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Globalizing Democratic Responsibility

- how to make sense of responsibility issues as processes of decision-making move to inter- and transnational levels

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Abstract

This thesis deals with democratic responsibility and accountability in a globalized world. The ambition is to provide the reader with tools to analyze responsibility issues at the global level. To achieve this, three types of analytical approaches are used; empirical-, normative-, and constructive. The thesis starts out by concluding that to be democratically responsible is to be responsible for the enhancement of democratic values, such as freedom, participation, and openness. Several factors are identified as barriers to democratic responsibility in global affairs, such as the absence of a clearly defined demos and the shattering of roles and loyalties. By introducing the theoretical concept of moral agency, the thesis establishes that both collectives and individuals are possible carriers of moral in global settings. In addition, a discussion of the issues of who should hold whom to account and to what standards is offered. The thesis concludes that despite the complexity and the difficulties to reach consensus regarding responsibility issues at the global level, mechanisms to ensure democratic responsibility in global affairs do exist. In addition, the global sphere is by no means deprived of norms and rules to regulate the conduct of powerful decision-makers.

Key words: globalization, democracy, democratic responsibility, accountability, moral responsibility
Characters: 84 993

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1 Introduction

The end of the twentieth century witnessed an acceleration of the global spread of economic forces such as trade, investment and currency flows as well as social and political forces such as communication networks, movements of populations, transnational advocacy networks and grassroots movements. These different processes are often summarized in one word, *globalization*. In his classic work *Democracy and its Critics*, Robert Dahl describes three democratic transformations; the first in which the idea and practice of the rule by the few was replaced by the rule by the many within the Greek city-state. The second transformation replaced the city-state with the nation-state, creating a new set of complex political institutions and replacing the value of participation with the value of responsibility through representation (Dahl 1989, Badersten 2002). The third transformation occurs as a consequence of globalization and the universal popularity of democracy. As a result of globalization, decisions today can be made beyond the borders of sovereign states by decision-makers that do not stand accountable to the people affected by their decisions. Furthermore, the lack of a common global authority and the complexity due to the magnitude of issues and actors at the global level makes it hard to distinguish responsibility relations. As a consequence, globalization means that we have to seriously consider how democratic values and processes can be sustained in this new[1] era. Questions concerning democratic issues such as representation, participation, responsibility and accountability need to be carefully considered.

1.1 Statement of Purpose

This thesis problemizes democratic responsibility as processes of decision-making move to *inter*[2]- and *transnational*[3] levels. The focus is on responsibility as a democratic and moral concept and the thesis is an attempt to structure the debate

[1] For a discussion about whether or not globalization is to be regarded as a 'new' phenomenon, see for instance Held 1995 p.18-23 or SOU 2000:1 p.63-64.
[2] The international level refers to interaction between states as in the case of inter-governmental and trans-governmental cooperation. An additional level is the *supranational*, were an even more extensive transfer of sovereignty from the cooperating states to the international level is taking place (Malanczuk 1997 p.95).
[3] The transnational level refers to interaction between non-governmental actors or between non-governmental actors and international actors (Willets 2001 p.358).

about the issues of responsibility and accountability in global[4] decision-making. Thus, the principal purpose is to provide the reader with tools to analyze issues of responsibility in global settings. As such the thesis deals with an *issue* rather than with one single question, each chapter contributing in different ways to the analysis by posing different questions:

- *What does it mean to be democratically- and morally responsible? (chapter 2)*
- *What barriers to the establishment of democratic responsibility in global settings can be identified? (chapter 3)*
- *What answers can be given to the crucial questions of which actors should hold whom to account and to what principles? (chapter 4)*
- *What mechanisms can be used to integrate democratic responsibility into policy- and decision-making processes at the global level? (chapter 5)*

1.2 Methodological Considerations

The complexity of the impact of globalization on democratic responsibility issues makes it important to be clear about certain methodological concerns. Below, a few considerations will be presented that are relevant for the purpose of this thesis.

1.2.1 Theory and Method

Because the principal purpose of this thesis is to provide the reader with tools to analyse issues of responsibility at the global level, this qualitative study both makes use of and develops theory. The thesis shifts between different levels of abstraction (Lundquist 1993 p.63-65) depending on the purpose of the section in question. In general, the thesis is written at a fairly high level of abstraction, but the nature of the theoretical concepts presented in chapter 2 are more abstract than the empirically based theoretical concepts discussed in chapter 3. Because there is no uniform theory dealing with responsibility issues in global affairs, different theoretical constructs from different academic fields, such as democratic theory, public administration, and philosophy have been pieced together to construct a

[4] Global means "related to the whole world" (Ladikas & Schroeder 2005). However, for the purpose of this thesis, *global* decision-making will simply mean that the consequences of decision-making are not restricted by the territorial borders within which the same decisions are made. Thus, the term global is here identified as *deterritorialization*, i.e. that territorial places, territorial distances and territorial borders become less influential (Scholte 2001 p.14-15).

theoretical framework usable for the purpose of this thesis. Each chapter contributes in different ways to the construction of the theoretical framework by posing different questions (see section 1.1). Additionally, three different types of theoretical approaches, *empirical*, *normative* and *constructive*[5], are used in this thesis (see section 1.2.2). The overall theoretical approach to the issue of globalization and international relations is *pluralism*. The pluralist theoretical approach is based on the assumption that because the agenda of global politics has been increasingly characterized by "multiple issues" since the late 1970s, all types of actors can affect political processes (Willets 2001 p.357-358, Webber & Smith 2002 p.22-23). In contrast to the traditional realist approach to international relations, in which states is regarded as the main actors, the pluralist approach makes no distinction between public and private actors. Thus, besides from states and international organizations, actors such as non-governmental organizations, policy networks, individuals, and transnational companies can be included in the analysis.

1.2.2 The Normative, Empirical & Constructive Approaches

Because the thesis does not revolve around a single question but around an issue, it is useful to make use of three types of analytical approaches: empirical-, normative- and constructive. The purpose of empirical analysis is to explain and to describe, and as such to make reality understandable and to answer questions about the way things *are*. Empirical analysis form part of all chapters in this thesis but chapter 3 is more purely empirical than other chapters. Despite the relatively high level of abstraction, the ambition with chapter 3 is to describe a complex reality and to provide the reader with a useful empirical analysis of the problem. Normative questions try to answer how things *should* be and to justify this position. In this sense, the point of departure of this thesis is normative as it presupposes that democratic values are something inherently good and that global actors and processes should be monitored so that democratic values can be promoted. Normative analysis is implicitly present throughout the thesis but more explicitly present in parts of chapters 2 and 4. Questions of constructive nature are concerned with how things *can* be done. Attempts to be constructive are made in chapters 4 and 5. As Lundquist points out, the distinction between the three different theoretical approaches is foremost analytical. In reality, these approaches are connected in a complicated manner. Regarding normative theory, for instance, it is rather pointless not to have some sort of empirical understanding as a base for the analysis. The same is true for the opposite situation; without norms, how can we know what we are looking for in our empirical research (Lundquist 1998 p.28-29 & p.223, Bjereld et al 1999 p.71-73). As a consequence, throughout the thesis, the theoretical approaches overlap.

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[5] For a more detailed discussion about the three theoretical approaches, see Lundquist, *Det vetenskapliga studiet av politik*, 1993, p.60-90.

1.2.3 Ontology and Epistemology

In the literature on globalization, there seems to be an ontological separation between those who think globalization is a "real" phenomenon and those who think that globalization is merely the result of different actors' "discursive constructions" (Marsh & Furlong 2002 p.32-36, Baylis & Smith 2001 p.9-11). This thesis will take a foundationalist position on this matter and conclude that globalization indeed is a reality and not merely a discursive construction. As such, its processes, especially the ones contributing to economic globalization, can be measured quantitatively. More specifically, this thesis takes a realist approach to the questions of ontology and epistemology. In ontological terms, the world is real in the sense that it exists independently of our knowledge of it. Epistemologically however, this does not mean that we can observe all real phenomena and the relationships between them. In fact, there are deep structures that cannot be observed and what can be observed may in fact offer a false picture (Marsh & Furlong 2002 p.32-36).

1.2.4 The Problem of Statism

Bartelson (2001 p.183) defines statism as "the presupposed presence of the state" and argues further that the state has not been constituted through political discourse but rather the other way around; the presupposed presence of the state has constituted the political discourse. As a consequence, statism has to a great extent shaped the contemporary debate on democracy. In fact, the presence of the state has often been taken as given by democracy scholars and as a result, democracy has seldom been discussed outside of the state (Elofsson & Rindefjäll 1998 p.12, Held 1999 p.90-91, Held 1995 p.16). This circumstance requires a certain analytical cautiousness if one aims to discuss democracy in this era of globalization. When the level of activity[6] is the state, the theoretical categories on which the analysis is based will often be predetermined. For instance, questions regarding the people (demos) have largely been left out of modern democratic theory since theorists usually presuppose its existence (Dahl 1989 p.3-4). At the global level, there is no already defined demos, and as a consequence, no clear ties between demos and decisions-makers. Furthermore, the global level has no authority corresponding to a domestic government to provide rules and norms (ethos), regulating the interaction between decision-makers and decision-takers. Consequently, central issues in domestic democratic theory may need to be recreated, or at least partly reconsidered, in order to be applied to global actors and processes. Throughout the thesis, in order to increase the understanding, the ambition is to be explicit about how certain theoretical constructs is meant to function at the state level, before applying them at the global level.

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[6] Lundquist (1993 p.35) discusses different levels of activity within political analysis, such as the state level, the international level, and the subnational level.

1.3 Material

The nature of the material used in this thesis is of secondary source and consists of literature, published articles, and information from websites. The material is taken from many different fields of research, such as democratic theory, public administration, political ethics, philosophy, international relations and business ethics. Due to the shortage of available theories about democratic responsibility directly applicable to the global level, the material used to construct the theoretical framework is mainly drawn from a political and bureaucratic domestic democratic setting. Although it was mentioned above that the thesis takes a foundationalist approach to the matter of ontology, and as such proposes that globalization can be measured quantitatively, no such quantitative material will be presented, since that would be beyond the purpose of this thesis. Further references to material used in this thesis are given in section 1.4 below.

1.4 Prior Research and Current Debate

Because globalization is a multidimensional phenomenon, issues concerning responsibility and accountability at the global level are being discussed in many different fields; in academia as well as in professional and civil circles. In this section, a brief account will be made of some of the different fields in which issues of responsibility in a globalized world are being discussed. The reader will observe that it is sometimes difficult to single out responsibility issues since they are often mentioned in relation to democratic- and governing issues in general.

Democratic theorists exploring the problems that democratic rule faces in a globalized world can generally be divided into two groups: the sceptics and the optimists. The sceptics usually emphasise the importance of size and scale for democracy to work efficiently. One of the most prominent scholars of this opinion is Robert Dahl. Dahl (1999 p.22) argues that other things being equal, a smaller democratic unit provides an ordinary citizen with greater opportunities to participate in and to influence governing than a larger unit. Among the more optimistic voices about the possibilities of bringing democratic principles to the global arena is David Held. He proposes what he refers to as the theory of cosmopolitan democracy and argues that the establishment of a cosmopolitan democratic law and of "a community of all democratic communities" – a cosmopolitan community – must be the next democratic project after the state (Held 1995, 1999).

Within the field of *international law*, the increase of different actors and issues at the global level since the inter-war period, has started a debate about the scope and role of the rule of law in inter- and transnational settings (Malanczuk 1997 p.1). Some international legal scholars have proposed that democratic principles should be as pertinent to global decision-makers as they are to national decision-

makers. This line of argument range from ideas suggesting that international law should be "reconceived as a system of public law", to those observers who proposes different types of reforms of political processes and institutions (Crawford & Marks 1998 p.83). Another field that has developed largely as a consequence of the increasing range of different actors and issues in global settings is the academic field of *governance*. Papadopoulos (2003 p.477-494) claims that theorists of governance only quite recently started to take an interest in accountability issues. He further refers to some examples of empirical research within governance in his article *Cooperative forms of governance*, in which he points to the lack of legitimacy and of accountability mechanisms in network governance.

Business ethics is yet another research field highlighting responsibility issues. Here, *Corporate Social Responsibility* (CSR) has developed as a consequence of NGOs and grassroot networks drawing attention to how powerful corporations violate human rights and environmental standards. Plenty of articles have been written on this topic, by NGOs, academics and persons involved in global business. This thesis makes use of some of these articles, one of the most interesting being *Global Business Citizenship and Voluntary Codes of Ethical Conduct* by Logsdon & Wood. This article develops what are presented as the evolution of CSR; *Global Business Citizenship* (GBC), in which the voluntary aspects of CSR are replaced by responsibility and duty.

This overview shows that the debate about the impact of global forces on democratic responsibility is certainly active. However, most contributions to the debate are written within a certain field with certain actors as units of analysis, such as corporations for CSR-researchers or international organizations for democratic theorists. As a consequence, the debate on responsibility issues is characterized by disagreement over definitions and a lack of intersubjectivity. Often, the misunderstandings and the confusions are due to a lack of consistency and agreement about the issues being discussed, such as differences in perceptions about what democracy and responsibility mean and what it should mean. However, some researchers have tried to contribute to a more coherent picture of the problem. One such contribution is Grant & Keohanes article *Accountability and Abuses of Power in World Politics*, which has inspired parts of this thesis.

1.5 Thesis Outline

After this introduction, chapter 2 will establish the meaning of democratic and moral responsibility by introducing some theoretical tools vital for the purpose of this thesis. Chapter 3 will identify barriers to democratic responsibility at the global level. Chapter 4 attempts to provide possible answers to the crucial questions of who should be able to hold whom to account in global affairs and according to what principles. Chapter 5 identifies possible mechanisms that can be used to integrate democratic responsibility into global decision-making and finally, chapter 6 discusses what conclusions that can be drawn from the thesis.

2 The Concept of Responsibility

The term *responsibility* first appeared in political and ethical discourse in the aftermath of the American and French revolutions. Its use expanded in the nineteenth century as the technological and scientific revolutions and the expansion of constitutional government, continued to undermine previously fixed notions of obligation based on natural[7] hierarchy. Responsibility therefore, is tied to modernity and individuality and implies that social relations are not fixed ones and for all but can be manipulated (Cooper 1990 p.xiii-xiv).

2.1 Democratic Responsibility; Participation & Representation

The political system of ancient Greece is usually recognized as the predecessor of today's modern Western democracies. The basis of the Athenian democracy was *participation* and no difference was made between the state and society. Citizens, or *demos*, were expected to participate directly in public affairs. Central to Athenian political thinking was the idea of the *good citizen*. A good citizen had to possess the special quality of *civic virtue*, which was the predisposition to seek the good in all in public matters (Dahl 1989 p.24-25, Held 1995 p.5-8). Responsibility then was built into the concept of civic virtue and required a dedication to the public realm. To be responsible was to be an active citizen, to participate in public affairs and to contribute to the enhancement of the common good. However, it is important to recognize that the concept referred to by the Athenians was *obligation* rather than *responsibility* in its contemporary interpretation.

By joining the democratic idea of the rule by the people to the practice of *representation*, democracy could be applied to larger and more complex human communities. The idea of representation made democracy relevant to the modern nation-state, thus saving democracy from perish with the Greek city-states. Political responsibility in modern democracies comes into effect when citizens delegate power to representatives. This delegation of power and political decision-making generates an obligation to stand accountable for how this trust is managed (Ahlbäck 2001 p.289). The delegation usually occurs in association with public elections, a procedure that have perhaps become the most important tool for the

[7] The fact that social functions were understood as "natural" meant that they were received intact from previous generations and as integral to a certain social position. Thus, such functions could not be manipulated or otherwise re-created (see for instance Cooper 1990 p.xiii-xiv).

demos to exercise control over its political leaders[8]. Representatives are elected through freely contested elections, according to either the *mandate*- or the *accountability*[9] theory. The idea behind the mandate theory is that it serves to elect good policies or policy-bearing politicians, while in the accountability theory elections serves to hold governments accountable for their actions (Przeworski, Manin & Stokes 1999 p.29, Petersson et al. 2002 p.52-54).

With the fusion of democracy and representation, a new set of complex political institutions was created, removing government far from direct reach of the demos (Dahl 1989 p.28-30). The development of the public sector in Western democracies has meant that its employees have become an additional level in the process of delegation. Thus, the obligation of being responsible towards the citizens applies to both elected politicians and those representing the public sector. With the replacement of participation with representation as a model for democracy, one could say that political responsibility came to be "transferred" from the demos to their representatives, whether elected or appointed. Expressed differently, the civic virtue that in ancient Greece was ascribed every individual included in demos, is now imposed on elected politicians and employees of the public sector as occupants of specific *roles*. This does not mean that the demos are acquitted of democratic responsibility or that the value of participation has vanished from modern democratic thought. On the contrary, the procedure of elections, for example, demands that voters keep themselves updated and well informed, and participation is classified as an important democratic *procedural* value (see section 2.1.2).

As a consequence of the replacement of participation with representation, principles ensuring *transparency* and *access to information* to help clarify the political process and the actors involved have become crucial in modern democracies. For demos to hold its leaders accountable for its actions, they need to be clear about who is responsible for different actions and decisions. Demos need access to information about policies, decisions, and policy outcomes in order to evaluate the actions or non-actions taken by their representatives (Jönsson et al 2003 p.177, Ahlbäck 2001). Additionally, demos needs to be clear about what constitutes an abuse of power. The responsible policy- and decision-maker in a modern democracy is linked to ideas of the *public ethos*, which is made up of fundamental ideas about how the political community should be governed (Lundquist 1998 p.53-74). As such, every policy- and decision-maker in a democracy has an obligation to act in accordance with these accepted standards or else he/she will be held accountable and possibly sanctioned. The public ethos is meant to function as a blue print for both decision-makers and the public; bringing consistency and predictability to the democratic process (Cooper 1990 p.124, Lundquist 1998 p.53-73).

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[8] The effectiveness of elections as an accountability devise is contested within democratic theory. For a more thorough discussion on this topic, see Przeworski, Manin & Stokes 1999.

[9] In literature on democratic theory, the accountability theory is sometimes referred to as the *sanction* theory.

2.1.1 Substance: Responsibility

Classic democratic values such as freedom, equality, justice, and solidarity, belong to the *substantive* values of the democratic process (Badersten 2002 p.22, Dahl 1989 p.163-175). *Responsibility* belongs to this category of values and refers to the obligation to act or to refrain from acting in a certain way. It is the personal conviction of the individual that lays the foundation for responsibility and which gives responsibility a deeper, more subjective, meaning than its procedural counterpart accountability (see section 2.1.2) (Badersten 2002 p.26). Responsibility can be thought of as a sense or an acknowledgment of obligation to consider the possible consequences of ones actions (Freund 1960 p.29). According to this interpretation, responsibility encourages individuals to consider the consequences of their actions *before* decisions are made. As such, responsibility functions as to constrain power and to prevent abuses of power. In addition, to accept responsibility is to accept being questioned about ones actions and decisions *in retrospect*. As a direct consequence, the responsible actor shall think carefully about how to act rather than act thoughtlessly or on impulse (Lucas 1993 p.11). The idea of responsibility as a subjective value is ambiguous. In reality, any individual is subject to many different external norms and it is hard to draw a sharp line between the individual and his/hers social context.

2.1.2 Process: Accountability

Procedural values, such as participation, openness, deliberation, effectiveness[10] and *accountability*, are the instrumental complements to the substantive values. The procedural values create the preconditions for democracy and support its substance (Badersten 2002 p.22). Accountability always involves responsibility to someone or to some collective body. It functions as to expose and sanction the unauthorized or illegitimate exercise of power as well as expose and scrutinize decisions considered to be unjust by accountability holders. As such, accountability mechanisms are meant to operate *ex-post*. However, accountability mechanisms also have an *ex-ante* effect as awareness of their consequences in terms of sanctions may work as a "check and balance" mechanism on decision-makers (Grant & Keohane 2005 p.30, Elster 1999 p.254). Because accountability is a procedural value, it must involve possibilities to sanction. For B to hold A accountable, B has to be empowered by some formal institution or some informal

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[10] Due to the complexity of modern democracies, some democratic theorists add the value of *effectiveness* to the list of procedural values. Native Swedish speakers need to be careful when discussing this issue as the English language allows a distinction to be made between *effectiveness* and *efficiency*. Basically, democratic processes are *effective* when they produce intended and desired outcomes. In contrast, *efficient* means that democratic processes are conducted without wasting time, expense, or without otherwise unnecessary effort. Whereas the former is considered to be important for a democracy, the latter is considered to be a danger (Elofsson & Rindefjäll 1998 p.16-19, http://dictionary.reference.com 2006-08-10).

rules to sanction or reward A (Fearon 1999 p.55). This is a fundamental difference between the procedural value of accountability and the substantive value of responsibility discussed above. In theory, it is possible for someone to be responsible but it may still not be possible to actually hold them accountable.

2.2 Power, Democracy & Ethics

Ethics deals with what is good or bad, right or wrong. Because so much of modern politics is delegated, ethics is a necessary ingredient in modern democratic leadership (Thompson 1987 p.3, Sjölin 2005 p.5-6). In essence, moral and ethics[11] are necessary because the procedural value accountability does not alone ensure responsible policy- and decision-making. Ethics therefore, is added to the democratic process through the substantive values. However, the importance of ethics makes ethical conflicts unavoidable. Here, a distinction can be made between *unethical conduct* and *conflicts of ethics.* Unethical conduct requires that the actor in question violates clear and formally established norms about what constitutes good behaviour. One such conduct would be to tell lies, since it violates the procedural value of transparency and thus, has a direct effect on the ability of the demos to hold decision-makers accountable. In contrast, ethical conflict arises when ethical norms points in conflicting directions and thus fail to provide clear guidance (Sjölin 2005 p. 63-66). Due to these problems, it is vital that leaders are able to perform *ethical deliberation*. Ethical deliberation involves the ability to reflect upon general ethical principles and to carefully consider their application to specific ethical dilemmas (Sjölin 2005 p.13). A precondition for ethical deliberation is to be a *moral agent* and thus, to be *morally responsible*.

2.2.1 Moral Agency

In order to facilitate the forthcoming analysis regarding whom to hold responsible, this sections introduces the concept of *moral agency*. The concept concerns the

[11] The two concepts *ethics* and *moral* can be difficult to separate and are often used as synonyms. However, when a distinction between them is made, *moral* is most commonly given a more limited interpretation than ethics, i.e. moral refer to the rules of proper conduct that first comes to mind as reference points when considering the facts of a problematic situation as well as the alternative solutions and their possible consequences. Moral rules are often tied to particular *roles*, reflecting the moral codes of the context in which they are developed, such as bureaucratic organizations, private firms, families or sports associations. *Ethics* refer to a deeper consideration of alternatives and action based on wider ideals that go beyond moral rules of proper conduct tied to specific situations. Ethical principles are resorted to when available moral rules are inadequate or when a fundamental reconsideration of the moral rules is needed (Cooper 1990 p.7-15, Nardin 1992 p.3-4). Nardin (1992 p.4) states that ethics includes a concern with outcomes "…which is forward-looking" and thus "pulls against morality's concern with existing rules and duties".

question of who *can* act morally as opposed to who *should* act morally. The very concept of moral agent suggests that not all agents are moral agents (Erskine 2003 p.6). Thus, what is needed is a clear understanding of what it means to be able to respond to moral reasoning and what kind of actors can be expected to do so. One of the criteria of moral agency is the capacity to act in response to moral guidelines. Thus, the actions of a moral agent go deeper than the causal connection between the actor and the consequences of his/hers actions (Wallace 1998 p.52). The moral agent is expected to be able to answer to expectations from the surrounding world. As such, the moral agent can be ascribed duties and be subject to moral praise and blame in the context of specific actions in a manner that non-moral agents cannot (Erskine 2005 p.6). Both individuals and collectives can act as moral agents. On what grounds these different actors qualify as moral agents will be further discussed in section 2.3 below.

2.2.2 Moral Responsibility

To be morally responsible is to be normatively competent, i.e. to own the ability to grasp and apply moral reasons and to manage ones behaviour according to the insights gained from this process (Wallace 1998 p.1). In section 2.1 above, a distinction was made between the substantive value of responsibility and the procedural value of accountability. In the literature on moral responsibility a distinction is made according to similar criteria, between *objective* and *subjective* responsibility (Cooper 1990 p.58-82, Sjölin 2005 p.70-71). Objective responsibility has its origin in legal, organizational, and societal demands while subjective responsibility is rooted in the individuals own conscience and beliefs about loyalties and obligations. It is important to recognize that subjective responsibility may be rooted in several of our different roles, such as being a member of a professional or religious organization, being parent and spouse, and being a citizen of a particular country or community (Cooper 1990 p. 71-73).

2.3 Models of Responsibility

A crucial question in any type of organizational structure is to which actor responsibility should ultimately be ascribed. The literature on public administration frequently discusses three models of responsibility; hierarchical-[12],

[12] The *hierarchical* model is the classic model of responsibility within public administration developed by Max Weber, in which public officials cannot be held responsible as long as they follow the orders of their superiors. This model is dismissed as relevant to this thesis as it is not compatible with moral responsibility. Additionally, many decisions at the global level are not taken in strictly hierarchical settings but in horizontal network structures (see section 3.2.1) (Thompson 1987 p.40-44, Peters 2001 p.166-168).

collective- and individual (see among others Thompson 1987, Sjölin 2005, Lundquist 1998). The two models relevant for the purpose of this thesis, collective and individual responsibility, will be briefly outlined below.

2.3.1 Collective Responsibility

Toni Erskine (2003) presents a model of collective responsibility which is *not* based on the notion that group members can be indirectly blamed in retrospect for what other group members have done, as long as there is a certain level of solidarity within the group. Instead, Erskine suggests a model in which *the group itself* is the agent. To qualify as a moral agent, the group must be more than the sum of its constitutive parts. Thus, a group that qualifies as a moral agent must have an identity that is independent of its members. Additionally, the group must have a central decision-making structure ensuring that the collective has the capacity to deliberate through the access to and the processing of information. This would allow the collective in question to reach predetermined goals (Erskine 2003 p.22-23). A reservation is necessary when discussing the model of collective responsibility. From a democratic responsibility perspective, the drawbacks of the model is that if the collective is to be considered responsible, then the demos may be left without anyone to actually hold accountable (Sjölin 2005 p.58). As a consequence, collective responsibility is not enough in global policy- and decision-making processes, but needs to be complemented with individual responsibility as well.

2.3.2 Individual Responsibility

Individual or *personal* responsibility ascribes responsibility to actors as *individuals*, as opposed to occupants of certain positions or members of collectives (Thompson 1987 p.47, Sjölin 2005 p.209). The individual moral agent should have the capacity of both moral deliberation and of moral action. However, even if we ascribe the individual certain moral responsibilities, he/she can only actually be held morally responsible if: 1) his/hers actions are the cause of the outcome (*causal* responsibility) and 2) if these actions are not conducted in ignorance or under compulsion (*volitional* responsibility) (Thompson 1987 p.47). Thus, for the individual to be held responsible, his/hers actual contribution to an outcome must be evaluated[13]. If we want to claim that a single individual has

[13] In reality, actors in leading position may have to stand accountable for actions that they neither caused nor could have prevented (see section 3.1). Furthermore, politicians often declare themselves fully responsible for failed policies or decisions with harmful outcomes, even if "patterns of wrongdoing" can be traced further down in the organization. This is often perceived as positive and reassuring by the public as it projects an image of a strong leader who is on top of the situation. However, by accepting responsibility in such situations, a public debate about

behaved in an irresponsible manner, we have to be very specific in the way we describe an outcome. If an outcome is characterised in very general terms – for instance U.S. policy in Iraq – it is probably difficult to distinguish any single individual as a cause. However, if we define the outcome in more specific terms, for instance a specific intervention in the city of Falluja in Iraq, we may have a greater chance of distinguishing a single individual as responsible[14]. Hence, ascribing individual responsibility requires that we specify outcomes as much as possible in addition to identifying agents (Thompson 1987 p.48). In reality of course, it is not always possible to be as specific as the theory requires, which will be demonstrated in chapter 3.

2.4 Intention, Consequences and Free Will

The issue of such concepts as *free will* and *freedom of action* is highly relevant for a discussion about responsibility issues. The issues involve the following reasoning: are the actions of people really actions at all or are they simply *reactions* of the human organism to the environment. Some traditions argue that an actor can only be ascribed responsibility if he/she is free from *compulsion* and *constraint.* The relevance of freedom to the issue of responsibility then, is the underlying assumption that "ought" implies "can" (Lucas 1993 p.13-14, Wallace 1998 p.5). The meaning of volitional responsibility referred to in section 2.3.2, is that an individual is responsible for an outcome insofar as he/she *could* have acted differently. Thus, to merely identify a person as the *cause* of an outcome does not establish whether or not he/she was the *most important* cause or even qualifies as a moral agent. By adding volitional responsibility as a criterion for responsibility evaluation, we can establish *degrees* of responsibility (Thompson 1987 p.47-48).

The very idea of ethical and moral deliberation requires that the moral agent possess a certain freedom of action. There is simply no point in deliberating over actions and consequences unless there are alternatives to choose from. However, merely establishing that moral responsibility requires freedom of action and free will is not enough to evaluate responsibility. It follows that we need to determine the degree of freedom that is required for the actor to be morally blameworthy. Actors that claim that they had "no choice" when faced with accusations of irresponsible conduct, rarely mean that they acted like they did in order to escape severe physical or psychological punishment. Rather, what they mean is that they did not themselves choose the different alternatives out of which they made their choice. Evaluating volitional responsibility then, requires the evaluation of the

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controversial issues may risk being silenced and the ones actually responsible may in fact go unpunished (see Thompson 1987 p.43-44 for references to such situations).

[14] Originally this example is provided by Thompson in his book *Political Ethics and Public Office*, 1987, (se references in chapter 7). To modernize Thompson's example, I have replaced Vietnam in the original text with Iraq.

reasons and excuses that the decision-maker uses to explain his/hers actions (Thompson 1987 p.48-49).

The kind of moral and ethical deliberation that moral agents need to undertake, may require a deeper penetration of the situation than what may seem necessary at the outset or what superiors may require. What is needed is what Wallace (1998 p.3) refers to as "strong" freedom of will, i.e. the kind of freedom that involves "the availability of a range of alternate possibilities, holding fixed the laws of nature and the facts about the past". What complicates the issue is that any action is two-faced since it manifests both reason and intent while at the same time bring about certain consequences. Obviously, no one can ever fully anticipate the consequences of an action. The consequences may not reflect the original intention; what actually happened may not correspond to what was intended to happen. Furthermore, while the agent responsible for a certain action tends to think only of his/hers intention, the spectator tends to consider only its consequences (Lucas 1993 p.33-34).

3 Identifying Barriers

There are several reasons why democratic responsibility is difficult to establish in global settings. The purpose of this chapter is to provide an overview of such reasons, here referred to as barriers. References are made to the theoretical concepts introduced in chapter two, as well as to similar phenomena at the state level in order to clarify the reasoning.

3.1 Processes of Globalization

According to Held (1999 p.92-93, 1998 p.13-14) globalization is best thought of as a multidimensional phenomenon involving activity and interaction that include the economic, political, technological, military, legal, cultural, and environmental spheres. Thus, globalization can be understood as a relationship between a set of processes which shifts the spatial form of human community, organisation and activity to transcontinental or interregional patterns of activity, interaction and exercise of power. Due to processes of globalization, the forms of power and legitimacy previously associated with the state have been partly transformed. Saskia Sassen (1999 p.13) refers to this phenomenon as *the denationalization of sovereignty*.

Globalization processes causes problems for democratic responsibility in several ways. Because domestic leaders may not be able to influence certain issues as they once did, the result is a general confusion about responsibility issues in global affairs. As *decision-takers* rather than *decision-makers*, domestic democratic leaders may have to stand accountable for decisions that they in reality cannot influence (Jacobsson 1999, Held 1998 p.12, Jönsson et al 2003 p.85). A myriad of different actors, such as NGOs[15], transnational companies, foreign states, international organisations, and transgovernmental networks, can now affect the citizens of communities with no, or at least very limited means of holding such decision-makers accountable. The argument is that when the policies of the *International Monetary Fund* (the IMF), for example, have outcomes such as negative welfare effects as a result of structural adjustment policies, the people

[15] NGOs are short for *non-governmental organisations*, which is the summary name for organisations not established by a government or as a result of cooperation between governments but by private citizens. In the literature on global- and international relations, NGOs take on a variety of different names such as advocacy networks, grassroots organizations, interest groups, pressure groups, lobby groups, public interest groups etc. etc. (Malanczuk 1997 p.96-100, Willets 2001 p.369-375).

affected have no real possibility to hold the policy makers accountable (Scholte 2001 p.28-29). This latter argument implies a model of democracy primarily based on participation. However, participation as it is meant to function in the democratic state is deeply problematic at the global level. The main participatory element in democracies, public elections, is hard to organize and the channels of participation available tend to be open only to different elites (see sections 3.1.1 and 3.2.1) (Elofsson & Rindefjäll 1998 p.32-33).

3.1.1 The Democratic Deficit

The democratic deficit is typically referred to as the lack of congruence between rulers and ruled. For example, in research on the European Union, it has been suggested that as the European nation states are loosing ground upward to supranational entities, and downwards to regional entities and transnational networks, the state becomes more and more a negotiating actor rather than a sovereign with the exclusive power over a certain geographical territory (Jönsson et al 2000 p.173). As a result, the connection between rulers and ruled becomes less clear thus confusing responsibility issues.

The cognitive implications involved in the ability of the public to grasp policy- and decision-making processes at the global level further increases the problem of the democratic deficit. Traditionally, foreign policy making has been one of the most difficult areas in which to achieve democratic control in national politics. Foreign policy making has been seen as necessarily undemocratic and the nature of the problems dealt with in foreign affairs as remote from the lives, experiences, and familiar knowledge of citizens (Dahl 1999 p.23-28, Webber & Smith 2002 p.36-37). It can be argued that the development of communication and information sources due to new technology has increased the ability of the public to gain access and insight to the issues discussed in global settings. However, there is a risk that the cognitive gap is increasing rather than decreasing as the complexity grows and it becomes harder to distinguish between the different issues and actors (Webber & Smith 2002 p.36-43).

As many global actors are highly specialized and concerned with technical issues, certain expertise may be required in order to properly evaluate the issues at stake. Privatization and the tendency to increasingly rely on experts makes the issues dealt with in inter- and transnational contexts difficult to comprehend for "ordinary people". Furthermore, many actors in the global sphere are removed from formal public scrutiny because of their status as private organizations. This means that the highly relevant democratic principles of transparency and openness are set aside. Thus, while global experts and standardizers[16] may be quite

[16] Jacobsson (1999 p.101) refers to "standardization" as a way to control and regulate situations where no clear authority is available to provide guidelines. "Standardizers" are the individuals taking part in this process.

influential in global decision-making, they are generally not accountable to any democratic body (Jacobsson 1999 p.99-102, Germain 2004, Scholte 2001 p.29).

3.1.2 The Absence of the Demos

At the global level, there is no coherent and well-defined public. As a result, the right to participate in global politics in the capacity of an affected party is ambiguous. Even if the ambition is to restrict the public in such a manner that only the ones actually effected by a certain policy should be allowed some kind of participation, the question of exactly how to make this restriction would still remain. Grant & Keohane (2005 p.33) state that if the principle of being affected by a decision were sufficient to participate, this would mean that anyone affected by world interest rates should be allowed to participate in discussions at the U.S. Federal Reserve or the European Central Bank. Grant & Keohane (2005 p.34) continue by pointing to the fact that world politics today lacks a demos in two ways. First of all there is no juridical public, since the global sphere lacks an overriding legal institution to define one. Second, there is no sociological global public due to lack of a global sense of community.

The idea of the demos as the base of democracy has deep implications within the institutions of modern Western democracies. The demos are the subjects of democracy and the body of citizens that through elections are legally empowered to hold their elected leaders accountable. Furthermore, certain civil service positions are generally available only to citizens, as their dual role as public servant *and* citizen will incorporate a loyalty to the demos into the organisation. In this way, there will be a democratic link between the servants of the public sector and the demos, encouraging democratic responsibility (Cooper 1990 p.41, Lundquist 1998 p.70-74). However, when employees of the organization in question, a transnational company or a supranational organisation, does not represent the people affected by their decisions, the link of loyalty between the decision-maker and the public will be distorted. Furthermore, the lack of a clearly defined demos makes it more difficult for actors with a global reach to distinguish among roles, loyalties and obligations (see section 3.3).

3.2 The Problem of Many Hands

Developed as a way to analyse the increasing complexity of bureaucracy in modern democracies, the difficulty of many hands is not which moral and what ethical principles to apply but which agents to apply them to. In the modern nation-state the structure of bureaucracy is very complex and often undermines the ability to identify which actors are responsible for what actions. Officials tend to act together, making it hard to ascribe moral responsibility to one particular individual and thus, responsibility relations are obscured (Thompson 1987 p.5 & 40). At the global level the problem can be expected to be even greater due to the

magnitude and diversity of different actors. The economic crisis in Asia in the 1990s illustrates well the issue of many hands as the number of actors involved made it difficult to find out exactly who did what. The IMF was one actor, the governments of the affected states where others. Additionally, activities from firms and individual speculators was said to have played an important role in the events (Webber & Smith 2002 p.10-11, Stiglitz 2000). The problem of many hands highlight the issue of moral agency since a prerequisite for accountability is that the responsible actor can be identified.

3.2.1 Governance as Networks

Although governance is no new issue in politics, a "new" type of governance referred to as *network governance*, has increased in both domestic and global settings as a consequence of the pluralization of policy making. Governance can generally be described as a "post-political" search for effective regulation and accountability (Hirst 2000 p.14, Rhodes 2000 p.54). However, networks are increasingly accused of obstructing responsibility relations rather than enhancing them. The softening of state-control and the inclusion of organised interest into policy- and decision-making has created a different policy style that tends to replace the influence of the demos with a combination of group representation and influence tied to sector-specific expertise. By inviting non-accountable actors to the policy-making process, governance in the form of networking confuses the crucial democratic link that should exist between power and responsibility (Papadopoulos 2003 p.478-479, Pierre & Peters 2000 p.67, Rhodes 2000 p.84). As organisational settings and bargaining situations increasingly takes the shape of networks, decision-making becomes a horizontal process rather than a hierarchical. It is sometimes suggested that networking and horizontal policy-making structures are positive for the democratic process as it invites many different actors into the policy process. This may be true to a certain extent. However, the type of participation that the networks offer should not be confused with genuine deliberative democratic procedures in which dialogue and argumentation are fundamental and in which the process are open to all actors affected by a decision (Papadopoulos 2003 p.479, SOU 2000:1 p.22-23). Network governance causes problems for the evaluation of both collective and individual responsibility. Its informal character makes it hard to achieve the precision that is required to evaluate individual responsibility and it is doubtful if networks have an identity that is independent of its members.

3.3 Shattering of Roles and Loyalties

The increasing fragmentation and division of power to many actors makes role- and loyalty conflicts a vital problem at the global level. At the state level, democratic responsibility has two basic dimensions: responsibility to superiors on

the one hand and responsibility to the demos on the other. This means that employees of the bureaucracy are at the same time expected to be loyal to the law, to his/hers superiors and to the public (Lundquist 1998 p.106, Cooper 1990 p.187-190). At the global level, responsibility may have several more dimensions. Transnational companies for instance, can be expecting heavy criticism if they move their activities to low-cost countries from people in their home countries with concerns about job-loss and decrease in income (Logsdon & Wood 2005). In this case, three sets of loyalties and responsibilities are competing; loyalties to the home country, loyalties to the shareholders, and loyalties to the employees – foreign and domestic as well as current and future.

3.3.1 Responsibility- and Role Conflicts

Role conflicts are essentially conflicts either between objective and subjective responsibility or between different forms of objective responsibility. Basically, role conflicts arise when values associated with particular roles are experienced as incompatible or contrary to each other. Some role conflicts are not even actual conflicts but rather uncertainties of what a given role consists of (Cooper 1990 p.90-91, Sjölin 2005 p.70-76).

Role- and responsibility conflicts are highly relevant topics in global affairs. Many NGOs are faced with problems of this nature as they often are subject to multiple accountabilities. They are accountable "downward" to their partners, staff, beneficiaries, and supporters and "upward" to their trustees, donors, and host governments (Rosenau 2000 p.194). For international organizations, loyalty conflicts may arise when what is considered best for the home country of an employee collide with what is considered best for the organisation. As a consequence, it is common for such organizations to keep salaries at a relatively high level to ensure the loyalty of the employees to the organisations rather than to their country of origin. Furthermore, role conflicts may arise in such organizations due to issues concerning whether or not they should serve the interest of their member states or follow the purpose of which they where established (Grant & Keohane 2005 p.37). Executives of transnational companies face challenges due to demands and expectations of several different stakeholders[17]. Shareholders want better economic performance, employees want job security and compensation, customers want higher quality products to cheaper prices, and the communities in which the companies are active want greater economic development. Meanwhile, NGOs are calling for greater respect of human rights and environmental problems and greater openness and availability of information (Logsdon & Wood 2005).

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[17] *Stakeholder* in this case is given a very wide interpretation. A stakeholder of a company is basically any person that has an interest in the organization. Such people could include stockholders, bondholders, customers, suppliers, employees, directors, managers, and citizens of the wider community in which the company operates (see http://dictionary.reference.com and http://dictionary.cambridge.org 2006-08-10).

3.3.2 The Absence of a Global Public Ethos

Directly related to the problems discussed above about many hands and role conflicts, is the difficulty of finding common ground when it comes to deciding which norms should be the basis of responsibility evaluation. Lundquist (1998 p.53) defines the public ethos as consisting of fundamental ideas about how a society should be governed, including understandings of reality and values, as well as ideas of how these values should be realized. However, many of the sources of legitimacy to which power is tied at the state level, such as constitutional mandates, electoral processes, tradition, and legal texts – past and contemporary, do not exist at the global level (Grant & Keohane 2005 p.35, Lundquist 1998 p.53-74). Furthermore, due to the magnitude of issues and actors, the global level is characterized by sharp conflicts of interests and values. The United Nations for instance, is often criticized for being inert and ineffective. Critics argue that the interests and values of the UN member states are so diverse that effective cooperation is simply not realistic. Indeed, the heterogeneity of values and experience among actors at the global level is at its maximum, including all known political, religious, cultural, and social values possible (Bienen et al 1998 p.290). Furthermore, since much of the economic and political power in the world is concentrated to the West, the common norms that do exist at the global level are often criticized for being biased towards Western values. Very simplified, it is often said that the Western moral perspective centres around the individual and on human rights, while other "cultures" such as Asia and Africa prioritize more community based values, in which the society and the community is prioritized over the individual. Although these differences need not exclude each other, they do present a great challenge to the construct of a common global ethos (Ladikas & Schroeder 2005 p.408-409).

4 Mapping Responsibility

In models of democracy based on the sovereign state, the existence of a clearly defined demos as well as norms and rules that can set limits to the actions of power-wielders is presupposed. Equally presupposed is that the relationship between policy- and decision-makers and the ones authorized to hold them to account is clear. However, as we have seen, these are conditions that we cannot take for granted at the global level, where the absence of a clearly defined demos and a central power which through laws and norms can regulate the behaviour of power-wielders, confuses responsibility relations. This chapter offers a discussion about these issues, by trying to answer the crucial questions of which actors should hold whom to account and to what principles.

4.1 Identifying Moral Agents

The concept of moral agency was introduced in section 2.2.1 as a theoretical tool to identify actors as possible carriers of moral in global affairs. The definition can be applied to individuals and to various public and private collectives. In the latter case the conditions of section 2.3.1 must be fulfilled; a collective body is to be considered a moral agent if its identity is independent of its individual members. In addition, the collective must have a central decision-making structure and the capacity to morally deliberate around decisions and possible outcomes. Thus, using moral agency as a theoretical tool, the actors that can be ascribed moral responsibility in global affairs shall include most NGOs, inter- and supranational organisations, transnational companies as well as the individuals operating within these organizations. One type of global actor that has difficulties to fit into the theoretical model of moral agency is the *network*. It is doubtful whether networks can be said to have an identity that is independent of its members. In contrast to the theory of moral agency, policy networks are primarily identified through the identification of its members, often consisting of actors within a given issue-area that are linked to each other through communication and the exchange of information (Jönsson et al 2003 p.103).

Classifying actors as moral agents merely mean that we have established who *can* act morally in global affairs, not who *should* act morally. Some scholars reject collective responsibility since they find it incompatible with moral responsibility (see for instance Thompson 1987 p.76 and Lundquist 1998 p.71). However, the lack of a common legal authority and the difficulties attached to ascribing responsibility to individuals in global affairs makes collective responsibility necessary. The problem of many hands may otherwise contribute to powerful

actors wielding unconstrained power at the global level. Other scholars argue that issues of responsibility in global affairs are too complex to be ascribed to single individuals (see for instance Erskine 2003). Indeed, there are several reasons for not limiting responsibility to single individuals at this level. One such reason is that the causal connection between the individual and the outcome of an action (see section 2.3.2) is hard to establish at the global level. In order to ascribe responsibility to individuals we need to be really specific when we evaluate outcomes, something that it easier done in theory than in reality. Corporations, for instance, are often blamed for having caused human rights violations indirectly simply by investing in states that violates human rights (van de Ven 2005 p.54). Obviously, this makes the idea of a casual connection between a single employee and an outcome a bit problematic. Another important reason not to leave the responsibility solely to the single individual is that he/she is part of a larger organizational context which provides the individual with the structures inside of which responsibility are acted and reflected upon. This latter argument puts the concept of free will into focus (see section 2.4). How much room for ethical deliberation is the individual given within the institutional design of the organization? The internal normative atmosphere in the organization is of crucial importance in this matter (see section 5.1). Despite these problems, the complexity of the global sphere is exactly the reason why the individual as a moral agent is so important at this level. Given that networks do not qualify as moral agents, their extensive influence at the global level makes the subjective moral responsibility of the individual extra important. The conclusion then is that both collectives and individuals should be ascribed responsibility in global affairs.

4.2 Locating a Global Demos

The question about toward whom decision-makers should stand accountable and toward whom they are responsible is possibly the most difficult to answer out of the three questions posed in this chapter. According to Grant and Keohane, the confusion about responsibility issues in global affairs starts in the lack of clarity about which democratic model should be the basis of responsibility issues; a model based on *participation* or a model based on *delegation* (or *representation*). In theory, if one believes that democracy should be based on a model of delegation, then international organisations such as the IMF and the World Bank are accountable to the states that have empowered them and provide them with founding. If one believes that democracy should be about participation however, the people who has the right to hold such organizations accountable, is the very people affected by their decisions (Grant & Keohane 2005).

From a democratic responsibility perspective, there are several reasons why a democratic model of delegation is preferable to a model of participation at the global level. The distance that the process of delegation puts between decision-makers and the demos, may in fact contribute to making responsibility relations more clear. When particular tasks are delegated to a particular decision-maker, it

follows that the particular decision-maker is responsible for that particular task (Grant & Keohane 2005 p.32). Given the complexity and the magnitude of issues and actors involved at the global level, the procedural value of effectiveness is another reason why the delegation model may be preferable and more realistic. However, just because the delegation model may be more realistic in certain global settings, the value of participation can still be satisfied. Not only the global level but the regional- and the local levels as well, are gaining power at the expense of the nation-state. Thus, the poor opportunities to participate in global settings may to a certain extent be compensated by the parallel development of subnational political systems, increasing the contact-areas between rulers and ruled (Elofsson & Rindefjäll 1998 p.10). In reality, many organizations in the global arena exercise mixed forms of governing, involving principles of both participation and delegation. Organizations based on democratic delegation often invite participation by engaging in dialogue with members of the civil society (Thomas 2001 p.579, Grant & Keohane 2005 p.33, Nye 2001).

At the state level, territorial borders and citizenship are the instruments used to identify the demos. At the global level, such instruments are obviously not very helpful. Several attempts have been made to locate a demos or at least a civil society at the global level. For example, some scholars have suggested that NGOs should act as "virtual representatives" of publics. Today, NGOs are increasingly represented at various international meetings, where they are entitled certain rights and privileges. However, NGOs do not necessarily have clear ties to a defined public and their perception of the "public interest" is not necessarily shared by those whose interests they claim to represent. Moreover, they are themselves sometimes subject to criticisms for lack of available accountability mechanisms (Grant & Keohane 2005 p.38, Gibelman & Gelman 2004, Peters 2001 p.313, Nye 2001). More or less all writers on the subject of global democracy mention the impact of NGOs in different forms, and their role in the building of a global civil society is surely important. Another researcher, Taylor, has suggested that the "knowledge capitalists" of the global urban networks could democratize the global sphere and function as a global demos (Weinert 2005 p.18). This idea is closely related to the model of global market democracy, in which global democracy is achieved when consumers and capitalists "vote with their wallets" in a global market. However, from a democratic perspective, the latter suggestions are highly problematic since participation in the market is determined by resources such as education, wealth and income (Scholte 2001 p.29).

4.3 Searching for Common Norms

In section 3.3.2 it was argued that the absence of a coherent public ethos in the global arena function as a barrier to democratic responsibility. However, the global sphere is by no means empty of norms and standards regulating the behaviour of different actors. Human rights norms for instance, have a strong

position as a base of legitimacy among several global actors including some of the most powerful states (Grant & Keohane 2005 p.35). Furthermore, there are several other types of norms that regulate the behaviour of global actors, such as anti-corruption norms and norms against intellectual property crimes (McCoy & Heckel 2001, Grant & Keohane 2005 p.35). Some norms are summarized in official documents, such as the OECD Guidelines for Multinational Enterprises[18], the UN Global Compact[19], and the UN Universal Declaration of Human Rights (Logsdon & Wood 2005). Some norms are part of the system referred to as international law which, although still primarily concerned with regulating the relations between states, increasingly covers new issue areas and new types of actors, such as international organizations, economic development, environmental policy, and communications (Malanczuk 1997 p.1-8). Many of the normative principles included in the examples above have clear ties to democratic principles, and their spread into the global sphere is often claimed to be the result of the increased popularity of democratic principles throughout the world since the end of the Cold War (McCoy & Heckel 2001, Crawford & Marks 1998).

The issue at the core of any discussion about norms regulating global actors is the controversial idea that norms can be universal, i.e. that there are certain norms that can be regarded as common to all humans independent of their cultural origin. Logsdon & Wood (2005 p.58-59), writing on the issue of ethics in global business, suggests that such common norms is to be find in the world's great religions and in "realities" of human behaviour, and that regardless of debates and differences, agreements on common norms and values is in progress. Some writers discuss human rights norms as a possible overarching value system guiding global actors (Collier & Wanderley 2005, van den Ven 2005, Beetham 1998). The word "human" is the key to understanding the universalist character of human rights norms, the idea being that individuals share a common humanity and as such, they have rights based solely on their identity as human beings (Brown 2001 p.599, Beetham 1998 p.60). Beetham (1998 p.59) claims that democracy and human rights norms share a similar universal philosophical grounding. As a consequence, both substantive and procedural democratic values, such as freedom, justice, equality, and participation, are to be found in human rights norms. Article 21 of the Universal Declaration of Human Rights for instance, states classical democratic principles such as the right to take part in the government of ones country and the right to participate in elections (Crawford & Marks 1998 p.74, www.un.org/Overview/rights.html 20060812). It follows that if power-wielders accepted human rights norms as a guide for decision- and policy-making, they would automatically take democratic responsibility.

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[18] The OECD Guidelines for Multinational Enterprises are recommendations by governments to transnational companies, providing voluntary principles and standards for responsible business conduct in areas such as human rights, environment policy, employment and industrial relations (see chapter 7 for reference).

[19] The Global Compact is an initiative taken by the UN Secretary-General in 1999, to bring companies together with UN agencies and the civil society, to support universal environmental and social principles. For more information, see the webpage, www.unglobalcompact.org 2006-08-13.

5 Identifying Mechanisms

This chapter serves to identify possible mechanisms that can be used to integrate democratic responsibility into policy- and decision-making processes at the global level. The mechanisms are categorized depending on which type of democratic value they enhance; substantive or procedural.

5.1 Substantive Values: Norms & Codes of Conduct

In section 2.1.1, substantive values such as freedom, equality, justice, and solidarity, were presented as fundamental to democracy. For decision-making to be considered responsible, these values should ideally be considered in the decision-making process. The three subchapters in this section offer different methods for integrating these values.

5.1.1 Internal Normative Control and Individual Responsibility

It was established in section 2.2.2 that moral responsibility can be divided into objective and subjective responsibility. The norms and internal regulations dealt with in this section qualify as subjective responsibility. Organizations that qualify as moral agents must encourage moral and ethical deliberation among its employees, i.e. the employees must learn to reflect upon moral principles and their applicability to particular situations, as well as develop skills in reflecting about ethical problems. The goal of this process should be to create a working *professional ethic* (Cooper 1990 p.2, Sjölin 2005 p.13). The internal norms established out of this professional ethic are intended to encourage ethical conduct in the absence of rules and monitoring systems (Cooper 1990 p.124-125).

Even if it is established that it is possible to ascribe responsibility to collectives, we cannot dismiss the fact that collectives consist of individuals. After all, if the collective is held accountable and is subject to sanctions, it is left to the individuals within the collective to change the structures that caused the irresponsibility. Individual ethics is based on norms such as personal integrity and courage to stand up for ones beliefs (Sjölin 2005 p.58). Although, the following account is taken from a domestic context, it is applicable to moral agents operating within organizations with global reach as well. There are three methods for the individual to choose from regarding how to act if he/she does not agree with a particular decision or policy. These are *loyalty*, *voice* and *exit* (Lundquist 1998 p.110). The definitions of loyalty and of exit are fairly straightforward;

loyalty meaning that one simply adjusts to the situation and refrains from letting anyone know any feeling of disagreement or unease, and exit meaning that one simply resigns. Voice however, can be conducted in different ways. An employer that chooses to give voice against a certain policy or decision should as a first step tell his/hers superiors about what he/she thinks, what Lundquist refers to as *awakening*. If this does not result in the expected reaction, the next step should be to alert even higher ranked superiors. Another alternative is to go public with the critique through media or an NGO, so called *whistle-blowing* (Lundquist 1998 p.113, Peters 2001 p.311-312). Two of the methods discussed above, voice and exit, requires that the protestor openly declares his/hers position. However, there are also methods available that allows the protester to remain "anonymous" or at least does not involve letting the superiors know. A subordinate may for instance make subtle attempts to hinder the policy to go through, so called *obstruction* (Lundquist 1998 p.111).

The democratic benefits of whistle-blowing make it useful in all forms of organizations that qualify as moral agencies (Peters 2001 p.311-312). One such benefit is that it calls attention to wrongdoing and immoral behaviour, thus contributing to the values of transparency and access to information. Additionally, it points to the importance of individual responsibility, possibly encouraging other individuals in similar situations to whistle. It follows that it is important that the interests of potential whistleblowers are met within organizations that qualify as moral agents.

5.1.2 Corporate Social Responsibility and Codes of Conduct

These methods differ from the ones discussed in section 5.1.1 because they are developed in response to external pressures and because of their official status. This means that the type of moral responsibility dealt with here is objective. It is common that professional associations, business firms, and governmental organizations adopt *codes of conduct*. Such codes are official statements of appropriate conduct, reflecting general and often abstract principles. They usually lack concrete sanctions and are considerably broad in the types of conduct covered (Cooper 1990 p.6 & 137-148). Its self-regulating nature qualifies them as substantive mechanisms. In a report from 2001 (p.12), Amnesty International states that corporate responsibility is a matter of how a company runs its core operations, interacts with its business partners, and manages its investments and its trade with its host communities. Demands from the international community, different pressure groups and the media, for both increased legal accountability and greater transparency of the operations of powerful companies has increased the last two decades. As a consequence, the business community is recognizing the value of, and is responding to increasing concern about its ethical performance (Amnesty International 2001 p.12, Zadek 1998 p.1421, van de Ven 2005 p.48-49). Amnesty International (2001 p.11) argues that human rights are now an integral part of a company's sphere of influence; companies that fail to recognize their responsibility in these matters risk damage to their reputation, their brands and the

value of their shares. Examples of transnational companies that have adopted Corporate Social Responsibility codes are Ericsson, H&M, Shell and Nike[20]. A more "modern" version of CSR called *Global Business Citizenship* (GBC) has been developed by Logsdon & Wood. They promote what they argue to be a model of corporate responsibility that is more compatible with the modern globalized world. CSR and *Corporate Citizenship* (CC)[21] has a voluntary aspect in which the idea of responsibility is lost. With GBC however, responsibility and duty will be re-established in ethical business conduct (Vijay Munshi 2004 p.91, Logsdon & Wood 2005).

5.2 Procedural Values: Information & Participation

Making sure that information is available about power-wielders and the actions they undertake is a prerequisite for the possibility of accountability. In fact, decision-makers may even be blamed for being irresponsible simply for not acting in an open and transparent manner (Papadopoulos 2003 p.482). This section introduces mechanisms that enhance the procedural values of participation and access to information.

5.2.1 The Internet and Possibilities of E-Democracy

E-Democracy is the term used to describe the interaction between government and its citizens through modern computer technology (Shires & Craig 2003 p.1, Wong & Welch 2004 p.275). The common nominator in this development is, of course, the *Internet*. Goldstein points to three revolutionary elements introduced by the Internet. First, the ability to publish electronic versions of print- and broadcast news makes both global and domestic news accessible to a greater number of people. Second, the Internet makes on-line databases available for both individuals and democratic institutions such as courts and administrative bodies. Third, the so called "blogs", has made it possible for private persons, both experts and laymen, to provide commentary and analysis on news and current events as well as societal and political concerns (Goldstein 2004). By making information more available, the Internet can change the balance of power between agents such as transnational companies, governments, and "ordinary" people. By allowing networks with no respect for territorial boundaries to develop, these modern techniques accelerate the horizontal dimension to global politics (Rosenau 1998

[20] For more information on the CSR-policies of these companies, see their websites, listed in chapter 7.
[21] CC or Corporate Citizenship is a term that stands for community involvement and philanthropy of companies. It suggests that good relationships to the stakeholders of a company are vital and even necessary to its survival (Logsdon & Wood 2005 p.55, Vijay Munshi 2004 p.90-91).

p.46, Amnesty International 2001 p.98, Wong & Welch 2004, Aronson 2001 p.550). Evidence show that non-territorial communities of like-minded actors, previously focused on local and national agendas, have increasingly found voice at the global level using the same technology and organisational shifts that the actors that it wants to influence (Zadek 1998 p.1424, Rosenau 1998 p.46).

In an article from 2003, Shires and Craig presents a method of using a modern information technology called *Knowledge Creation Technology*. This type of technology does not have to stop at territorial borders but could be used to enhance democratic responsibility among actors with a global reach as well, by providing information and thus increasing transparency. The concept of e-democracy usually centres on the following three themes: e-voting, dialogues and debates (or e-testimony), and information sharing (Shires & Craig 2003 p.1). Although e-voting may not be a realistic method to employ at the global level, except perhaps as a consultative method, decision-makers may use the technology to communicate policy objectives and actions to the people affected by their decisions. As such, it serves as a record of the actions undertaken by decision-makers, and as a resource giving the public the possibility to check if the actions of decision-makers are consistent with original goals and intents (Shires & Craig 2003 p.1). Another democratic benefit of this technology is its ability to be an express link between decision-makers and the public. While the information provided by advocacy networks and NGOs are generated and filtered by groups with a certain agenda, sometimes leaving a substantial gap between the original storyteller and the retellers, this type of technology can provide a more direct link between decision-makers and the public (Shires & Craig 2003, Keck & Sikknik 1998).

5.2.2 Global Media

In the early 1980s, the CNN network started to expand its broadcasting to many parts of the world. The influence of the CNN as a global news provider as well as an entrepreneur to a new approach to mass communication was enormous, giving rice to a phenomenon termed *the CNN effect*. Other networks such as the BBC, NBC and Fox News, soon followed and today, satellite based television news broadcast around the clock all over the world (Gilboa 2005). Besides from television, the availability of printed news, such as daily newspapers and weekly magazines, has increased due to the possibility of electronic publishing, making both global and domestic news possible to access to a greater number of people. Analysts tend to argue that the media works through a “show and tell” approach and are most effective at raising questions about policies and policy outcomes. Thus, by show and tell their audience about contemporary events from all over the world, procedural values such as access to information, and indirectly, participation, can be enhanced. Citizens can quickly gain access to information as well as visualizations of important events around the world (Gilboa 2005, Moeller 2002 p.370, SOU 2000:1 p.67-68). However, a reservation must be made here. The major global media corporations have been criticized for being weighted

towards the West and to favour already resource-strong interests. Hence, there is a risk that the information provided by the established media corporations are not diverse enough to satisfy democratic criteria regarding access to information, which requires that citizens are given access to a wide range of perspectives on relevant issues (SOU 2000:1 p.67-68). The Internet discussed above, and pressure group activity discussed below, may possibly counterbalance this problem.

5.2.3 Pressure Group Activity

Pressure group activities and public opinion can be effective devises to enhance responsibility and accountability at the global level. The possibilities of NGOs and pressure groups to put pressure on global actors are in some respects equal to the various electoral, legal and journalistic pressures available at the domestic level (Rosenau 2000 p.194). By informing their members of the activities of global power-wielders, pressure groups may exercise popular control, even if the end result favours the particular interest of the pressure group itself (Peters 2001 p.313). Consumer campaigns and consumer actions are examples of activities resulting from information distributed by these types of groups, thus exercising a form of *market accountability* (see section 5.3.3). Keck and Sikkink (1998 p.2) refers to theses groups as *transnational advocacy networks*, whose main characteristics is the centrality of values, the belief that individuals can make a difference and the creative use of information. Networks like these are usually active within issue areas characterized by high value content and informational uncertainty. At the centre of their external relations and their networking is the exchange of information, which is mobilized strategically to pressure and to gain influence over powerful organizations at the global level, such as governments and intergovernmental organizations. Thus, they contribute to democratic responsibility by serving as alternative sources of information, providing not only facts but also testimony about events and issues (Keck & Sikknik 1998 p.19). By mobilizing people in voluntary organizations, adopting non-hierarchical decision-making structures and including people that otherwise tend to feel excluded from more established political channels, these groups enhances the procedural value of participation (Scholte 2001 p.26-27). Additionally, they do not only try to influence policy outcomes, but try to transform the terms and nature of the debate (Keck & Sikkink 1998 p.2). As such, they are also particularly useful to influence the substantive values of the democratic process.

5.3 Procedural Values: Sanctions & Accountability Mechanisms

The mechanisms presented in this section contribute to the enhancement of the procedural values of democracy. As such, they are meant to function as

instrumental complements to the methods dealt with in sections 5.1 and 5.2. The methods share the possibility of imposing sanctions on decision-makers, whether they are formal as in the case of legal sanctions or informal as in the case of consumer boycotts.

5.3.1 Supervisors

Supervisor can exercise control over agents to whom important tasks has been *delegated*. For instance, international organizations such as the World Bank are supervised by their member states through the Board of Governors[22], and by institutions within the member states (Grant & Keohane 2005 p.36, www.worldbank.org 20060813). Additionally, advocacy groups, NGOs and companies can function as supervisors through domestic institutions and through the domestic political process. One form of supervisory accountability mechanism applicable to actors whose legitimacy is based on participation rather than delegation, is *peer accountability*. Peer accountability is when actors perform a mutual evaluation of the actions and decisions of their counterparts. For instance, NGOs frequently exchange information with each other. By evaluating the quality of the information, they exercise a form of peer accountability since organizations that supply incorrect or irrelevant information will not be consulted again. As a consequence, such organization will not be able to achieve its purpose (Grant & Keohane 2005 p.36-37).

One example of an actor with supervisor status is the *International Labour Organization* (the ILO), a UN body involving governments, trade unions and companies. One of the main functions of the ILO is to set international standards in the fields of labour- and social policy, known as *conventions* or *recommendations*. Once an ILO convention is ratified by a government, it creates binding obligations. The supervisory system of the ILO is intrusive, authoritative and independent. Although the regulatory mechanisms are directly applicable only to governments, the conventions work as a strong normative force on private actors such as companies. Those companies that ignore the ILO conventions will be subject to growing reputational pressure. The supervisor status of the ILO could be said to be a form of performance evaluation procedure (Amnesty International 2001 p.108, www.ilo.org 20060813).

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[22] The member countries of the World Bank, currently 184 countries, function as shareholders. They are presented by the *Board of Governors*, to which every member country appoints one Governor and one Alternate Governor, generally ministers of finance or of development, who each serve a five-year term. The Board of Governors is the ultimate policymaker body of the World Bank. Among other things, it can admit or suspend members as well as review financial statements and budgets (www.worldbank.org 2006-08-13, see "About" and "Organization").

5.3.2 Legal Accountability

Legal accountability requires that actors abide by formal norms and that they are prepared to defend their actions in courts or court-like settings (Grant & Keohane 2005 p.36). A very important accountability method within constitutional democracies, legal accountability has increasingly become an important method at the global level as well. The creation of the *International Criminal Court* (the ICC) and the *World Trade Organization Dispute Settlements Mechanism* (www.wto.org 20060813) are good examples of this trend. The ICC, or simply *the Court*, was established in 1998 and entered into force the first of July 2002. According to the information distributed at the website: "the Court is the first ever permanent, treaty based, international criminal court established to promote the rule of law and ensure that the gravest international crimes do not go unpunished". The crimes within the jurisdiction of the court are genocide, crimes against humanity, war crimes, and the crime of aggression (www.icc-cpi.int/about.htm 20060813). Furthermore, the Court clearly states in article 1 of its Rome Statute, that the Court "shall have the power to exercise its jurisdiction over *persons* (my italics) for the most serious crimes of international concern…". As the entities of international law have traditionally been states, it is interesting to note that responsibility here is explicitly ascribed individuals. In this sense the Court contribute to the enhancement of individual responsibility and accountability in global affairs.

5.3.3 Market Accountability

In section 5.2.3, the concept of market accountability was mentioned. By market accountability is meant the influence that consumers and investors may exercise over the actions of power-wielders. For firms, market accountability implies the responsibility of the boardroom members to such stakeholders as shareholders and costumers (Scholte 2001 p.29). Firms with easily identified brand names in particular, have proved to be quite vulnerable to consumer boycotts (van de Ven 2005 p.49). A firm or a country whose reputation is damaged, due to for example poor environmental standards, may loose credibility among both consumers and investors, and may as a consequence loose income. With the ability to reveal sensitive information about powerful actors and distribute it to the public, NGOs and other pressure groups can be said to exercise a form of accountability through *reputation*. By influencing the preferences of the consumers and investors, reputation, according to Nye, is to be considered a sort of "soft power" (Grant & Keohane 2005 p.37).

6 Conclusions

The ambition of this thesis has been to problemize democratic responsibility as processes of decision-making move to inter- and transnational levels. The thesis started out by concluding that to be democratically responsible is to recognize ones responsibility for democratic values, both substantive and procedural. Furthermore, in order to be democratically responsible one must be a moral agent and thus, normatively competent. With the definition of moral agency established, the thesis has shown that collectives are possible carriers of moral, making such different organizations as corporations, states, NGOs and international organisations morally responsible. Networks, however, do not qualify as collective moral agents, since they in contrast to the definition of collective responsibility, cannot be regarded as being independent of its members. As a consequence, the extensive influence of policy networks makes individual responsibility especially important at the global level.

It seems to be inevitable due to the complexity at the global level, that any discussion about democratic issues takes on a "on the one hand, on the other hand" approach. The alert reader may have noticed that the thesis touches upon many paradoxes regarding responsibility issues. For example, in section 3.1.1 it was argued that not even modern technology may help to bridge the increasing cognitive gap between decision-makers and the public. Yet, in section 5.2, the same technology was suggested as a possible mechanism to enhance democratic values at the global level. The influence of networks is another of the many paradoxes at the global level. Referred to as a problem in section 3.2.1, the networks were also discussed in section 5.2 where they were portrayed as a possible mechanism to enhance the procedural values of participation and access to information.

Disagreements about responsibility and accountability issues at the global level are often due to different positions on what type of model should be the basis of democracy, a model based on participation or on representation/ delegation. However, the two models need not exclude each other since both representation and participation have important roles to play. The complexity of the global level and the inevitable distance this puts between decision-makers and decision-takers may possibly make the representation model the only realistic alternative in many situations. However, the value of participation can still be enhanced as power-wielders can invite members of the civil society into dialogues about important policy-issues, granting them certain tasks and, as a consequence, responsibilities. Participation in this sense, almost transforms into a substantive democratic value for power-wielders to strive to enhance in their daily routine. Thus, while power-wielders are being *accountable* to the actors having delegated tasks to them, they are *responsible* for enhancing the value of participation by

inviting members of the civil society into their policy- and decision-making processes.

On the issue of common standards, human rights seem to be a set of norms often called upon whenever issues of abuses of power and responsibility in global decision-making are being discussed. It is hardly far-fetched to conclude that human rights norms may actually be the public ethos that is currently "missing" at the global level. Its universal claim to represent all humans makes it compatible with most democratic values. Furthermore, the focus on the individual in human rights norms can function as a catalyst for enhancing individual responsibility. If the individual is emphasized as a political unit, decision-makers may take their individual responsibility more seriously. However, as long as the problem of enforcement of human rights norms remain at the global level, substantive values will most likely remain more important than procedural values.

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