

PRÉCIS

Introducing Democracy across Borders: from *dêmos* to *dêmoi*

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Before launching into the précis of my book, let me first describe the state of democracy, as I see it, in order to discuss the motivations for writing a book about democracy across borders. It is the best of times and the worst of times. According to the current wisdom, we live in the golden age of democracy. In the absence of any viable alternative, liberal democracy is taken to be the only feasible form of democracy and goes unchallenged. Democracy is now recognized in international documents as ‘the best means to realize human rights,’ so that some now argue that international law, formerly unconcerned with internal affairs of states, establishes a ‘democratic entitlement.’¹ At the same time, it is often claimed that democracy has never been weaker. It is increasingly unable to solve many collective problems and to gain legitimacy, thus leading to economic crisis, to the declining legitimacy of states in ever more numerous demands for succession, and to greater internal conflicts and even civil wars. As a result, some electoral and representative democracies increasingly cede many areas of social policy to delegated and increasingly non-democratic forms of authority. Possible responses to these facts lie between two extremes of a continuum. On the one hand, liberal nationalists call for the renewal of social consensus through a democratic ethos, and some participatory democrats demand decentralization into smaller units. On the other hand, cosmopolitans argue that only supranational levels of governance can solve the many collective action and coordination problems ranging from global warming to sustainable growth to grave human rights abuses and genocide.

Both of these responses are correct in certain respects and indeed are hardly as mutually exclusive as their proponents believe. In this book I argue that these phenomena signal that democracies are in a period of renewal and transformation. Indeed, many democracies are currently struggling to discover better ways to organize jurisdictions, units, and levels in order to govern well. Contrary to cosmopolitan and

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communitarian proposals, good democratic governance needs *both* bigger *and* smaller units. Most important in this regard is not mere size, but the ways in which polities and their subunits are organized and interrelated. The proper solutions to the problems of democracy are not to find some optimal size or ideal democratic procedure, but rather to establish a more complex democratic ideal. I call this ideal ‘transnational democracy,’ precisely because it lies between nation states and international conceptions on the one hand and cosmopolitan democracy on the other. It is not nationalist or internationalist to the extent that it argues for the feasibility of democracy outside states and the delegated authority of state; it is not cosmopolitan and does not put require a form of political organization at the apex of a hierarchy.

Since the task of this book is to redefine democracy so as to make it appropriate to transnational setting, it would be premature and misleading to offer a definition of democracy in advance. This is made even more difficult by the fact that democracy should take different forms in different institutions. But as a working definition I offer the following. Democracy is that set of institutions by which individuals are empowered as free and equal citizens to form and change the terms of their common life together, including democracy itself. In this sense, democracy is reflexive and consists in procedures by which its rules and practices are made subject to the deliberation of citizens themselves. Democracy is thus an ideal of self-rule, in that the terms and boundaries of democracy are made by citizens themselves and not by others. I suggest that a more specific conception of self-determination, which has guided much of democratic theory since the eighteenth century, self-legislation in a bounded political community, is now thoroughly imbricated with democracy’s current difficulties. If democracy is self-rule, it is the rule of the many and not of the few, and many diagnoses of the problem of democracy indicate that the self-legislation model no longer provides an adequate basis for the rule of the many. Furthermore, it could be said that we already have an international political order, which orders the plurality of nations into a society of sorts. However great the accomplishments of this order, especially in the post-war era, it is not and has never been democratic. For the specific purpose of developing a conception of democracy, the model of international institutions is a non-starter. Hence the ‘transnational’ names a different political space than the international, even if there are some places of intersection, such as the International Criminal Court, in which international society acts as one of among many demoi. Most of all it is not international, because such a view does not see democracy itself as international. Democracy applies within states and not outside them, where the outside is organized around different principles.

In what follows, I attempt to reconstruct the many arguments of the book as a cumulative argument for a particular conception of democracy across (and not beyond) borders. This argument is primarily reconstructive and has three main goals. First of all, it aims at showing that transnational democracy is a feasible extension of novel emerging preconditions, practices, and institutional orders. While the realization of the transnational ideal would be genuinely novel, the ideals and practices that inform it are already present in many democratic orders. It is not a utopian ideal but appropriate to the current circumstances of politics. Second, it has

to be shown that transnational democracy has its own distinctive form, but can be shown to fulfill what I call the democratic minimum. This minimum is not that the people are the authors and subjects of the laws, but rather the achievement of a normative status sufficient for citizens to exercise their creative powers to reshape democracy according to the demands of justice. The account that I offer here is deliberative, one that depends on the relationship between deliberation, accountability, and the capacity of citizens to introduce novel demands and claims. Finally, in light of this achievement transnational democracy is a robust way of realizing human rights and popular control over some of the powers exercised by current forms of political authority. It can do so without the necessity of a singular demos or the unified will of the people expressed in self-legislation. Transnational democracy is thus feasible, at least minimally, and realizes human rights and self-rule. In what follows, I will discuss each of these steps as part of the cumulative case for a feasible and robust transnational democracy.

WHY TRANSNATIONAL DEMOCRACY IS FEASIBLE

The first question regarding the feasibility of a democracy of *demoi* is then: what sort of cosmopolitanism is required for democracy under the current circumstances of politics? Transnational democracy is certainly a form of political cosmopolitanism, to the extent that it sees new political institutions as fundamental to concerns for global justice. While entirely consistent with cosmopolitan moral concerns, transnational democracy is not directly justified by moral principles. Its political character can be manifested in its emphasis on humanity as a political status rather than merely a moral property of individuals. As such, humanity exists only if there is a political community for the right to have rights establishes justified claims.

Against some forms of political cosmopolitanism, transnational democracy emphasizes the plurality of institutions and communities that are necessary for the flourishing of humanity. In common with liberal nationalism, transnational democracy is opposed to the idea that the *demoi* ought to be subsumed into a cosmopolitan hierarchy with a single *demos* at its apex. As the term ‘transnational’ suggests, states continue to have a role in the political life of the transnational polity, although not as the democratically favored form of organization; they are but one of the *demoi* and of the polities that are organized within the human political community. At the same time, distinct peoples or sovereign states are not the fundamental units of transnational political structures. It is also not democracy *beyond* borders; democracy *across* borders means that borders do not mark the difference between the democratic inside and the non-democratic outside of the polity, between those who have the normative power and communicative freedom to make claims to justice and those who do not. It is not a democracy beyond borders, but across borders; not a democracy of a single community, but many different communities; not of one *demos*, however multileveled, but of many *demoi*.

An argument for transnational democracy begins with certain social facts, first of all, with those conditions that constitute the social field of constraints and opportunities in which democracy can be realized, including broad macrosociological facts concerning globalization outside the state and increasing pluralism within it. The second set of conditions is related to the nature of the public sphere, the existence of which is a basic presupposition for interaction in a democratic form of political life. The main issue regarding this set of conditions is the following: if talk of a global public sphere in the singular is a non-starter, what is the relevant alternative? The final set of conditions has to do with the character of current international institutions. They shift a great deal of political authority to transnational institutions, many of which also fail to be even minimally democratic and thus create conditions in which the exercise of authority can lead to increased potential for domination, in organizations such as the WTO which exercises their authority through principal/agent relationships with very little indirect accountability. At the same time, the fact of interdependence makes it likely that effective political institutions will be transnational or have transnational dimensions.

One way to understand the different possibilities that are feasible extensions of novel emerging preconditions, practices, and institutional orders is to compare transnational democracy to the various alternative theories that argue for democracy beyond or across borders. Each sets out its own understanding of the current circumstances. There are four main axes that provide the basis for an exhaustive classification of positions on the issue of democracy beyond the borders of the nation state: social and political, institutional or non-institutional, democratic or non-democratic, and transnational or cosmopolitan. In considering the major theories of Rawls, Habermas, Held, and Dryzek, I will show that only my position is political, institutional, democratic, and transnational, and that Held's cosmopolitan democracy and Dryzek's transnational democracy hold only three such terms to the detriment of their theories. While Held's conception of cosmopolitanism is multileveled in its institutional form, at the apex of the framework is a *demos* organized by standard parliamentary institutions. On the other hand, Dryzek emphasizes civil society as the appropriate agent of transformation, and this emphasis tends to conceptualize democracy entirely in terms of contestation rather than deliberation. Both ignore the most fundamental necessary condition for democratization: the power to initiate effective public deliberation. For the purpose of accounting for this distinctive democratic power, I develop a conception of the democratic minimum: the minimum necessary conditions for democracy to be sufficiently self-transformative so as also to be a means to global justice. This minimum is not mere contestation, but the capability of citizens to transform communicative freedom into communicative power.

DEMOCRACY AND THE DEMOCRATIC MINIMUM

When considering the main practical preconditions for democracy, it is important to consider the exercise of rights against domination, especially if some of the current

institutions organized by states across border make domination more likely: a vibrant public sphere in which people regard themselves as members, who, as such, possess communicative freedom. The increasingly rich associational life across borders is now a recognized social fact, leading many to assert the emergence of a new global public. Just as in the national case, it would be easy to overestimate the significance of global civil society for democracy. The emergent public sphere rather than global civil society alone more clearly opens up spaces for deliberation across borders. Publics can begin to take on ‘some measure of political organization,’ as Dewey noted, when they set off a dynamic between the communicative freedom exercised as a member of a public and the communicative power generated as when they have decisional status in institutional processes.

Here, too, we should not underestimate the differences between national and transnational publics and the conceptual task of developing an alternative, decentered conception of democracy. Rather than merely a location for associations and contestation, the transnational public sphere is also the potential source of communicative freedom and novelty when it begins to interact with and shape institutions. Historically, public spheres emerge and develop in interaction with political authority, particularly when that authority tries to shape and restrict the public sphere itself—as was the case, for example, with early modern attempts at state censorship helped to give participants a greater sense of identity as members of a public. Given the role of initiation and claim making that I emphasized in the last section, such public spheres establish crucial deliberative conditions for the democratic minimum. The sorts of public best able to challenge and contest the new dispersed forms of delegated authority on the principal/agent model are what I call ‘distributed publics’ that have already emerged in network forms of communication such as the Internet. In the case of transnational democracy, the creative and generative side of communication is needed to establish new institutional frameworks. Those who create the new public spheres will act as new transnational intermediaries, replacing older democratic intermediaries whose agency opened up and maintained the spaces needed for the exercise of communicative power.

Besides these preconditions, it is also important to ask institutional questions about the minimum statuses for citizens necessary for democratic self-rule, or ‘the democratic minimum.’ Several attempts have been made to work out such a conception, although they are either too weak or too strong to fill this role.² Since ideal conditions are by definition never empirically real, virtuous circles must always operate under non-ideal, but not entirely unjust, conditions. Tyranny provides the contrast class of *entirely* unjust conditions. Domination is possible without the total absence of justice, in mixed circumstances in which institutions may provide for some, but not all, conditions instrumental to justice. Determining how such democratic circles become fruitful under less than just conditions is the problem of the democratic minimum. Once delineated more precisely, it can then be argued that the democratic minimum is not specific to particular domains or particular institutions. This minimum or threshold may or may not be present in any particular

transnational and international institutions, just as it may fail to be present within constitutional states. In republican terms, both may be dominators.

The former deficit is particularly apparent in the lack of transparency in many intergovernmental negotiations, as well as in rules and frameworks that permit only more powerful stakeholders in most bargaining situations. The latter case is clearly evident in the situation of citizens who are members of politically disadvantaged subunits, in particular in the institutionalized powerlessness of cities to govern themselves and solve problems, lacking many legal powers of government because they are regarded as corporations under US law. I return to these institutional limitations later.

Whenever a variety of subunits are needed to make the polity well governed, the democratic minimum may be unevenly distributed within a complex polity, as the example of US cities shows. The institutions that organize the polity in subunits with their own *demoi* may currently be unable to provide opportunities for the self-development of all their members that are requisite for the full use of their rights of membership. In these cases, membership may not provide statuses, powers, or entitlements sufficient to break the democratic circle, so that these must then be acquired by other means or through other political relationships.

The purpose of the conception of the democratic minimum is then to describe the necessary, but not sufficient conditions for democratic arrangements to be a means to realize justice under appropriate non-ideal conditions. Even if they are realized, a democracy will not necessarily be just in all its dealings. It may not be just in all domains in which citizens are obligated and it may not be just in relations to those non-citizens affected by its decisions whom they dominate. To the extent that the minimum is a matter of degree, it can be specified along a number of dimensions and in a variety of procedures. But once this minimum is met, a democracy cannot become more just without becoming more democratic at the same time, and vice versa. This is so, in the first instance, because certain features of democracy are constitutive of justice, in particular its notion of citizens as free and equal. Part of its egalitarian ideal is not simply that individuals are free from interference, but rather free in the sense of possessing certain normative powers, the power to assign and modify duties and obligations. The issue is not one of increasing rationality as such. When citizens become less free with regard to their judgments or in considering the claims of others, their polity becomes less just and for the same reason less democratic. Judgments made by fear after traumatic events may then make it such that a polity is less just and more prone to domination for the sake of security, and to the extent that it is, less democratic. Just as it holds among units of a democratic polity, the minimum must for this reason have application across polities as well; one polity may undermine the democratic minimum of another by ignoring its normative status and powers as a *demos*.

The democratic minimum requires more of legitimate authority than that it grants the permission to be consulted, or even that it allows citizens to respond to items on its agenda. Consider the republican contrast between citizen and slave. Unlike the slave, a citizen has the ability to begin, to initiate deliberation; it entails the ability not just to respond, but also to set the items on an agenda. As Hannah Arendt puts it:

‘Beginning, before it becomes a historical event, is the supreme human capacity; politically, it is identical with human freedom.’³ This capacity marks the specific democratic contrast between master and slave, even if the master is an enlightened liberal minded despot that may permit a large measure of personal freedom.⁴ Whatever freedoms are granted to the slave, she remains dominated and thus lacks any intrinsic normative authority even over herself; at best, she may only respond to the initiatives of others. As opposed to the maximization of various liberties, the capacity to begin thus provides the basic measure for the normative status of persons required for the democratic minimum. It should also be noted that extreme destitution creates conditions that are functionally equivalent to tyranny and the absence of political rights.⁵

REALIZING SELF-RULE AND HUMAN RIGHTS

What is the role of human rights, the common currency of international politics, in the transnational polity? Here it is important to emphasize that political rights are important human rights, as crucial normative powers to resist domination. Here, international human rights law provides conceptual clues regarding the development of this normative conception in concepts of crimes against humanity and in the right to nationality owed to refugees and stateless persons. While many have thought of such a cosmopolitan requirement as instantiated politically in terms of the constitutional state at a higher scale, this understanding of humanity is most fully realized in a multilevel, differentiated polity with ‘multiperspectival’ forms of deliberation. Here, humanity is not only the addressee of the claims of rightless persons, but it is also the proper perspective of the generalized other that is constitutive of humanity as a political subject across *demoi*. That the concept of humanity must play various roles in a democracy that realizes universal human rights also suggests that a differentiated institutional structure that translates human rights into normative powers distributed throughout that structure is the best way to realize human rights, particularly human political rights. To the extent that human rights denote statuses, these statuses require a particular political community, the status of membership in humanity, and thus at least some global institutions to secure common liberty and non-domination. Many international relations theorists think this idea of humanity is at best a fantasy and at worst a mean to justify domination. However, when thought of in this way as a status that enables individuals to make claims against those who would violate human rights in a forum such as the International Criminal Court, this sort of criticism becomes baseless when humanity is realized as an institutional ideal. In the European Union (EU), individuals have the direct right of appeal to the European Human Rights Court.

In established democracies such widening and deepening is necessary for a constant process of renewal and self-correction typical of practices that are reflexive about both ends and means. This is because democracy has a particular dual structure among institutions as both a means to justice and a realization of some of its constitutive ends.

There are other problems of institutional design in established democracies, to the extent that such institutions have over time promoted and entrenched conditions of ever increasing pluralism, complexity, and interdependence. Under these circumstances, it may also be the case that some members, qua citizens in one or more units, have lost the full range of their constituent power to initiate deliberation. It is widely recognized that democratic states may dominate one another in some particular respect, as is the case in various international financial institutions with weighted voting indexed to contribution; but political domination is also common within states as a consequence of centralization. Call this the *demos problem*, the problem of domination across the units of the same democracy and across different democratic polities. It emerges wherever there are multiple units necessary for good governance, yet a unitary institutional design that is still guided by the principle that democracy is popular sovereignty, the control by a singular demos. For example, it is not at all clear just how popular sovereignty is supposed to settle conflicts across units, as when citizens qua members of citizens are denied the powers to solve problems in virtue of also being citizens of larger units such state or federal institutions. But federalism may be organized to promote justice, as when powers and capabilities of self-rule or entrenched at multiple levels at once. Federalism in the case of cities is hierarchical; in the case of the EU it is non-hierarchical. In the one case, the powers that one has at the higher level defeat citizens' powers at lower levels; in the non-hierarchical case, these powers are mutually reinforcing, as when human rights in the EU can be claimed both against the member state and the EU as a whole, expanding one's powers to initiate juridical appeals through multiple levels.

Already in the eighteenth century, federalist thinkers formulated the political basis for an alternative, transnational understanding of the right to membership in a multiunit polity.⁶ As opposed to the unitary sovereignty of the people in either its Lockean or Rousseauian versions, there is an alternative democratic tradition that recognizes the importance not only of a plurality of democratic forms but also the necessity of transnational institutions in order to overcome modern colonialism as the spur to European globalization. Indeed, many thinkers have used republican ideas to argue for a kind of transnational federalism as the alternative to colonial resurgence of the antiquated political institutions of Empire. For many republicans (including Price, Diderot, and Turgot, among others), federalism had the dispersion of power necessary to overcome the domination of colonies by the center.⁷ When contrasted with the clearly centralized power of early colonial empires and the singularity of monarchical sovereignty, the plural federalist polity had great appeal. As the term 'federalism' is used now, it may denote too strong an emphasis on centralization. Certainly this is this connotation that it has in current debates about the EU. In the historical experiences of federalism, it might be best to call such a polity a 'democracy of demos' that disperses sovereignty so as to realize the value of the non-domination of all citizens. But with the emergence of *imperium* abroad, *dominium* within the state inevitably reasserted itself as the metropolitan center sought to control the colonial periphery by escalating its authority and coercive power. This logic still holds today, making the democratic peace a requirement of transnational democracy, not an empirical generalization about

existing democracies. As a result, anticolonial republicans argued that the imperial form of European globalization undermined republican checks upon sovereign power. From Diderot to Kant to Madison, they concluded that the extension of republican institutions beyond the state was the only solution.

This historical scenario also speaks to the remarkable failure of democracies to avoid domination across units in many otherwise well-ordered polities. Considered as a unit of American democracy, for example, cities have the powers of a democratic entity only at the permission of others; they are thus dominated by other, larger units.⁸ In this respect, residents of cities lack two features of full political rights. They lack not only the capability to initiate but also to follow through in collaboratively making decisions with others who possess a similar political authority. This condition is made worse by conditions of interdependence with suburbs in their region. Their decisions need not take account of the externalities and consequences to cities, especially with regard to issues of the distribution of resources such as funding for public schools that are decided on the basis of property values in various locales. This allows city units to be subject to the will of market actors such as developers, who must be enticed to create housing units or office space that might raise property values generally.

What is the solution to this problem of domination? It might seem to be simply a matter of granting cities the missing normative power, so that they can pursue their political autonomy. But if the problem is the relation among units, then this solution is partial at best. Something more like transnational democracy may also be required, so that the previously independent and dominating units now must function together as a metropolitan or regional polity. This begins to address the more fundamental difficulty: why does one demos have the authority to dominate other demoi in the first place? Deeper issues of boundaries, jurisdiction, and sovereignty in multiunit democracies need to be addressed. Besides falling short of the minimum needed to break the vicious circle of injustice for some units, a potential regress sets in for plural polities that seek also to be democratic in each unit. One might create a demos that is the unity of those demoi, say the demoi of the city and the state in the form of a region; but that region is one regional demos among others, each with its own relations of interdependence and externality at the level of any particular decision. The potential upward and downward *regress of demoi* then has no non-arbitrary, *democratic* stopping point. Instead searching for an optimal and thus independent and sovereign demos, the better solution is to organize the relations among the demoi democratically. Otherwise, once we grant multiple demoi, each one of them would inevitably fall short of democratic criteria to the extent that the citizens of such a federation ‘do not exercise final control over their agenda.’⁹ Understood relationally, each unit must have, in Dahl’s terms, ‘a quasi-open agenda,’ in which citizens have multiple possibilities for placing items on the agenda of other units via their memberships.

Rather than proceed abstractly, it is better to reconstruct the principles of design from an ongoing experiment in transnational political integration and polity building: the EU. Although there are several forms of constitutionalism beyond the nation state—including the United Nations, the World Trade Organization, and other institutions that seek to bind their members through self-governance—the EU is

distinct in its political goals and democratic ambitions. In particular, the EU is not simply an aggregate of peoples governed by a minimal overlapping consensus, but a political community, a polity of *demos* (or a ‘people of others’ in Joseph Weiler’s terms). As such it does not ‘merely replicate on a larger scale the typical modern political form.’¹⁰ This suggests some general *structural* principles of institutional design: a principle of institutional differentiation that includes both distinct institution at the transnational level as well as iterated institutions with the same competences distributed at different levels, both of which secure robust non-domination. This creates parallel and intersecting forms of deliberation, as can be seen in various novel forms of deliberation in the EU. The second task of this reconstruction of the EU institutions is to consider the conditions for its further democratization and to conceive of its democratic reform with the benefit of the will of the people in the standard sense with constituent powers. Such a shift requires a new constitutionalism, especially given the problem of legal domination or juridification that is the biggest source of the EU’s democratic deficit, that is, its perceived lack of democratic legitimacy when compared with member states. The problem of legitimacy, I argue, is more specific than an overly generalized democratic deficit. It is rather a deliberative deficit, a deficit in the reflexive capacity of citizens to initiate democratic reform. The problem of constitutionalism is not to create a European *demos*, but to create in the EU institutional structure the democratic capacity of the EU to initiate legitimate democratic reform, if it is to be something like a transnational republic.

If this cumulative argument succeeds in each of its steps, I will have shown that the republican conception of non-domination provides the normative warrant for democracy that is generally lacking in more liberal versions of political cosmopolitanism. Without freedom as non-domination it can address neither the political problems of complexity and interdependence nor check its own potential for democratic domination and juridification. Perhaps some might argue, such as Allan Buchanan, that the commitment to a more minimal form of democracy at the international level based on demands of transparency would be more feasible and less ambitious than the democratic project of establishing a political community of *demos*. While perhaps enabling some reforms, such a minimal form of democracy does not achieve the necessary conditions for democratization and is insufficiently republican to solve the fundamental problem of domination. It may indeed be possible to have some universal human rights without a democratic, cosmopolitan political community, but then such human rights could not include political and civil rights against domination and tyranny. If we want to be true to our commitment to both rights and democracy, then we must also be committed to establishing an international political community that is entailed both by human rights as political rights and by political rights as human rights. Republicanism tells us that we cannot institute these norms except in a properly organized political community. Cosmopolitan republicanism adds that freedom from domination cannot be achieved without transforming our fundamental democratic conceptions and ultimately embedding our democratic institutions within a transnational polity.

This argument is able to fulfill Dewey's two main desiderata for democratic theory in a period of transformation. First, it returns to the fundamental requirements of democracy and asks how they can best be fulfilled under the new circumstances of politics. Second, it takes its principles of institutional design from the innovative forms that have already developed in various settings from international regimes to the EU to show that transnational democracy is a realistic extension of political possibilities. The ideal of democracy does not merely apply to the international arena and its institutions, but also helps elaborate the general conditions for the legitimacy of any modern democracy committed to human rights. In this sense, Kant and other transnational republicans were right when they contended that the achievement of a democracy of *demoi* is now a fundamental demand of political justice and an obligation of humanity to construct.

NOTES

1. Thomas Franck, *Fairness in International Law and Institutions* (Cambridge: Cambridge University Press, 1995), 83–145.
2. For Buchanan and Pettit, the democratic minimum (or its conceptual equivalent) is tied to notions the accountability of authority or the 'tracking' of public interests. On tracking, see Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997), 88. On accountability understood as a democratic minimum for protecting human rights, see Allan Buchanan, *Justice, Legitimacy and Self-Determination* (Oxford: Oxford University Press, 2004), 146. These democratic criteria are too weak and could be fulfilled even in the presence of domination and in the absence of the ability to initiate claims in deliberation.
3. Hannah Arendt, *Origins of Totalitarianism* (New York: Harcourt Brace, 1976), 479.
4. See Isaiah Berlin, 'Two Concepts of Liberty' in *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), 129. Berlin argues that a democracy need not be considered just simply because it would maximize all forms of liberty. Political equality developed in terms of non-domination is a threshold concept; the threshold would not be met when some have so much more political capabilities and resources than others so as to not require cooperation with all citizens.
5. Besides Amartya Sen's work on capability failure, see Thomas Pogge's treatment of extreme destitution as a violation of human rights. See Thomas Pogge, *World Poverty and Human Rights* (London: Blackwell, 2002).
6. See Anthony Pagden, *Lords of all the World* (New Haven, CT: Yale University Press, 1995), 190ff. For republican federalists, 'the creation of stable international relations and of successful commercial networks—both now regarded as prime moral objectives of government—could only ever be the product of political liberty' (290).
7. As Pagden put it in *Lords of all the World*: 'the Enlightenment was, perhaps more than has been recognized, the product of a world which was ridding itself of its first, but by no means, alas, its last imperial legacy' (200).
8. See Gerald Frug, *City Making: Building Communities without Building Walls* (Princeton, NJ: Princeton University Press, 1999), 5.
9. Robert Dahl, 'Federalism and the Democratic Process,' in *Liberal Democracy*, ed. J. Roland Pennock and John William Chapman (New York: New York University Press, 1983), 95.
10. Gerald Ruggie, *Constructing the World Polity* (London: Routledge, 1996), 195.