatively *autonomous* but certainly not autarchic. It is affected by, and may be vulnerable to, what other states in its international environment do. It needs to cooperate with them in order to solve its problems and to maximize its utility. However, the interdependent state is capable of defining its goals itself and of engaging in cooperation voluntarily. This also means that the interdependent state possesses a veto competence or an exit option: It can withdraw from cooperation [Note 7] and prevent international actors from interfering with its domestic affairs against its will, e.g. when reciprocity is not maintained.

This also applies to transnational relations. The interdependent state opens its borders for intersocietal transactions and integrates into transnational markets. However, it is still able to regulate transborder flows and to prevent domestic regulations from being undercut from the outside.

External sovereignty reaches the bottom when a state is either penetrated or dependent. *Penetrated* states are states which are so interdependent and subject to transnational societal influences that they are not able anymore to set their own agenda and to autonomously pursue their goals in the international system.[Note 8] They merely react and adapt to "globalizing pressures". By contrast, *dependent* states are subject to continuous interference and intervention by foreign states or international organizations.[Note 9] Either way, both penetrated or dependent states are neither able to withdraw from undesired international commitments nor in a position to protect their own borders, territory, and domestic authority from undesired intrusion. In the special case of the penetrated or dependent state, therefore, the line between internal and external sovereignty becomes so blurred that a clear distinction between the two dimensions seems almost impossible and also unnecessary.

The different degrees of external and internal sovereignty can be freely combined, and it should be possible to find empirical referents for each of the nine cells of Table 1. For example, the USA would fit into the medium left cell, small Western countries like Luxemburg or Denmark into the medium right cell. The former Warsaw Pact countries are best placed into the upper right cell. However, I would like to concentrate on the three ideal-typical models of sovereignty which can be found on the diagonal from the upper left cell to the lower right cell. For different eras in the development of the modern state system, these models correspond quite closely to the state of sovereignty in the most advanced states of the system.

2.2. Models of Sovereignty

The *absolutist* or *totalitarian* model is represented by the autarchic, authoritarian (or dictatorial) state. In the early modern era, absolutism - most typically realized in Louis XIV France - strove for unlimited monarchical rule in its internal affairs and for a maximum of independence and power in its external relations. The mercantilist economic policy was introduced to mobilize the domestic economy for the goals of the state and to make the state independent of imports. In the 20th century, this model was realized again in totalitarian systems of both the Fascist and the Stalinist type.

The *liberal* model is one of externally and internally limited, but still positive, sovereignty. In its 19th century version, the state was to be reduced to a "watchman" not only in internal but also in external affairs. International transactions were to follow the principle of an unregulated free flow; the task of the state was to provide external and internal security. Corresponding to the expansion of the welfare state in the 20th century and following the sad experience of the breakdown of the world economic order in the 1930s, political regulation was conceived to be necessary not only domestically but also internationally. This gave rise to what Ruggie aptly called "*embedded liberalism*".[Note 10] According to the post-war liberal model, transnational market exchange relations were still regarded as a good. But the states cooperated in the regulation of these markets in order to correct market failures and to control the negative repercussions that international interdependence might have for the states' ability to govern their territories effectively. In the liberal model, the states' sovereignty is still strong enough to reserve to them ultimate control internally as well as externally despite a far-reaching internationalization of societal actors and transactions.

The last model to be mentioned is the pre- as well as post-modern model of the *medieval* system. In such a system, units are so fragmented and so penetrated or dependent, the borders between the domestic and the international are so blurred, and authority-relations are so dehierarchized, that it is impossible to speak of "sovereignty" in any empirically tangible sense. The European medieval system was characterized by a dualism of temporal and spiritual powers and a complex, graded structure of feudal authorities and privileges, or - as John Ruggie put it - by heteronomy instead of sovereignty (Ruggie 1986: 143).

The prospect of a "new medievalism" (Bull 1977: 254f, 264-276) is based, on the one hand, on the observation that sovereign state authority is increasingly transferred to international organizations as well as to nongovernmental organizations and transnational corporations, and that these organizations increasingly interfere with the domestic affairs of states. On the other hand, it is viewed as the result of "globalization", i.e. the fact that transnational, above all economic, actors are increasingly able to allocate significant values beyond the reach and control of state actors. This is by no means a characterization which only fits the dependent "quasi-states" of the Third World (Jackson 1990). The "globalization" and "policy network" literature explicitly deals with the state of affairs in the OECD world[Note 11], where, admittedly, "penetration" and the more benign version of "fragmentation" are much more of an issue than "dependence" and internal disorder.

3. Models of Sovereignty and Models of International Organizations

A model of a world organization corresponds to each of the three models of state sovereignty. These models of international organization also have real-world referents in the history of the modern state system.

3.1. The Absolutist Model: The Great Power Concert

The *absolutist* model most strongly corresponds to international coordination in the form of a *great power concert*. Whereas this model is not compatible with any form of binding international institutions or permanent international organizations, it lends itself to sporadic great power conferences, preferably in the case of international crises or after great wars, in order to deal with the maintenance of peace and the management of territorial change.

To some extent, this absolutist legacy can still be found in the United Nations: In the Security Council, five great powers, each endowed with a permanent seat and the right to veto, convene in the case of international crises of one sort or another, and, of course, more frequently than ever before. The decisions taken by the Security Council under ch. VII of the United Nations Charter are legally binding for all member states. On the other hand, the Security Council consists of ten more, non-permanent members, seven of which can block any initiative by one or more of the permanent members. Moreover, the Security Council is only a part of the United Nations system, which, as a whole, rather conforms to the liberal model of international organization.

3.2. The Liberal Model: Permanent Multilateral Policy Coordination

According to the *liberal* model, a world organization is best conceived of as a permanent, multilateral system of interstate policy coordination, an agency of facilitating agreements and regime-building. Its main purpose is to regulate the increasing transnational transactions, to solve problems of an international scope and to avoid the social traps which are typical of an interdependent but decentralized social system (e.g. non-provision of collective goods, overuse of common-pool resources, prisoner's dilemma and battle of the sexes situations). Liberal international organization can take on a more hegemonic form, as for example in the Bretton Woods system, or a more egalitarian form, as in the European Union. In contrast to a great power concert, however, there is room for all states, large and small, to participate. It is this role that the United Nations system has most often and most successfully played during the last 50 years: to provide a forum for international negotiation and coordination and to assist in the conclusion, administration and supervision of interstate agreements.

Furthermore, the *participation of non-governmental* or, more generally, *civil society actors* in international governance is by no means alien to the liberal model. The spectrum of participatory activities can reach from mere lobbying via institutionalized consultation to co-decision, and the spectrum of participating civil society actors from transnational interest-groups via parliamentary delegations to directly elected people's representatives. However, societal participation in policy making is much less developed externally than internally. In the United Nations system, only some specialized organizations like ILO practice institutionalized interest group participation, and there is no role for parliamentary or individual representation in decision-making organs at all. The most advanced international organization in this respect is the European Union which has a directly elected Parliament possessing the right to co-decisions in a considerable number of integrated policies[Note 12].

Moreover, the liberal model is to some extent compatible with the international (intrusive) regulation of the domestic affairs of states. Following the liberal concept of sovereignty, the scope of such regulation includes all activities related to the promotion of the popular sovereignty of the people. Typical activities towards this end - and very important issues in the work of the United Nations - are decolonization and national self-determination as well as the promotion of human rights, the rule of law and democracy.

Thus, the United Nations still possesses a large scope of reform with regard to both internal and external liberalization without transcending the confines of the liberal model on which it was based after World War II. Of course, the liberal model of international organization could not be fully implemented because a very considerable number of UN member states did and do not conform to the liberal model of internal sovereignty. This is the reason why the UN has always had to strike an uneasy balance between, for instance, the protection of human rights, on the one hand, and the principle of non-interference, on the other. These ambiguities can to some extent be reduced together with the progress of democratization.[Note 13]

There are limits to the liberal model, however. It is neither compatible with the notion of a cosmopolitan world people nor with a supranational world state, because both forms of international organization would invalidate the concept of national sovereignty. It presupposes that the subjects of the international system be the states and that international regulation be based on the consensus of governments.

3.3. The (Neo-)Medieval Model: Syndicate or Mediator

The perspective of a "*new medievalism*" is based on the assumption that the constitutive characteristics of the liberal model increasingly lose ground to the forces of globalization, above all to the emancipation of transnational civil society. If this assumption about the evolution of the international system holds, which form of international organization would be adequate in a post-modern international system?

If we take a brief look back to the old *European medieval system*, we discover two "world organizations": the Empire and the Church. What they did (or intended to do) appears to correspond to the models of a "Global Manager" and a "Global Counsel" mentioned in the UNU's proposal for a project on "The United Nations System in the 21st Century".[Note 14]

The (Holy Roman) *Empire* at least declared to possess the highest secular authority in the Occident. The Emperor claimed to be positioned above the kings, to arbitrate disputes between kingdoms and to be in charge of the security of the entire Occident. However, with the exception of short time periods, like the reign of Charlemagne, the empire was not powerful enough to live up to its claims. Indeed, the perspective of a "Global Manager" presupposes an autonomous power base for the world organization, which is hardly detectable. There is an (at least apparent) paradox here: If state sovereignty is alive and well, states will not transfer their power to a higher level; if it is waxing and waning, who else would provide the "Global Manager" with the necessary resources?

The (Roman Catholic) *Church*, on the other hand, was rather more than a "Counsel". As the highest authority in spiritual affairs (and these had a far-reaching political impact at that time), as the only educational organization at its time, which produced a transnational intellectual elite, and as the only source of transnational law, the Church exceeded the tasks of an "international wise man", of an "international community" and of "monitoring and assessing the state of various global affairs" envisaged for the UN as a "Global Counsel" in the UNU proposal. However, such a role presupposes a unitary world civilization which is obviously not the case - even if one does not share the view that there will be a "clash of civilizations" (Huntington 1993).

Besides these old medieval models of an international organization, one can think of two other institutional responses to the pressures of globalization and the undermining of state sovereignty which appear to be more in line with the previous and current tasks of the United Nations and represent a more gradual departure from the liberal model:

(1) In a *reactive* and *dissociative* way, the United Nations could turn into an "intergovernmental syndicate": a narrowly defined *interest organization of the political-administrative systems*. Its main task would then be to defend the common interests of the states in their autonomy against the "common adversary", transnational society, and to regain regulatory competences for the states which have slipped away from them or are about to do so. Although the UN has always been there to defend state sovereignty, it primarily had to defend one state's sovereignty against the encroachments by another state. The new focus would be to defend state sovereignty against any encroachments by society (Thomson 1995: 221f). In this case, states would attempt to mobilize "sovereignty" as a normative resource in very much the same way as "quasi-states" have mobilized it in their dealings with the more powerful states and international organizations. The prospects of success of such a strategy remain more than dubious, however.

(2) In a *proactive* or *associative* way, the United Nations could act as a *mediator* between the states and

the organizations of transnational civil society. This would entail enlarging its membership to include representatives of civil society, extending its services to non-governmental organizations, and providing a forum for negotiation and coordination, not only (or mainly) for states, but also for the relations between the political-administrative systems and international civil society. Its "civilizing role" would then be to strengthen the positive possibilities inherent in the tendencies of fragmentation and penetration - i.e., to prevent the transition of the current sovereignty-based world order to a "state of nature" and to further an orderly association of global policy networks as envisaged in the positive utopia of a global civil society.

4. The Future of Sovereignty - Directions of Research

(1) As it has been pointed out in the beginning of this contribution, there is a heated debate between those who believe they are witnesses of a breakdown of sovereignty and those who emphasize the robustness of sovereignty. However, as much as the need for a "theoretically coherent conception of sovereignty which is both consistent with history and amenable to empirical analysis" (Thomson 1995: 213) has been recognized in the literature on sovereignty, there have been almost no serious attempts to actually define measurable indicators.[Note 15] It is essential to find adequate ways to *operationalize sovereignty* in order to test empirically if an erosion of material state sovereignty is taking or has taken place. Only if this task is achieved will we be able to make empirically well-founded statements about the degree to which sovereignty is still a defining characteristic of the state and the international system at the end of the 20th century.[Note 16] It should also have become clear that any such research must be based on an historical analysis of the concept of sovereignty and the evolution of its meanings.

(2) If the liberal model is to persist what could a liberal *model of world organization* for the 21st century look like? Can participation and representation be adequately organized above the level of the nation-state, and if so, how can this be done?[Note 17] If, on the other hand, the neo-medieval model turns out to be more appropriate to characterize the evolution of state sovereignty today, scholars as well as politicians will have to discuss the implications of the reactive-dissociative vs. the proactive-associative option and they will have to decide which is to be favored.

(3) Moreover, in searching for the new role of the UN in the 21st century, there is a pressing demand for clarification of the problematic *relationship of emerging supranationality and sovereignty*. Do the two concepts really form a zero-sum game as has been suggested? Does an increase of supranational decision-making automatically erode state sovereignty? Or does pooled sovereignty strengthen the states? This is a highly controversial issue in the literature on the European Union[Note 18]. In other words, do politicians have to decide between the two, between a world state with the UN as global manager, on the one hand, and an anarchical system of sovereign states with the UN as an instrument in the hands of the most powerful states, on the other? What concept of sovereignty would have to emerge to solve this dilemma?

(4) *Finally, in the face of growing internal violence, ethnic strife and blatant human rights violations*, it is essential to reassess sovereignty as the basic ordering principle of the international system both from an empirical and from a normative standpoint. Empirically, one could ask to what extent, and how successfully, the invocation of sovereignty was used to prevent international action in the face of massive

human rights violation. Normatively, it would have to be debated whether sovereignty entails not only states' rights but also the obligation to provide for the security and well-being of the citizens. If the state fails to do so, the principle of sovereignty should not prevent the international community from responding to severe human suffering (at least once it is clear that the state does not represent a cohesive political community).

Notes

1. This essay is a revised version of a presentation given at the United Nations University's 20th Anniversary Symposium on the United Nations System in the 21st century, Tokyo, 21-22 November 1995. The authors would like to thank Bernhard Zangl for his helpful comments.
2. The term "*anachronistic sovereignty*" was coined by Ernst-Otto Czempiel as early as 1969. The erosion of state sovereignty has lately been restated by Czempiel (1993) and - with different points of emphasis - by Knieper (1991: 43, 98, 194), Nohlen (1995: 675f), Scharpf (1991: 620f) and Zürn (1992: 494f).
3. For one of the latest attempts to clarify the concept of sovereignty see Thomson (1995).
4. That is, a class of objects comes under a given concept not in virtue of some property they *all* share, but because they are linked through a set of properties each of which is shared by a subclass of these objects: A is like B in some respect, but resembles C in another etc. Wittgenstein's famous example is the concept of game; see Wittgenstein (1953).
5. The institutional dimension of sovereignty is emphasized by Barkin/Cronin (1994), Keohane (1995), Krasner (1988), Ruggie (1986) and Thomson (1995).
6. However, the institution of sovereignty has also undergone a profound change in meaning over time. As Keohane argues convincingly, the traditional concept of sovereignty as "a set of barriers to intervention" had to be modified in the context of growing interdependence and globalization. It is now "less a territorially defined barrier" than a "resource to be traded off in exchange for partial authority over others' policies" (1995: 175, 185).
7. Albeit not in toto and potentially at great cost to itself, see Krasner (1993: 236).
8. For a more detailed discussion of the concept of the penetrated state see Hanrieder (1971: 256ff).
9. On the subject of the dependent state see Hey (1995), Knieper (1991) and Jackson (1990).
10. For a detailed discussion see Ruggie (1983: 209).
11. See, for example, Böhret/Wewer (1994), Scharpf (1993),(1994), Mayntz/Scharpf (1995) and Zürn (1995).
12. The right to co-decision was established in the Maastricht Treaty. It endows the European Parliament with a (limited) right to reject legislation approved by the Council of Ministers in such diverse areas as the free movement of persons, the internal market, education, culture, trans-european networks and environmental action programs. For an overview of the co-decision procedure see Dinan (1994: 280f).
13. See Huntington (1991).
14. See Academic Division/United Nations University: The United Nations Systems in the 21st Century, Proposal for the Special Project to Commemorate the Twentieth Anniversary of the UNU, Tokyo, Sept. 1995.

15. One exception is, again, Thomson (1995).
16. To this end, it also seems crucial to define more clearly the relationship between the material and the institutional dimensions of sovereignty.
17. For a discussion of these questions see Held (1991).
18. See Evers (1994), Moravcsik (1994) and Scharpf (1993).

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Democracy in the United Nations System - Cosmopolitan and Communitarian Principles

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Table of Contents

1. Change in the International System and its Implications for Democracy
2. Characteristics of Governance at the International Level
3. Democracy at the International Level - a Working-Definition
4. Reform Proposals regarding the United Nations
 1. Proposals With States as Subjects of Democracy
 2. Proposals with Individuals as Subjects of Democracy
5. Cosmopolitan and Communitarian Principles of International Democracy
6. Conclusion

Endnotes

References

1. Change in the International System and its Implications for Democracy

The issue of democracy has in recent years been affected in fairly contradictory ways by two principal developments. First, processes of democratization in the former Soviet Union culminated in the collapse of "real Socialism", the end of the Cold War and the transition of most East European states and former Soviet republics to democratic systems of rule. As a further consequence, a number of non-Socialist authoritarian regimes in Africa, Asia, and Latin America lost their strategic importance to the United States and the West and thus their external support which has made it increasingly difficult for them to maintain themselves domestically. Moreover, "strategic-military conditionality" was at least partly replaced by a "new political conditionality" within a "good governance agenda": foreign aid has increasingly become tied to the practice of "good governance", especially to regular and genuine elections and the rule of law. Heightened "democratic consciousness" in hitherto non-democratic countries and cross-national demonstration effects delegitimized repressive institutions and practices because their justification as a response to alleged external threats increasingly rang hollow. Thus the pressure for change of authoritarian systems of rule resulted in the "third wave of democratization" (Huntington 1991), which had begun in the 1970s and which reached a peak after 1989/90.

It has to be borne in mind, moreover, that the increased number of democracies was preceded and paralleled by the establishment of democracy as a universal political norm after World War II. Today, even authoritarian states often perceive themselves as being forced to excuse obvious deviations from democratic practices with reference to difficulties in transforming their states into democratic systems of rule or with reference to particular national traditions[Note 1].

The second major development, in contrast, has affected both the idea and the actual practice of democracy far more negatively. The foundations of national democracies have changed dramatically: the high (and growing) degree of interdependence makes states susceptible, even vulnerable, to developments within the international system. The exercise of state sovereignty is undermined by processes of internationalization and globalization, most notably in the economic and ecological realm. At the same time, state sovereignty is permeated by activities of international governmental and non-governmental organizations in a wide variety of issue areas which again reduce the scope of national control over public policy-making. As a result, the national control over the authoritative allocation of values within a society has been significantly reduced.

This loss of national control conflicts with the implicit assumption of national democracy that the authoritative allocation of values is based on the consent of the affected political community. Thus, as the elected rulers themselves are no longer able to control the authoritative allocation of values which is deemed to be in the responsibility of public policy-makers, the basic idea on which democracy as a system of rule rests is no longer empirically valid[Note 2]: the fundamental concept of democracy, the congruence between the rulers and the ruled, ceases to exist (cf. Held 1992). Thus, as Norberto Bobbio has pointed out, it is no longer possible for democratic states to be fully democratic in a non-democratic international system (cf. Bobbio 1995). But not only philosophers and political scientists are concerned about these developments. The national referenda on the Maastricht Treaty in Denmark and France have demonstrated how the reach of international integration might become restricted if the electorate fears the

loss of congruence mentioned above.

The question of democracy at the international level becomes crucial under two assumptions: First, substantively more national control over public policy-making, if at all possible, cannot be regained without impairing desired outcomes. If it is true that, "on the one hand, day-to-day activities are increasingly influenced by events happening on the other side of the world and, on the other, the practices and decisions of local groups or communities can have significant global reverberations" (Held 1995: 20), the scope of national (democratic) decision-making is further to diminish in the future.

The second assumption is that only democratic legitimacy will be accepted in international policy-making, at least in the long run. This assumption is based on two arguments: first, a causal relation exists between legitimacy and efficiency: "Institutions that lack legitimacy are seldom effective over the long run" (Commission on Global Governance 1995: 66). Thus, the legitimacy of international institutions has to be enhanced. Second, with democracy having evolved as a universal norm, any institution in which substantive decisions are made faces demands for democratic decision-making procedures. In sum, "as the role of international institutions in global governance grows, the need to ensure that they are democratic also increases" (Commission on Global Governance 1995: 66). Therefore, reforms of international organizations that merely seek to enhance efficiency are, though very important, to be complemented by democratic reforms.

Therefore, the question of democratic governance arises at the international level to which the authoritative allocation of values in many issue areas has already been transferred to (cf. Zürn 1992). This paper attempts to contribute to the conceptualization of democracy at the international level, focusing on the United Nations system as the institutional core of international governance. We take the characteristics of governance at the international level as our point of departure (section 2) and then elaborate on a working definition of democracy at the international level (section 3). In section 4 we present and review current proposals for reform of the United Nations. By drawing on both cosmopolitan and communitarian arguments, we finally elaborate on the criteria necessary for evaluating the reform proposals from the perspective of democratic theory (section 5).

2. Characteristics of Governance at the International Level

When we speak of governance above the national - and particularly at the global - level, we have to deal with several issues unknown in the national context. We consider four characteristics of governance at the international level to be of major importance:

(1) *Governance without government*: At the international level we cannot refer to a particular constitutional system of rule. There is no world state with a world government to be democratized. However, to a large extent international politics does take place within international institutions. A network of international organizations and international regimes enables states to overcome collective action problems that are inherent to the anarchical structure of the international system. By coordinating their policies and thereby performing "governance without government" (Czempiel/Rosenau 1992) states are able to achieve benefits that would not be possible as long as states relied on unilateral self-help-strategies. Most importantly, people are significantly affected by international regimes and decisions made in international organizations. In this sense they are governed by international

institutions. Within this network the United Nations is certainly the most important institution. It is endowed with far-reaching powers regarding the authoritative allocation of values, especially in the realm of peace and security. Because of its prominent status we want to explore how and to what extent the concept of international democracy can be rendered applicable to the United Nations.

(2) *Distance between the rulers and the ruled*: The distance between decision-makers and the people affected by those decisions had already increased during the transformation from ancient city-states to modern nation-states. In democratic nation-states, a system of representative government was devised to deal with this distance (and was largely substituted for direct participation). Governance at the international level has resulted in an even greater distance, in fact the maximum distance possible. Direct representation, familiar from the modern democratic nation-state, probably cannot be extended to the global scale, at least not in more than a symbolic way. As a consequence, alternatives to the traditional concept of representation have to be elaborated.

(3) *Heterogeneity and lack of consensus*: The heterogeneity of those "governed" is also at its maximum. Governance at the international level concerns all known political, social and cultural groups. Hence collective identity, i.e. shared values and experience, will be minimal if existent at all. However, at least at the national level a minimum of shared values is generally regarded as indispensable to attain the consensus necessary for legitimate governance. For governance at the international level, on the other hand, the required minimum of collective identity is certainly lower than at the national level, because a large part of the authoritative allocation of values will still remain under national control (cf. Held 1995: 282).

(4) *Dual subject-status*: As the institutional core of a complex system of international governance, the United Nations can be conceived as the top layer of a multi-level system of rule. Similar to national multi-level systems of rule the United Nations comprises two categories of subjects which are affected by decisions taken: states and individuals. From the viewpoint of democratic theory, states as well as individuals might well be considered the subjects of democracy in the United Nations. The subjects of democracy are the bearers of rights and duties in a democratic system of rule. It is their preferences which are to be aggregated in the decision-making process and it is they who are to be (at least collectively) responsible for the decisions taken. Thus, the preferences of the democratic subjects have to be given weight in the decision-making process. As a consequence, the subjects of democracy have to be represented in the major decision-making arena(s). Thus, the debate regarding the subjects of democracy, first of all, concerns the question of representation[Note 3].

The present United Nations only conceives of states as democratic subjects. As an international organization, the United Nations is based on a treaty signed by member states. In the major decision-making bodies, only states are allowed to articulate their interests and only states' preferences are taken as a basis for bargaining and the taking of decisions. Though permanent members in the Security Council are certainly "more equal" than their fellow states, the General Assembly's work is based on the "one state, one vote"-principle which is but the institutionalized version of territorial representation[Note 4]. In the General Assembly, every state, irrespective of its size, is endowed with the same voting power.

However, since interdependence has blurred the distinction between domestic and international politics, politics in the international system cannot be conceived as an inter-state affair only. Thus, critics of territorial representation argue that, being a layer in a system of complex governance, the United Nations

should also be accountable to the member-states' populations, i.e. to individuals. Accountability on the other hand, can only be ensured by granting the member-states' populations some representation at the United Nations, by "giving them a voice" in the decision-making process.

Our enumeration of four major characteristics of international governance also represents challenges with which the concept of democracy must cope if it is to be extended to the international level. The lack of a constitutional system of rule makes transparency difficult, and the maximum distance between rulers and ruled makes direct participation, perhaps even representation, nearly impossible. The heterogeneity increases the difficulties of attaining a basic consensus about the rules of democracy at the international level. Finally, the dual subject-status increases the range of claims and demands to be taken into account.

3. Democracy at the International Level - a Working Definition

The concept of democracy was first introduced in ancient Greece when formerly non-democratic systems of rule were transformed. A second major transformation of governance took place when democratic legitimacy had to be achieved in modern nation-states instead of the ancient city-states. Largely replacing direct participation, representative democracy completely altered the concept of democracy. While both systems of governance can certainly be regarded as meeting the normative demands of democratic theory, neither the Greek *polis* nor modern representative systems can be considered the exclusive models for democracy. Consequently, a "third transformation" (Dahl 1989), which alters the concept of democracy once again and adapts it to the specific features of the international system, has to be regarded as generally possible. However, given the many differences between the ancient *polis* and the modern nation-state, it seems difficult to determine essential criteria of democratic governance, which both ancient and modern democracies meet and which democracy at the international level can also be measured against. For example, turning back to the four characteristics of governance at the international level already mentioned, both the vast heterogeneity and the maximum distance between the rulers and the ruled are unknown issues for traditional concepts of democracy and cannot refer to historical evidence.

Many definitions of democracy advanced in the literature on democratic governance in fact refer to modern representative systems exclusively, e.g. those by Lipset and Sartori which focus on "regular constitutional opportunities for changing the governing officials" (Lipset 1960: 45), or define democracy as "a political system in which the influence of the majority is assured by elective and competitive minorities to whom it is entrusted." (Sartori 1962: 126). They both presume the existence of an elaborate, constitutional system of rule. Other definitions are broader and thus better for our purposes, e.g. John Plamenatz's statement that a "political system is democratic if it operates in such a way as to ensure that makers of law and policy are responsible to the people" (Plamenatz 1973: 69f) or Dahl's notion that democracy implies "processes by which ordinary citizens exert a relatively high degree of control over leaders" (Dahl 1956: 3).

The definitions by Plamenatz and Dahl can easily be applied to the *polis* as well as to the representative democratic system in modern nation-states. They also meet our understanding of what democracy in all likelihood means at the international level. A common feature is the "rule of the many" as opposed to the "rule of the few" or even the "rule of the single one". The rule of the many is based on a concept of

equality of the citizens[Note 5], and the equality of the many is guaranteed and institutionalized in constitutional law. Thus, the rule of the many and the rule of law are closely intertwined with each other. Therefore, we consider the concept of the "rule of the many according to the law" to be the essential feature of democracy. Democracy at the international level has to correspond to this feature as well.

Because modern political theory has been conceptually tied to the nation-state (cf. Jachtenfuchs/Kohler-Koch 1996) concepts of international governance and democracy are but in the beginning. Thus, it remains one of the most difficult tasks to adapt the concept of democracy to the above mentioned conditions of distance and heterogeneity. In contrast, our fourth characteristic, the dual subject status, has been a familiar issue both to political theory and practice. A balance between territorial and electoral representation has been institutionalized in the world's federations and some of its multi-ethnic states as well as, on a larger scale, in the European Community. Furthermore, the question of democratic representation is not the first issue in the controversy about the subject-status of states and of individuals at the international level. From the perspective of classical international law, states, not individuals, were the exclusive subjects of international law. On the other hand, a gradual change of this interpretation has been occurring since the end of World War II. A considerable number of international conventions and declarations are binding on a state's conduct towards its population. Thereby individuals' rights have been indirectly acknowledged (cf. Franck 1992b; Held 1995: 101ff). Thus, the status of states as the only subjects of international law has not been left unchallenged (Kimminich 1993: 215).

The issue of the dual subject-status is not an entirely academic matter, but has occasionally played a role within the United Nations itself. Although scepticism might well remain regarding claims that "we are witnessing in the UN [...] but another of the eternal struggles [...] between the principles of territorial representation and representation by population [i.e. electoral representation]" (Trent 1995: 472), the debates on reforming the United Nations have regularly made reference to the issue of dual subject-status. In the remainder of this paper we focus on some recent reform proposals which have paid attention to the issue of states and individuals as the subjects of democracy in the United Nations.

4. Reform Proposals regarding the United Nations

An intense debate on reforming the United Nations has accompanied the organization's work for at least a decade, reaching a recent peak on the occasion of its fiftieth anniversary in 1995, when a significant number of reform proposals were submitted. Though many reform proposals have presented themselves as, amongst other things, detailed contributions to a more democratic United Nations, a theoretical debate has not yet taken place. As a consequence, the very meaning of democracy at the international level has hardly been explored, let alone elucidated. Regarding the characteristics of international governance mentioned above, the issues of the distance between the rulers and the ruled as well as the heterogeneity among the ruled have not been addressed by any reform proposal. However, every reform proposal has, implicitly or explicitly, taken a position on the issue of the dual subject-status.

In the following review of reform proposals, we will distinguish between those which reach for a democratic order based on the rule of the many with states as subjects of democracy, and those which focus on a democratic system of governance grounded in the notion that individuals are the subjects of democracy. The review of reform proposals will demonstrate that the issue of the dual subject-status can indeed be taken as a base-line for further discussion. Since the ultimate task of this paper, as of any critical review of reform proposals, should be a theoretical evaluation of particular reform proposals, we

will elaborate criteria for evaluation in section 5.

4.1. Proposals With States as Subjects of Democracy

If states are taken as the subjects of democracy, their equality, reflected in the "one state, one vote"-principle, serves as a general guideline: Just as individuals in national democratic systems of rule dispose of an equal number of votes regardless of their economic well-being, physical strength etc., states are considered to be equal, regardless of their population size, economic or military strength, their internal system of rule, etc. In this sense, an analogy is drawn between individuals and states respectively between a national democratic system of rule and the United Nations.[Note 6] However, the analogy must not be taken too far: as described above, in contrast to governance at the national level, international governance is characterized only by a minimum of collective identity among its subjects. Decision-making by simple majority, as the analogy with decision-making in Westminster-type democracies suggests, might therefore not be appropriate at the international, let alone global level. For authoritative decision-making by simple majority to be accepted by the outvoted minority, a sense of collective identity is indispensable. As a consequence, the missing collective identity among states should be reflected in formal and informal rules aiming at achieving a broad consensus and at protecting states from being in a permanent minority. Thus, consociational rather than Westminster-type democracy serves as a model of democracy if states are taken as the subjects of democracy[Note 7].

Our discussion of reform proposals focusing on states as the subjects of democracy centers on two issues. First, the obvious deviation from the principle of equality in Security Council decision-making, i.e. the permanent members' right of veto, has to be discussed. Second, assuming that the veto is likely to remain, we review some proposals that approach the problem of privileges in the Security Council by strengthening other UN organs in relation to the Security Council.

(1) *Reform of the Security Council:* The five permanent members' veto most obviously contradicts the idea of the equality of states - and thus of democracy at the international level - because it establishes what could be called an oligarchy among states. Consequently, the extension of the veto to more and new permanent members, as proposed by Germany and Japan and supported by the Interaction Council (Interaction Council 1994: 8), would merely change the internal structure of the oligarchy but not promote a democratic reform. In any case, the general abolition of the veto would be a significant step on the way towards a democratic international system and will be indispensable in the long run, if the United Nations is to attain democratic legitimacy[Note 8]. In the short run, however, any change regarding the prerogatives of the five permanent member states is very unlikely.

Another set of proposals argues that "the Security Council must become more representative of diverse perspectives if its actions are to command full respect in all parts of the world" and consequently focuses on the extension of membership in the Security Council by increasing the number of permanent members without the veto as well as the number of non-permanent members (Independent Working Group on the Future of the United Nations 1995: 15). Again, these proposals would neither change the present oligarchical structure of the Security Council nor would they strengthen the position of members not possessing the veto.

(2) *Reform of the relation between the Security Council and other main organs of the United Nations:* Reform proposals aiming at a different relationship between the Security Council and other main organs - and thus trying to establish a system of "checks and balances" - have two foci: the relationship between

the Security Council and the General Assembly and the relationship between the Security Council and the International Court of Justice. All of these proposals are based on the assumption that the Permanent Five will prevent a significant reform of the Security Council itself. Of course, the veto powers can prevent *any* change of the Charter. However, the General Assembly can be strengthened without changing the Charter. Furthermore, Charter amendments are more likely to pass if they leave the Security Council unaffected.

Reform proposals directed at the relationship between the Security Council and the General Assembly are primarily concerned with enhancing the Security Council's accountability. For example, the second *Conference on a more Democratic United Nations (CAMDUN)* proposed to establish "a standing committee of the General Assembly of 15 rotating, geographically representative members, not at the same time members of the Security Council, to report to the Assembly on the adequacy of efforts made by the Council" (Segall/Lerner 1992: 19).[Note 9] Another proposal in the same vein is set forth by the Commission on Global Governance. Taking the historic example of the Uniting for Peace Resolution or "Acheson Plan" in 1950 which enhanced the General Assembly's counterweight vis-à-vis the Security Council by giving it the power to deal with the latter's functions in situations of deadlock, it urges "the revitalization of the General Assembly as a universal forum of the world's states" (Commission on Global Governance 1995: 250). Specifically, the Commission proposes that the General Assembly institutionalize in-depth discussions of reports from the Security Council and consultations and briefings with the Security Council, as well as put forward suggestions to the Security Council concerning non-military peace operations and humanitarian action (Commission on Global Governance 1995: 248-250).

A problem that is being addressed by proposals focusing on the relation between the Security Council and the International Court of Justice is whether some kind of (judicial) control of the Security Council can be institutionalized within the UN. Decisions made by the Security Council are binding on all states (Art. 25 UN Charter) but these decisions must not be arbitrary: The Security Council "shall act in accordance with the Purposes and Principles of the United Nations" (Art. 24, 2). The problem is that the Charter itself does not tell whether the International Court of Justice, the "principal judicial organ" (Art. 92), is entitled to supervise that decisions of the Security Council are indeed in accordance with the UN purposes and principles (Franck 1992a: 520f). At the San Francisco founding conference "it was preferred that each organ would interpret its own competence" (Higgins 1963: 66). It would have been possible for the International Court of Justice to become the supreme organ of judicial review, i.e. to attribute to itself "the power to determine whether a political organ has acted *ultra vires*" (Franck 1992a: 520). Dealing with the Case *Lybia vs. UK/USA*, however, the International Court of Justice decided implicitly that it is not entitled to supervise the Security Council acting under Chapter VII, and it leaves unclear whether the Security Council can be supervised if it is not acting under Chapter VII (cf. Reisman 1993; Franck 1995: 243). Even the Commission on Global Governance does not "recommend at this stage a right of review of all Security Council decisions in the World Court", but encourages the Security Council to make greater use of the International Court of Justice as a legal adviser (Commission on Global Governance 1995: 321).

Both the General Assembly and the International Court of Justice so far have preferred not to interfere with matters of the Security Council. However, the concentration of power in the Security Council and particularly in the hands of the permanent members has been criticized on various occasions. Thus it seems that the legitimacy of Security Council decisions has already been damaged. Therefore, the extension of institutionalized control of the Security Council through other main organs of the United

Nations is a necessary first step to strengthen the democratic legitimacy of its decisions.

4.2. Proposals with Individuals as Subjects of Democracy

As we elaborated above, states are certainly not the only candidates for bearing rights and duties in a democratic system of rule. It is a truism that all present-day national democracies have individuals as their subjects. The reform proposals that we discuss in the following paragraphs do not intend to replace states with individuals. Rather, they take their point of departure from the present United Nations which exclusively consists of states as its constituent parts and seeks to "democratize" this state-centric system of rule by giving "the peoples of the United Nations" (preamble of the UN-Charter) a voice in the decision-making process of the United Nations. We focus our attention on two specific proposals: the creation of a United Nations Second Assembly and a change in the voting powers in the General Assembly that balances the "one state, one vote"-principle with the "one person, one vote"-principle.

(1) *A United Nations Second Assembly*: Proposals for a United Nations Second Assembly[Note 10] most obviously aim at an increased representation of individuals at the UN level. Contrary to the present diplomatic representation at the United Nations, members of a Second Assembly would not be accountable to their governments but to their electorates. Furthermore, any national group of deputies would represent their polity in its political, social and cultural diversity. The representation of a country's societal groups and forces is also an important means for recognizing societal as well as inter-societal conflicts at an early stage (cf. Czempiel 1994: 158). The proposals differ regarding both the electoral modus[Note 11] and the general tasks of such a Second Assembly, but they all share the aim of giving societal actors a voice at the United Nations. Therefore we will limit our description to just one pre-eminent example of such a proposal, the creation of a United Nations Parliamentary Assembly as elaborated by Erskine Childers and Brian Urquhart.

Childers and Urquhart take the European Parliament as a model of how a Parliamentary Assembly could be established and indicate which functions and powers it should be given (cf. Childers/Urquhart 1994: 176-181). Like in the early stages of the European Parliament, i.e. before its members were directly elected, the UN Parliamentary Assembly would be established as a subsidiary body of the General Assembly (under Art. 22 UN Charter), and parliaments of member states would, in proportion to population, select a number of representatives to this first UN Parliamentary Assembly. The Assembly then would develop proposals for its conversion into a directly elected world parliamentary assembly. After several years of broad public debate, the Charter would be amended to create the UN Parliamentary Assembly as an additional principal organ.

The functions of this Parliamentary Assembly, according to Childers and Urquhart, would consist of the following: It would be consulted by the General Assembly and by the ECOSOC, it would hold readings on major draft resolutions before the General Assembly takes a vote on them, it would convey opinions and hold question times to the Principal Organs, and, finally, it could request that policies adopted by the General Assembly be extended or amended, or it could propose new policies. Childers and Urquhart anticipate that any attempt to endow this assembly with budgetary powers, traditionally a genuine function of any parliament, will meet with too much opposition to have a reasonable prospect of success.

Much literature has been dedicated to the question of representation in the second assembly (Cf. Barnaby 1991). A broad consensus can be found regarding the necessity of balancing two tasks: On the one hand, a state's voting power should be dependent on the size of its population. Hence, a large state's delegation

should be bigger than that of a small state. On the other hand, the political, social and cultural diversity of even the smallest states should be represented. In order to represent the political, social and cultural diversity of each state, representation instead of voting has to be weighted [Note 12]. While both weighted representation and weighted voting aim at differentiated voting powers among small and large countries (measured by population), only the former ensures the representation of a state's diversity.

One major problem of a United Nations Second Assembly derives from the second characteristic of international governance developed above, the distance between the rulers and the ruled: if the Second Assembly is intended to represent the political, social and cultural diversity of each state, the total number of delegates would easily reach several thousands. The more differentiated the representation is intended to be, the more delegates the assembly would have to comprise. Also, the costs and technical problems of such an assembly are likely to be enormous.

(2) *Voting in the General Assembly*: The "one state, one vote"-principle leads to distortions between the representation of large and small countries - at present 0,5% of the world population dispose of more than 25% of General Assembly votes (cf. Ortega Carcelén 1991: 401) - which contradicts the understanding of democracy if individuals are to be taken as subjects of democracy. Under this assumption, the General Assembly would become more democratic if the voting power of member states varied according to their population size. In a strict meaning of democracy based on individuals as subjects, every person's vote would have to have exactly the same weight. None of the known proposals, however, supports such a strict interpretation, because the inequality among the states' voting powers would be extreme with only four countries - China, India, the United States and the former USSR - disposing of an absolute majority (Newcombe 1991: 227). Most proposals based on individuals as subjects of democracy draw on mathematical methods such as the so-called Penrose method to mitigate this inequality of voting powers (cf. Segall 1991: 108f). We will return to the issue below.

Many proposals also employ further indicators to give states different voting powers, such as GNP, financial contributions to the UN, and share in world trade (cf. Szasz 1994: 54ff). Obviously, these indicators contradict the basic equality of persons and cannot be derived from any concept of democracy based on the individual as the subject of democracy. Therefore, these proposals will not be discussed further here.

There is another weakness of weighing votes in the General Assembly in order to give individuals a voice in the United Nations. While a Second Assembly would, in principle, be able to represent a country's political, social and cultural diversity, a system of weighted voting in the General Assembly still only represents the country's government.

5. Cosmopolitan and Communitarian Principles of International Democracy

The review of reform proposals has been descriptive in character. We now turn to an elaboration of criteria in order to evaluate the reform proposals on a theoretical basis.

We first turn to the so-called "statist paradigm" as a relevant strand of political theory that considers states as the only subjects in international affairs. Within this line of thought, states are conceptualized as largely self-sufficient entities, and the international system is depicted as a state of nature. In this sense,

the statist paradigm draws on an analogy between states and persons. The sovereignty of states corresponds to the equal liberty of persons. Regarding democracy at the international level, states are the only possible subjects of democracy.

The analogy between persons and states is central to the statist paradigm. However, the analogy suffers from several shortcomings: Beitz has argued that "the conception of international relations as a state of nature is empirically inaccurate and theoretically misleading" (Beitz 1979: 179). Most importantly, the state-person analogy is incorrect because "states are not sources of ends in the same sense as persons" (Beitz 1979: 179). According to this viewpoint, individuals have to be the subjects of democracy at the international level, because the individual is the only possible bearer of rights. Most importantly and in sharp contrast to the statist paradigm, individual rights must not be abrogated by states' rights. From this perspective, the universal validity of human rights renders state borders meaningless. Thus, we can call this line of thought represented by Beitz the "cosmopolitan" paradigm. The cosmopolitan principle of democracy at the international level states that the subject of international democratic governance is the individual whose rights must not be abrogated by states' rights.

From the viewpoint of democratic theory, cosmopolitan liberalists are expected to demand a democratic world state with a single world parliamentary assembly. In this strict sense, cosmopolitan liberals are hard to find. Even Immanuel Kant, allegedly the most influential cosmopolitan liberal, searches for a constitutional international order in which *both* individual rights and the sovereignty of states are respected (Kant 1984). In his "Perpetual Peace", Kant presents a federation of sovereign republics as a solution. Kant's proposal has rightly been criticized for being inconsistent with his cosmopolitan point of departure. Habermas has pointed out that Kant's cosmopolitan point of view is incompatible with his notion of the state as an immediate bearer of rights (Habermas 1995).

Habermas' criticism also applies to the reform proposals which we discussed under the heading of "democracy with individuals as subjects of democracy". If individuals are indeed the subjects of democracy and if human rights do render political borders meaningless, then the representation of states at the United Nations cannot be justified from a cosmopolitan point of departure. Like Kant in 1795, today's proponents of cosmopolitan democracy do not intend to replace states by individuals. Instead, they seek to complement the present state-centric United Nations decision-making procedures by giving individuals an increased representation. However, as Kant did 200 years ago, today's cosmopolitans suffer from their inability to justify why states should continue to be important actors in international affairs and thus remain represented at the United Nations.

We argue that the cosmopolitan principle has to be complemented by a communitarian principle of democracy in order to resolve the inconsistency of strict cosmopolitan democracy. Because communitarianism is everything but a consistent school of thought, we first have to explain what line of thought in contemporary communitarianism we refer to. In general, communitarianism has become a label for a variety of arguments of which the opposition to modern liberal political theory is the most salient common feature. Corresponding to two threads of liberal thought, there are two lines of communitarian criticism. On the one hand, there are communitarians who reject the liberal claim of universally valid human rights. Instead, from this communitarian point of view, values are exclusively defined within, and dependent on, cultures and civilizations. Accordingly, there is no common ground of shared values neither in respect to human rights nor regarding good governance. Communitarians strongly disagree with Fukuyama's thesis of "the end of history" (Fukuyama 1989) and instead describe the post-cold war international system as a "clash of civilizations" (Huntington 1993). With regard to this

paper's topic, communitarians conceive of democracy as a Western idea which does not apply to non-Western cultures and civilizations. Hence, proponents of this line of thought already disagree with our point of departure, i.e. the establishment of democracy as a universally valid norm.

We do not intend here to discuss the universal validity of democracy as a norm of governance in any detail. The empirical question whether there is a sufficient set of shared values among the world's cultures and civilizations will not be addressed either. It is important to note, however, that it is impossible to reconcile this line of communitarian criticism with our task of developing a concept of democracy at the international level. Thus we are left to emphasize that we strongly disagree with the kind of communitarianism as presented by Huntington and others. As we have indicated above we conceive of the vast heterogeneity of those governed as a challenge for international theory but we adhere to the concept of democracy as a universally valid norm against which international governance, too, should be measured.

In order to elaborate criteria for evaluating the competing claims of individuals and states to be the subject of international democracy, we follow another line of communitarian thinking which can be found, among others, in the work of Charles Taylor and Michael Walzer[Note 13]. This version of communitarianism is compatible with our point of departure that democracy is a universally valid norm of governance.

This communitarian point of view also takes individuals as a point of departure. In contrast to liberal theories, however, the individual is not depicted as an "unencumbered self" (Sandel 1982) with given aims and preferences. Instead, communitarians stress the social ties of any individual who, from this point of view, cannot become a moral being outside his/her given community. It is within a specific community that individuals learn which goods are valued and which norms are to be respected. It is important to note, however, that the way of acquiring norms and values is independent from their validity. This is why this line of communitarian theory may well disagree with Huntington's vision of irreconcilable norms and clashing civilizations. But even though individuals in different communities may be introduced to similar values and norms and may be socialized, at a very abstract level, into a single world community, it still remains a specific community which is valued by its citizens because it is within this community that they have become the moral beings they are. Because of the function a community performs in socializing the individual, the community's persistence is desirable and deserves respect, if not protection, by outsiders.

Since communitarians are concerned with the functions and, as a consequence, with the rights of *communities*, how can we derive a communitarian principle in respect to *states*? Certainly, a given state and a specific community do not always share the same territory. On the contrary, many states comprise more than one community, and members of the same community often live in several states. In the end, however, it is the state that claims a right to be respected or even protected. States may claim to have a right of non-intervention because they are the actual sovereigns responsible for external defence and internal peace and wealth. However, we are concerned with the functions of a community and not with the tasks of states. The latter might even become partly replaced by international institutions, while the role of the communities as a place of socialization seems hard to substitute. At the same time, it does not seem feasible to discuss communities *instead* of states as subjects of international democracy. Thus, we suggest to regard a state's rights as being derived from the rights of a community. The state is certainly the most important arena for communities to fulfil their functions, to the extent to which the state guarantees domestic peace.

In contrast to the statist paradigm, communitarians do not endow the state with a special (Hegelian) dignity. Instead, the state's rights are derived from the needs of individuals. Not to respect the peculiarities of a specific community means to ignore basic human needs; to eliminate peculiarities means to endanger the development of individuals as moral human beings. In the communitarian perspective, "there is a general principle, which we can think of as the expression of democracy in international politics. What is at stake is the value of a historical or cultural or religious community and the political liberty of its members. [...] They ought to be allowed to govern themselves - insofar as they can do that given their local entanglements" (Walzer 1992: 165). It is the preservation of given communities and states that the communitarian principle of international democracy is concerned with.

Since communitarians derive states' rights from individuals' rights, the communitarian principle of international democracy is well compatible with the cosmopolitan principle. Furthermore, the proponents of cosmopolitan democracy have tacitly respected the communitarian principle as their reform proposals for the United Nations indicate. The constitutional order which is proposed by cosmopolitans leaves states intact and wants them to be represented at the United Nations. At the same time, however, cosmopolitans criticize the status quo for keeping to the statist paradigm, i.e. to endow only states with democratic rights on their own. Cosmopolitans claim that democracy at the United Nations could be enhanced in two ways: One possibility is to give individuals a representation on their own, i.e. a United Nations Second Assembly should be established. Another way to strengthen democracy at the United Nations is to give states with a large population more weight in the decision-making process than smaller states, i.e. by introducing weighted voting in the General Assembly. Though both reform proposals respect existing states, they stress the priority of individuals' rights.

In sum, the concept of democracy at the international level has to incorporate a cosmopolitan and a communitarian principle. The cosmopolitan principle rightly claims that individuals are the primary subjects of democracy at the international level and that any institutional order must be justified on the basis of individuals' rights. The cosmopolitan criterion, therefore, asks whether a reform proposal ensures that individual rights are respected. The communitarian principle complements the cosmopolitan principle by pointing to a state's right to be preserved and thus be represented as such in collective decision-making. The communitarian criterion leads to an examination whether the preservation and representation of states in collective decision-making is guaranteed. Every reform proposal should be evaluated on the basis of these two criteria.

6. Conclusion

The present United Nations system exclusively consists of states as its constituent units. The communitarian principle is well institutionalized in the General Assembly. Every state disposes of the same voting power in the General Assembly. Hence, any community's common way of life, as represented by a state, enjoys equal representation. However, within the framework of international democracy based on the communitarian principle, the "rule of the many according to the law" could still be enhanced by strengthening the General Assembly's position vis-à-vis the Security Council and by increasing judicial control of Security Council decision-making.

However, our discussion of the dual subject-status suggests that democracy at the international level could primarily be enhanced by complementing the communitarian principle of international democracy with a cosmopolitan principle that pays more attention to the democratic rights of individuals.

Cosmopolitans want individuals to be represented at the United Nations in order to have the decisions taken at the United Nations to be accountable to a majority of individuals. To realize that task, the "one state, one vote"-principle of territorial representation has to be complemented by a "one person, one vote"-principle of electoral representation. As demonstrated above, the "one person, one vote"-principle is unlikely to be ever realized in its strict meaning because smaller communities would cease to be represented. Strictly implemented, the electoral principle would contradict the communitarian principle. However, there is no single reform proposal, at least in the present debate on the reform of the United Nations, that aims at the implementation of the "one person, one vote"-principle in its strict sense. Since even the cosmopolitan reform proposals respect the communitarian principle of democracy at the international level, the best way to strengthen democracy in the United Nations is indeed to strengthen the cosmopolitan principle of international democracy.

Basically, there are two ways to institutionalize the "one person, one vote"-principle at the United Nations, i.e. either by creating a new institution based on some kind of electoral representation or by reforming an existing institution in the spirit of the "one person, one vote"-principle. In the present debate, the demand for a United Nations Second Assembly is the most prominent proposal of a new institution while the introduction of weighted voting in the General Assembly is the most important suggestion of a cosmopolitan reform of the General Assembly.

The creation of a United Nations Second Assembly, however, presupposes that the member-states themselves have a democratic system of rule. Otherwise the election of parliamentarians, and even their delegation from national parliaments, does not seem to make much sense. Furthermore, if a large number of states have a non-democratic system of rule, the weighting of votes in the General Assembly may also yield results which have to be conceived undesirable from a democratic point of view. Under the assumption that a considerable number of states does not have a democratic system of rule, a paradoxical situation emerges: a strengthening of procedures of democratic decision making at the international level leads to a weakening of democracy at the national level. Reversing Bobbio's thesis that a state cannot be democratic within a non-democratic international system (Bobbio 1995), we can argue that democracy at the international level is not possible if its subjects - states, in this case - are not democracies themselves. After all, it can hardly be considered democratic if a majority of representatives from non-democratic states is able to outvote the representatives from democracies.

As a consequence, the debate on reform proposals for the United Nations has to take into account the systems of rule of its constituent units. The "third wave of democratization" (Huntington 1991) has yielded a multitude of democratic states, especially in Eastern Europe, Latin America and Africa. According to the 1995 Freedom House Report, 117 of 191 states can be considered democratic, with 54% of the world population living under democratic regimes (cf. Freedom House Survey Team 1995). Thus, the non-democratic states are still in a strong position, partly due to more than one billion people living under the authoritarian regime in China. Furthermore, many states are most adequately labeled "semi-democracies" and thus should not be counted on either side.

If democracy is indeed the only legitimate form of governance, as we have presumed, history is but far from its end.[Note 14] Change in the international system has challenged the democratic idea at the very time its acceptance has spread. A significant proportion of the authoritative allocation of values has already been transferred to the international level. Therefore, the struggle for democracy must also follow this path. At the same time, however, the active assistance to, and insistence on, democratic governance at the national level is the most important strategy to attain the preconditions for democratic governance

at the international level.

Notes

1. E.g. East Asian autocratic states point to an alleged national culture which is unfamiliar with the idea of conflict and thereby try to legitimize the suppression of political opposition (cf. Alagappa 1994; Mols/Derichs 1995).
2. In a strict sense, this has certainly never been the case, because collective decisions have always had external effects.
3. It is also possible to conceive of societal actors, i.e. (international) non-governmental organizations, as democratic subjects. Though a complete discussion of democracy at the international level would certainly have to include them, we will restrict ourselves here to the "traditional" subjects of democracy, i.e. states and individuals.
4. Within a system of territorial representation, existing polities are the subjects that are to be represented. Most importantly, the territorial units are considered to be of equal importance (irrespective of size and population). Thus every territory is endowed with the same voting power. In contrast, a system of electoral representation is based on the notion that individual citizens are the subjects to be represented. As a consequence, within a system of territorial representation a certain majority of territories (e.g. states) is required to take a decision while in a system of electoral representation a certain majority of voters (across the entire system of rule) is needed.
5. Of course, the question of who is to be regarded a citizen has been answered differently over time.
6. An extreme example of this analogy is given by Otfried Höffe, who argues - comparing the United Nations with democratic systems of rule at the national level - that "all (supranational) power emanates from the (supranational) people, i.e. the member states" (Höffe 1995: 252).
7. Consociational democracy can be found in political systems which comprise a heterogeneous society. The task of consociational democracy, which is "essentially a system of compromise and accommodation", is to "accommodate a variety of groups of divergent ideas in order to achieve a goal of unity" (Apter 1961:24f). Cf. also Lijphart 1968.
8. Cf. the proposal of the Second International Conference on a More Democratic United Nations (CAMDUN 2): "Abolishing the Security Council 'veto', by instituting nondiscriminatory voting powers, or failing this, by permitting a non-concurring vote of permanent members to be overridden by a concurring vote of the non-permanent members" (Segall/Lerner 1992: 20); also cf. Commission on Global Governance 1995: 239.
9. Another way to enhance the accountability of the Security Council is the extension of reporting mechanisms. According to Art. 15 (1) UN Charter, the Security Council has to report to the General Assembly about its activity. However, this provision has in practice been transformed to a mere matter of routine with the Security Council presenting an annual report of its work that is not even discussed in the General Assembly. This could be transformed into an annual statement of accounts without any change in the UN Charter. In contrast to the present practice of reporting, the statement of accounts would be debated in public. As an effect, the Security Council would be forced to justify its actions.
10. Cf. Archibugi 1993; Barnaby 1991; Childers/Urquhart 1994; Czempiel 1994: 157; Interaction Council 1994: 4; and more reluctantly: Commission on Global Governance 1995: 257f.

11. Cf. the contributions to the working group "Representing 'We the Peoples'" in Barnaby 1991: 83-148.
12. While both instruments aim at differentiated voting powers among small and large countries (measured by population), "weighted representation" refers to differing sizes of delegations whereas "weighted voting" means differing numbers of votes for the delegations.
13. Cf. Taylor 1989 and 1993; Walzer 1977, 1980, 1990 and 1992.
14. For the opposite opinion see Fukuyama 1989.

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