

‘Discursive Democracy’ - The Case for Deliberation

Abstract

This thesis deals with an approach in how to structure global governance, proposed by an Australian political scientist John S. Dryzek, called ‘Discursive democracy’. This thesis presents the approach, goes through the different aspects of it and tries to give the reader a sufficient understanding of the approach.

The thesis offer an evaluation of the approach through a process where the approach is put in contrast to an empirical case. The case, *The Global Fund to fight AIDS, Tuberculosis and HIV*, deals with a deliberation process that resemble many of the features of a ‘Discursive democracy’. The findings in this study indicate that the approach proposed by Dryzek have problems in practice. The case used suggest that some features of the approach does not work, and overlooks certain aspects of the deliberative process. Even so, the approach can not be dismissed, as an exact replica of the approach has not been tried in practice. Further research is needed, preferable with a case that, even more so than the case used here, resemble the approached model developed by Dryzek.

Keywords: John S. Dryzek, Discursive democracy, deliberation, global governance, The Global Fund to Fight AIDS, Tuberculosis and HIV

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1. Introduction

In an ever more interdependent world (Rosenau, 2009b: 11), where it is becoming clearer and clearer what effects distant causes may have on citizens of different countries (one need no reminder of the economic crash of 2008), and where a “global politics” is becoming more present than ever¹, the interest for forms of global governance, and attention that global governance receives, is increasing (Dingwerth & Pattberg, 2009: 41). This interest, increasingly also put into practice, is widespread and consists of a range of different organizations with similar as well as different ambitions (Rosenau, 2009a: 2). This is especially evident by the increasing networking of governance, that is moving across borders and taking the forms of multilateral organizations, NGOs and other more loose networks (Bull, 2010: 213; Rosenau, 2009a: 2; 2009b: 27). Indeed, various governance models are proposed to clear up the “messiness” of the current international climate (Rosenau, 2009a: 3). This “messiness” refers to the contemporary governance structure, consisting of a range of different governance models, currently governing different areas of the world. And so, even though these various forms of governance structures exists, there are abstract models for how to structure governance in general. These include approaches that seek democracy, and tries to assess the governance in relation to both an international climate as well as a democratic ambition.

A concise definition of global governance is rather difficult to find. There are countless of definitions offered, but they differ slightly in what counts as global governance. Although this is the case, I think for this thesis a broad definition would be most suitable. A discussion of ‘global governance’ will be presented later.

Theorists propose a range of different ideas on how to organize global governance, and they often differ radically. Among those who have an interest in the formation (or in some cases reformation) of global governance, perhaps the most radical to today’s order are those that subscribe to deliberation as the way in which we should build global governance. Contrary to systems that exist today, where voting function as the ideal type of governance, deliberation sees discussion as the ideal type of governance.

There are still several different theoretical frameworks on how to understand the world as we see it today. Realists still cling on to the idea that the states are the main actors in an anarchical international climate (Weber, 2005: 14-16; Dunne & Schmidt, 2008: 92-95; Porter, 2009: 87). Marxists still speaks of hegemonic

¹ Some argue that we should no longer speak of ‘international politics’, but rather about ‘global politics’ given the more complex politics played out on a global arena (see for example Knight, 2009: 161).

structures (Hobden & Jones, 2008: 144) , and neo-gramscians further the Marxist world view and include more actors such as the civil society, and emphasise concepts such as the “historical blocks” (Ibid: 150; Friedrichs, 2009: 109). While these theories certainly still attracts many people, an increasing amount of material is written about global politics from a discursive point of view. These theorists, John S. Dryzek one of them, suggests that we need not to search for answers within structures and institutions, but rather discourses that underlie all of these structures and institutions. Discourses, in a way, shape our global climate, and therefore deserves increased attention.

Among the different theories on how to understand and develop global governance is the deliberative theory, or approach, under which the approach developed by Dryzek is placed.

The deliberative approach to democracy mainly builds on the assumption that the best way to affect policy is to deliberative on it, through what subscribers of deliberation call “communicative action” (Dryzek 2000, 2006). There are many cornerstones to why they make this assumption. Below are, what I would argue, the two most important.

First, they hold that deliberation is more effective. Instead of representative democracies where elected representatives argue against each other in order to get their agenda through, the deliberative approach suggest that people should, and can, discuss among each other (Dryzek, 2000: 1) This also implies that the participants can change their presupposed attitude while in the discussion, and so reach a consensus among each other (Ibid: 1). Thus, instead of trying to force ones agenda through, people should deliberate on different political issues until they reach a consensus.

So, basically the deliberation approach prefers “communicative action”, where individuals “seek mutual understanding and are prepared to reflect upon the content of their interests [...] and upon the discourses which those interests are embedded”. In contrast, “strategic action” is precisely as it sounds; actors trying to maximize their goals (Ibid: 6).

Second, they hold that in deliberation, if we assume that decisions are made, should be held in public, open to scrutiny (Smith and Brassett, 2009: 73). In other words, the process of deliberation should be transparent.

These main points are somewhat held by the theorists of the deliberative approach. But as I alluded to before, the exact approach differs. The approach I will look into in this particular thesis is the one proposed by Dryzek called “Discursive democracy”. Dryzek’s approach is newer than the other theoretical frameworks, and has been greatly discussed during later years. It has, as we will see, been developed out of a liberal idea of deliberation, as well as assumptions made by critical theorists.

The main focus however on this thesis is to put the ‘Discursive democracy’ approach under scrutiny. While it is controversial (in it is not subscribed to by as many people as the more traditional approaches) it is gaining ground and thus deserves to be viewed upon.

2. Methodology

2.1. Motivation and Ambitions

As evident by the introduction, this thesis takes a critical look at the 'Discursive democracy' approach proposed by Dryzek.

The main point of this thesis is to critically assess the approach, in hopes for further reasoning around 'Discursive democracy'. I hope to contribute to the field by outlining the approach and show where it may fail. Besides it being an interesting and highly relevant subject (considering how global governance studies are hot in the scientific field right now) it is also controversial in the sense that the 'Discursive democracy' approach is quite radical when compared to other models proposed. For example, the proposals from Dryzek often includes big reforms of the international system, and also relies on assumptions that many would not subscribe to (such as giving discourses such a vital importance while discussing democratic issues on a global level). The main question that is going to be answered in this thesis is then the following:

Does the 'Discursive democracy' approach work when put into practice?

2.2. Method

The method that is going to be used in order to critically assess the approach by proposed by Dryzek, is by contrasting it with an empirical case of deliberation, featuring many of the very tenets that Dryzek builds his approach on. In other words, the thesis will conduct a theory-testing method.

Now, granted, it is not entirely a theory-testing method. First of all, the approach by Dryzek is not a theory *per se*, but is instead a normative approach in how to structure governance in the most democratic way. Second, following from the first point, the ever so present causal mechanisms do not exist in this particular case. Even so, I would argue, the method still applies.

Testing a theory, or in my case an approach, is about researching whether or not a particular theory can explain a certain phenomena (Esaiasson, 2007: 42). In my case, I will see if the approach (with its assumptions and theoretical implications) mirrors reality, in the sense that similar deliberative features are present in the empirical case I am going to use. Therefore, I do test an approach, and compare it to empirical data.

An overarching criterion for scientific research is that it is a research where the question of "a case of what?" is answered (Ibid: 38). Indeed, it would be difficult to motivate a study that cannot be put into context, illustrating how this particular case is relevant to a grander scope. Explicitly, then, this thesis investigate a case of deliberation in general, and 'Discursive democracy' in particular.

2.3. Structure

The thesis will be structured in the following way. First, I will look into the tradition of deliberative democracy. What does it mean? How does this relate to Dryzek's approach, and so forth. This is mainly to give a clear understanding of how to understand why Dryzek propose the approach he proposes, and reduce eventual confusion that may arise due to his theoretical assumptions.

Second, the approach will be presented. This will be a large part of the thesis, and will illuminate the theoretical framework that is 'Discursive democracy'. This is of course to understand the approach by Dryzek and to also show the controversial nature of it.

Third, an empirical case on 'Discursive democracy' will be presented. The case, concerning the "Global Fund to Fight HIV, TB and AIDS, consists of a 'Deliberative democratic procedure' put into practice, and the results that follows. Although it is not explicitly a case of a 'Discursive democracy', the case features many of the very cornerstones upon which Dryzek builds his approach of 'Discursive democracy'. Thus, using this case, I argue, is a valid way of evaluating his approach, even though the method may have complications.

Forth, the analysis will take place. I will here assess the case and the approach and compare them: does 'Discursive democracy' work? Does this case sufficiently provide us with any evidence to either prove or disprove Dryzek's stance? These questions, among others, will be kept in mind while analyzing the material.

Fifth, a conclusion on the approach will be presented.

2.4. Material

The material that is used in a thesis vary quite radically. There are tons of different sorts of material to use, and it is always a necessary task for the author to select the different forms of material that should be used. Granted, this can be conducted quite randomly (commonly used in quantitative studies, such as a "stratified random selection" process), but overall it is the responsibility of the researcher to select the material (Teorell et al, 2007: 85, 87-91).

The material then will be secondary sources. These are writings that have themselves collected first hand material and then written about it (Ibid: 319).

I would like to emphasize, however, that I do use first hand material when available. The website for the Global Fund, for example, is a first hand source that is used in order to come closer to the organization itself.

More specifically and generally, I will use work by Dryzek to present 'Discursive democracy'. I will use a few different articles and sources for health governance and the Global Fund. Mainly, I will mostly rely on a study conducted by Brown, but will compensate with national studies as well as some overall studies on the Global Fund. I do want to emphasize that material on the

deliberative deficiencies of the Global Fund is slim. The study does, therefore, rely heavily on the study by Brown, at least concerning the deliberative structure and its deficiencies.

3. The Approach of ‘Discursive Democracy’

3.1 Deliberative Democracy and the Roots of ‘Discursive Democracy’

As the world become more transnational, and as we increasingly see groups working outside traditional borders, attention has been given to transnational movements. Much of the attention is given to the number of organizations working transnationally and internationally, displaying a new form of activity. Along with this, newer perspectives on democracy has risen, and has been a response to this trend of interconnectedness. One of these perspectives is the deliberative approach. The approach has mainly emerged during the last 20-30 years, and has resulted in a few different traditions. The main traditions, in which there are additional debates (Smith and Brassett, 2009: 69), are basically three different ones: *the liberal*, *the cosmopolitan* and *the critical one* (Smith and Brassett, 2009).

A precise definition of a deliberative democracy, then, may not exist, but Smith and Basset gives us a few ideas on what it can mean. They present a definition where deliberative democracy is “a system of government in which free and equal citizens engage in a collective process of political debate” (Ibid: 72). Further, they emphasize the importance of ‘public reason’ within deliberative democracies. Public reason is an ideal, with specified norms, creating requirements on democratic institutions and political decisions to be such as they are stemmed from reasons that every participant accepts. Decisions are in other words made on the basis of public reason (Ibid: 72).

The definition proposed by Smith and Basset is not very useful though. It limits deliberation to a government structure, which excludes deliberation on many fronts. For example, networks may very well form their own deliberative democracy, without being called a government structure. However, their definition of deliberation offer us some understanding into why they conclude that a deliberative democracy needs to be governmental in structure.

They conclude that deliberation, in this context, should be understood “[...] in a minimal fashion as a process of public reasoning geared toward generating political decisions or public opinion about how to resolve shared problems” (Ibid: 72). In other words, as soon as we expect the deliberation to be democratic, or phrased differently, be a deliberative democracy, a governmental structure has to be present. I am sceptical towards this assessment and argues that it may very well be the case that groups can deliberate democratically without being part of a governmental structure.

The main difference between the different theoretical deliberative approaches then is how to organize deliberation (see Smith and Brassett, 2009). While liberal deliberators would be sufficed with their idea of organizing deliberation within the structures and between agents that are in control today (Ibid: 74), cosmopolitans argue that we need to reform it somewhat, subjecting more people to the deliberation (Ibid: 81), while critical deliberators argue that we cannot build a deliberative governance on the structures that are currently present, especially not structures that resemble those on a national level (Ibid: 84). Instead they approach the subject more radically, proposing a reformation of the structure (Ibid: 84). This argument is, I would argue, implicitly made by Dryzek (2000) when he dissects the liberal approach, claiming that the liberal approach assumes profit-maximizing individuals (Dryzek, 2000: Chapter 1, 2006: Chapter 1).

Dryzek dissects the different deliberative approaches and gives a clear understanding of why he moves beyond the traditional deliberative approaches. In the first chapter he argues that the liberalist approach to deliberation is limited on many areas, an important one being that the liberalists assume that individuals have predetermined interests (Again, see chapter 1). Thus, since deliberation presumes that consensus is to be reached through a debate, where people regardless of preferences will participate, the liberal approach seems to be unfitting in this regard. If people are to get their individual agenda through, it does not serve the deliberative purpose in a sufficient way.

This critique of the liberalist approach leads Dryzek to include another theoretical approach to deliberation, the critical theory with proponents such as Habermas. While Dryzek sees flaws in it, he sees it as necessary in order to develop a proper deliberative theoretical framework. Even though he has got a discussion on how Habermas' theory in critical theory consists of several problems, he tells us that the liberalist approach fails to recognize the importance of discourses, and that one needs to also take into consideration the contributions of critical theory, which consists of discourses and so forth (Dryzek, 2000: 21).

He goes on to describe critical theory in more detail, in which he makes it clear that he supports a discursive version of deliberation. He justifies this position by pushing the importance of identifying discourses, and also the recognition that citizens can recognize and oppose discourses and that this can be promoted through participation in democracies (Ibid: 21).

This is crucial in order to understand the theory Dryzek later puts forward. It is clear that he is rooted in critical theory, while on the same time adopted the liberal concept of deliberation (something he explicitly says several times). Thus, he lands in a new theoretical framework, one which he will later describe as a 'Discursive democracy'.

Further, in one of his earlier works called *Democracy in Capitalist Times* (1996) he describes the capitalist discourse as a threat to democracy and concludes that the only remedy is the "[...] activation of alternatives to economic rationality in social and political life. The only democratic alternative is some kind of discursive or deliberative democracy in which preferences are not taken as given or immutable and in which individual needs and public interests alike can be discovered and debated" (Dryzek, 1996: 146).

To conclude where Dryzek is rooted, the quotes and material suggests that Dryzek sees the current capitalist discourse as a threat to democracy, and so a new approach has to be developed. For him, it is the ‘Discursive democracy’.

In the next section, the motivations behind Dryzek’s strong stance on this subject will be further developed. Additionally, the ‘Discursive democracy’ approach will be put under focus.

3.2 Discursive Democracy – The Theoretical Framework

Dryzek argues that many scholars have missed that one of the most essential features of democracies is deliberation (Dryzek, 2009: 1379). Deliberation is, according to Dryzek, “central” to democracy (Ibid: 1380). Indeed, one may agree with Dryzek when realizing that deliberation in today’s democracies is almost non-existent. Dryzek sees deliberation as a “talk-centric” aspect of democracy, in that “democratic legitimacy resides in the right, ability and opportunity of those subject to a collective decision to participate in deliberation about the content of that decisions”(Ibid: 1381). He further notes that deliberation is in fact a kind of communication (Ibid: 1382). Why communication is so important is that it can bridge differences of preferences of participants. This is evident by the fact that deliberation is not limited to a specific form of communication. Some forms of communications may work in one specific setting, while others work better in different settings (Ibid: 1382). Thus, communication may take the forms of rhetoric, testimony and humour (Ibid: 1382). The important thing to remember is that no form of communication is more valid than another, they are all equally a part of the deliberation process.

But even though the communication form can, and for the sake of increased inclusiveness should, vary, some forms of communication are what Dryzek calls “anti-deliberative”. These forms of communication include threats, lies and commands (Ibid: 1382).

It is important to recognize this clarification by Dryzek. Deliberation need not to be democratic, thus emphasizing that some forms of communication does not foster democratic values. Dryzek thinks that the deliberative process in a ‘Discursive democracy’ would eliminate these issues by deliberation itself (described later), but also recognize that there may need to be some restrictions and rules on what is allowed in a deliberative setting.

The 'Discursive democracy' approach further relies on a few assumptions in order to justify its relevance.

First, it is assumed that discourses are the most fundamental concepts in international and transnational relations. Dryzek defines a discourse as “a shared set of assumptions that enable its adherents to assemble bits of sensory information into coherent wholes” (Dryzek, 2000: 51). Further, he argues that discourses can help explain main issues in the world (Dryzek, 2006: 155). For

example, he identifies many of the big discourses in the world, such as Market-economic discourses, and argues that these sorts of discourses are the foundation of how people view the world (Dryzek, 2000: 122-124). He moreover sees the recognition of discourses fundamental in order to be able to act intelligently in the international system (Ibid: 155). Additionally, people may not always be aware that they are part of a discourse even though they are, and current politics in the world is actually discursive in nature even though people don't realise it (Dryzek, 2008).

Second, since discourses shape the international climate, if we are to organize governance on a global level, we need to include discourses in that governance (Dryzek, 2006: 161) Not only that, discourses needs to be the foundation of the governance we are to achieve (Ibid: 161).

Third, Dryzek assumes that people can change their preferences while in a debate (Ibid: 6; Dryzek, 2009: 1382). This is fundamental to the 'Discursive democratic' approach since deliberation would be of extremely limited practical use if people were not able to shift their preferences.. Moreover, good deliberation may only exist if people are free to reason upon their preferences (Dryzek, 2009:1382).

Forth, Dryzek argues that the international climate makes good ground for a 'Discursive democracy' (Dryzek, 2006: 161). This is for two main reasons. One, the international climate is made out of discourses (Ibid: 160-161) and two; the structures that exist on a national level are not present in the same way on the international level (Ibid: 156). In the international climate, the authorities that exist within states are not present in the same way, and democratic authority is not near as powerful. Indeed, increasingly, actors are moving beyond the old systems and taking new forms of governance models (Rosenau, 2009: 17). This concept of an area beyond the these old systems is sometimes referred to as a "public space", in which deliberation is gaining popularity as a governance model (Porter, 2009: 98).

These are the main assumptions that Dryzek makes in order to justify his approach of 'Discursive democracy'. An additional assumption, while quite self-evident, might still be useful to stress here. Dryzek favours democracy over other forms of governance models. This is especially made clear in *Democracy in Capitalist Times*, where he argues that democracy is under threat and then proceeds to propose his idea of a 'Discursive democracy' (Dryzek, 1996: 145-154)

These assumptions lay the foundation for Dryzek to proceed with his theoretical model. It is important to bear with us, that the assumptions and the roots, from which he derives his approach, greatly influence his whole way of thinking about the issue while he outlines his approach. This is again the reason for outlining the main assumptions and roots before presenting his approach.

'Discursive democracy' is, as alluded to above, a version of deliberative democracy, stemmed from both liberal deliberative democracy and critical theory. The main features of the 'Discursive democracy' approach will be listed below.

Deliberation as the best way of solving problems. This is of course already made clear by the manner in which Dryzek argues for his 'Discursive democracy', but it is rather important to further acknowledge the importance Dryzek places on deliberation opposed to other forms of governance. Dryzek also views deliberation as somewhat of a remedy for many of today's problems. As mentioned before, he view democracy today in conflict with capitalism, and presents a remedy for it.

Inclusiveness. Since it is a democratic approach we are examining, it comes as no surprise that the approach emphasises the inclusive features of it. Dryzek defines inclusiveness as “[...] the range of interests and discourses present in a political setting”(Dryzek, 2009: 1383). He goes on to say that deliberation needs to be inclusive in order to be democratic (Ibid: 1383).

Indeed, the deliberator side of the approach, combined with the acknowledgement of a diversity of discourses, suggest that it is indeed an approach about increased inclusiveness.

One can also understand the emphasis Dryzek places on inclusiveness by examining his views on current political systems. While many of them are democratic, he express the view that they are not taking into consideration many of the different discourses that exist throughout the world. Again, one of the main reasons for proposing a ‘Discursive democracy’ seems to be that it is more democratic, seeing as it involves more interests and discourses.

Diversity among participants. As mentioned above, the increased inclusiveness will most likely result in a diverse set of participants. Further, it is not only in preferences and so forth that the diversity will be visible, but rather it will be most visible through the different discourses that the participants subscribe to. To give an example, a small tribe in a poor country may not believe that free-market capitalism is the way things work in this world. Further, they do not think it is justified to promote it, since they have never really felt its positive impacts. On the other hand, a group of people in an urban environment might feel differently. They might feel that free-market capitalism has indeed helped them achieve their wealth, and maximize their utility. Thus, they promote the idea of free-market capitalism.

What this example shows then, is that people from different parts of the world, or from different backgrounds, share different discourses. Therefore, not only can we expect diversity in background and preferences that we normally can understand and view, we will also have diversity in discourses.

Accountability. Dryzek argues that values such as accountability should not be taught beforehand to those that participate in deliberation. Rather, through the process of deliberation they will learn about the values (Dryzek, 2000: 47). In other words, Dryzek has faith in that deliberation in a ‘Discursive democracy’ will generate accountability.

Throughout Dryzek's work, more emphasis is placed on inclusiveness and fair discussions than accountability, suggesting that accountability may still be one of the issues with a ‘Discursive democracy’. Even so, if Dryzek is correct by suggesting that deliberation itself can increase accountability, then it should be

acknowledged that he does indeed take it into full consideration. The problem, of course, is that this view remain mostly theoretical.

Consequential process. A theoretical framework may sound good in that it promotes democratic ways of dealing with certain issues, but one need not to forget that if these processes are not giving any output, it seems rather meaningless. Therefore, Dryzek argues that the deliberative process needs to affect policy (Dryzek, 2009: 1383). While this may not need to be direct, it must affect it somehow. Dryzek suggests that this may happen through informal channels. For example, participants of deliberations may suggest certain political views to people outside of the deliberative meetings, hence not crafting policy directly, but using informal measures to alter or push through certain features (Ibid: 1383).

Fair discussions. Deliberation is meant to serve as a discussion opportunity for the participants; hence it is vital that the discussions serve that purpose in an acceptable way. Further, if we are to call the approach “discursive democracy” we need to acknowledge the importance of the word *democracy*.

Much of Dryzek’s work deals with this particular issue of fair discussions. It would be a stretch to try to fit everything here, but I will do my best to present his thoughts in a concise manner. The first thing that is of importance is that Dryzek propose “rules” to the discussions. These rules are to make sure that the participants are aware of what is allowed and what is considered unwanted. These are control mechanisms to avoid threats, bribery and so forth (Dryzek, 2000: 38).

But still, these control mechanisms do not cover power-relations, information disadvantage and so forth, factors that are equally important to cover as threats and bribery. Although Dryzek sees no reason to always need to apply mechanisms as all (Ibid: 47). Considering that the participants are people in a democratic environment, where communitarian progress is the overall goal, unfair discussions will quickly be seen as negative by most participants. Thus, if a participant is using his or hers superior knowledge in a certain area in order to convince others, while exposed on it, will be losing the other participants trust for further discussions. Since this is the probable case, and participants will be aware of it, engaging in foul discussion tactics will be seen as disadvantageous, at least in the long run (Ibid: 46-47).

While logically sound, it is still very theoretical. And even so, considering that fair discussions, closely related to increased inclusiveness, is of great importance to a ‘Discursive democracy’, it seems rather weak. The fact that Dryzek acknowledges that there may indeed need to be control mechanisms outside of the deliberation process itself, suggest that Dryzek is aware of the weakness of trusting the process itself to foster a fair discussion among participants.

Enlightenment. Although it may be seen as implicit by the fact that deliberation is claimed to foster fair discussions, another feature in deliberation is that of increased enlightenment. Granted that people possess different discourses, and granted that deliberation is a forum for discussion; people will ultimately share their ideas from different points of views. Additionally, people have different expertise and so people will learn from each other by engaging in broader discussions (Ibid: 40-41). This is contrary to what we may expect from an

ordinary debate between elected officials, deemed instead to push their own agenda and primarily focused on the one area where he or she possess expertise (Ibid: 40-41).

Consensus-reaching. Contrary to elections in representative democracies, a 'Discursive democracy' would emphasize consensus over agreement. The difference lies in that consensus, as opposed to agreement, is not only a collective choice, but a choice on the same normative grounds (Ibid: 47, 48).

4. An Empirical Case

4.1. Global Governance

As mentioned in the introduction, the concept of ‘global governance’ is quite debated. It does not have a precise definition, and scholars are not in agreement of what it may be defined as. For the purpose of this study however, it is important that the definition include a few things that are not always included. First of all, it is important that we speak of global governance as governance that is not necessarily grounded in institutions or organizations. Loose networks, informal deliberation and so forth, are examples of global governance that cannot be traced back to a solid organizations or institutional structure. Indeed, as mentioned before, with globalization, networks have been established transnationally, exceeding traditional boundaries.

Second, it is important that global governance includes indirect effects on decisions. As Dryzek proposes in his approach, indirect effects are equally important. This means that we cannot only include organizations and institutions with formal decision-making. This of course mean that we are faced with a problem of accountability while discussing global governance. Indirect effects are hard to trace, thus leaving us with an increasing amount of speculation. Even so, it is logical, and even evident that indirect affects do occur and that they can be equally important as direct affects.

One of the best definitions then is the following: “[Global governance is] the complex of formal and informal institutions, mechanisms, relationships and processes between and among states, markets, citizens and organizations – both intergovernmental and non-governmental – through which collective interests are articulated, rights and obligations established and differences are mediated” (Dingwerth & Pattberg, 2009: 41).

This definition include networks and places no demand on formal policy making. It therefore works well with this study.

With an understanding of the concept of ‘global governance’, we can now move ahead and examine health governance in general, and the Global Fund in particular.

4.2. Health Governance – An Overview

Efforts to improve health has existed for a long time. Indeed, health is probably one of the most important issues we humans express concern for. Even so, the sense of a more widespread framework to improve health is relatively new and has emerged with the increased influence of the UN.

Increased attention was given during the 20th century to the various health issues that existed in the world. This has since boosted efforts from various state, as well as non-state actors, to help improve health in various different issues (Meier & Fox: 62). Indeed, since the middle of the 20th century, human rights has been established through the UN by the “Universal Declaration of Human Rights” in 1948 (Ibid: 63). The establishment took place while the UN expressed that in order to be able to fulfil various demands for improved health, international cooperation was needed (Ibid: 63). Additionally, organizations such as WHO has been established, also addressing the rising exposure of health issues (Ibid: 63).

With this emergence came increasing emphasis on “public health”, often described as a feature of a “public good” (Ibid: 65). This expresses a central realisation in the field, and mirrors the various other sectors when international cooperation has become more frequent. Indeed, it seems as though big issues, that is seem as the concern of the world community, demand international and transnational efforts to tackle them.

But why did this emergence happen relatively late? One reasonable argument is that the realist view was dominant until the middle 20th century. In other words, states were seen as central actors, and that state sovereignty was seen as more important than transnational rights (Ibid: 66). Another reason might have been that it was not until the later 1990s that the health issues really came up on the international agenda (Global Fund Website: History). Whatever the case, both arguments seems valid and match an increase acknowledgement of new arenas to fight diseases.

As this international cooperation boosting efforts for improved health has been somewhat established, more emphasis is also put on other forms of governance (see for example Marks et al, 2010: 1842).

4.3. The Emergence of the Global Fund

Brown (2010) argues that it was not until the G8 meeting in Japan in 2000 that a foundation was laid for more deliberative institutions, with aims to improve health (Brown, 2010: 517). Despite the previous local and national attempts, it was here that the transnational approach was pushed further. At the meeting, the different members of the G8 stressed that health issues was directly connected to prosperity and economic growth, and that we therefore needed to combat the problem of diseases in order to stabilize these factors (Ibid: 517). The members went on to state that it was only through “sustained action” and “international cooperation” that these issues could be tackled and, most importantly, that we needed to go “beyond traditional approaches” in order to achieve this (Ibid: 517-518).

This notion of moving beyond traditional approaches mirrors the very statement made earlier that transnational movements are becoming more apparent and that structures on the transnational level calls for new approaches, hence the very emergence of ‘Discursive democracy’ and other various deliberative approaches.

The G8 members went on to state that they had agreed on a commitment to counter health-issues and to “add additional resources” to this end (Ibid: 518). They then stressed the importance of involving participants from developing countries and other stakeholders, claiming their involvement as essential to the process (Ibid: 518).

This approach was echoed again the next year in Nigeria at the African Summit, where UN Secretary General Kofi Annan “called for the creation of a global fund to collect and distribute additional resources” (Ibid: 518; Aziz et al, 2009: 690). He stressed that the issues would have to be responded to by the experts, and emphasized that these experts could be of various different fields, and more importantly, people affected by diseases.

Later in 2001, the UN created a global health body, stemmed from the agreement between participants that “there was a significant governance gap in the multilateral organisation” and that an organization was needed to be able to tackle three of the main health issues, namely AIDS, Tuberculosis and HIV (Brown, 2010: 518).

After much discussions, the participants reached a conclusion on what they saw as deficits in the current efforts to tackle the issues. Five deficits were identified (Ibid: 518-519): A lack of local expertise, a limited sense of local ownership, a lack of institutionalised accountability measures, failings to secure collective action, and there was no unified and collective resource stream to fund global health priorities.

In response to these deficits, it was seen as a critical step to build strong local-global ties in order to combat AIDS, TB and Malaria (Ibid: 519). They further stressed that a new institution needed to be inclusive, and that the institution should be structured as a multisectoral participation model (Ibid: 519).

Following the aftermath of these agreements, the donor countries pledged that they would provide ten billion dollars to the cause. Additionally, in order to “[...] broaden public debate and deliberation globally between stakeholders[...]”, a Transnational Working Group was created, consisting “of nearly 40 representatives of developing countries, donor countries, NGOs, the private sectors, and the UN system”(Ibid, 519). The mission of the Transnational Working Group was to develop guidelines for the Fund. Further, the Transnational Working Group engaged the public sphere by holding regional forums in Africa, Asia, Latin American and Eastern Europe, and additional discussions with other actors such as NGOs, civil society and the private sector (Ibid, 519). In April 2002 the first grants to 36 different countries was approved and the Global Fund was finally established (Global Fund Website: History).

The set up of the Global Fund was basically now complete. It now needed to structure itself as a deliberative body, which will now be dealt with below.

4.4. Deliberative Structure

The Global Fund is then structured as follows. There is the *Foundation Board*, which vote on proposals by the *Partnership Forum*. The Partnership Forum is a discussion forum with stakeholders and other participants, producing proposals. They have no decision power (Aziz et al, 2009: 392). There is a *secretariat* that is responsible for daily operations (Ibid: 393). There is also a *Technical Review Panel*, responsible for reviewing the proposals (Ibid: 393). An additional two groups, that were established later on, are the *Technical Evaluation Reference Group* (TERG); an expert group that advises the board on a range of issues (Ibid: 391), as well as an *Office of Inspector- General(OIG)* that is responsible for internal oversight of the Global Fund itself (Ibid: 392).

To then match their proposals with local demands, they have various *local actors* responsible for matching national priorities with proposals. In other words, the Global Fund is to consult these local actors before making proposals (Ibid: 395-396).

The Board consists of the following actors, directly quoted from Brown:

“1 NGO from a developing country, 1 NGO from a developed country, 1 representative of someone living with the diseases, 9 regional seats, 6 national seats (major donors), 1 private sectors seat, 1 private foundation seat and 4 non-voting advisory seats representing the WHO, the World Bank, UNAIDS and a Swiss member”(Brown, 2010: 520).

Everyone of these members then have the same vote. In other words, a state have the same voting weight as a member that represent someone with the diseases (Ibid: 520).

As was said before, the Global Fund was created as a response to what many saw as deficits within the UN system, especially concerning efforts to combat diseases such as AIDS, TB and HIV. They emphasized the importance of including people affected by these diseases and was determined to create a new structure where deliberation was going to improve the way in which we combat the problems.

The structure consisted of participants from a range of sectors, regions, backgrounds and so forth, certainly creating an image of inclusiveness. The participants were selected representatives from all the different sectors and fields. The Global Fund then set up four normative guidelines . These were in short: Involvement of local experts, NGOs and people living with the diseases; Involvement of local governments in order to make implementation more effective and to create a sense of “local ownership”; The Global Fund should be accountable to all stakeholders involved; and the Global Fund would make it possible for the organizations created to operate outside of the current system to avoid existing power-relations (Ibid, 519).

These guidelines fostered a new document, the Framework document, detailing that proposals would be independently reviewed and that the Global Fund would work with other organizations, bilateral as well as multilateral, and with civil society groups and NGOs to “ensure that newly funded programs are coordinated

with existing ones”(Ibid: 519-520). In other words, they seem to have wanted their process to be as effective as possible, not working in isolation from other groups. This again display a great sense of inclusiveness as well as an awareness of the scope of the issues they were to tackle.

It is important to note here that they include votes in the deliberation process. While this may seem strange at first, it does not mean that deliberation is not taking place. In fact, the Global Fund state that they ideally think that the deliberation should work as a consensus-reaching process, not needing a voting procedure to foster specific results and decisions (Ibid: 520). They write, however, that if this process fails, any member can call for a vote (Ibid: 521). In that case, it is crucial for a deliberative democratic process that the members have the same vote weight, as it is one of the deliberations core features. For a decision to then go through, it requires a majority of two thirds (Ibid: 520-521). Further, the board is divided into two groups. One consists of the 6 major donors as well as the private actors, and the other groups consists of the rest of the members (Ibid: 521). Since a majority is needed in both groups, it is harder for some actors that would otherwise get their agenda through to now get it through (Ibid: 521).

Additionally, each member is constitutionally guaranteed to be able to place items that they feel are important on the agenda, and each member have the same opportunity to do this. Further, the are constitutionally guaranteed that each member have “equal time to debate any issues” (Ibid: 520).

The ways in which the Global Fund works to decrease diseases is not by direct implementation. They rather allocate and distribute the resources received from donors and then pool them to various other development networks and organizations (Global Fund website: How the global fund works). This suggests that establishing accountability to the impact of the Global Fund is quite hard. It may be tough to pin down who and where wrongdoing might occur.

The Global Fund explicitly says that they provide resources to countries based on “locally determined needs”(Ibid). This suggest that they try to model their allocation according to that of the local environment, making implementation simple and effective (Global Fund website: Aid Effectiveness). In order to further be sure if their proposed programs work, they have an independent panel that reviews the different proposals (Global Fund website: How the global fund works).

5. Analysis

The analysis will proceed in the following way. First I will deepen the understanding of the deliberative process of the Global Fund, channelling the evaluations that has been made by other authors. Second, I will further compare this with the ‘Discursive democracy’ approach.

Brown, in his study of the Global Fund, find that there are discussions and considerations that take different views into account, and that this seems to be consistent throughout the “participation tree”. Even so, this overall picture is somewhat shattered when he continue his analysis of the results. He continues by examining two aspects: the relation between the multisectoral members, and the relations between the Global Fund Board and stakeholders. He does this by especially focus on the effect of power and wealth, and see if these factors may create unfair advantages.

The results indicate that the vast majority of the participants interviewed indeed had equal opportunities to participate in the deliberation process (Brown, 2010: 522). Moreover, a majority felt that their concerns and opinions were taken seriously by other participants (Ibid: 522). They also felt that the Global Fund Board really made an effort to take these concerns and opinion in account (Ibid: 522).

An important note, considering the deliberative aspects of the Global Fund, is that even the participants that did not have voting privilege expressed the same attitude. They felt that their concerns and opinions were taken into account (Ibid: 522). This indicate a genuine effort on the Global Fund Board to deliberate in a democratic matter.

Even though the above indicate that the deliberation that was sought after actually took place, there seems to have been downsides. When examined closer, it surfaced that some non-donor members of the Global Fund Board felt that they had disadvantages in relation to power and influence (Ibid: 522). Indeed, it was evident that contrary to have had an open debate between all participants, donor members met previous to the meetings in order to foster a strategy (Ibid: 522). This informality between donor members was said to have caused a disproportionate opportunity for the same members to push through their agenda.

This was not a minor issue in the Global Fund it seemed, it was rather quite eminent.

Even though there are constitutional constraints on how the deliberation within the Global Fund should be organized, non-donor members felt that this did not help with fixing the power issues. Donor countries was still more organized and could more easily get their agenda through (Ibid: 523).

As an attempt to give the non-donor members a chance to be heard, many of them lobbied for their own platform for deliberation. This was rejected (Ibid: 523). Further, Brown notes that it seems as though genuine deliberation has been replaced by maximizing of utility (Ibid: 523). The fact that there are voting

opportunities seems to be even more devastating for the deliberation process (Ibid: 523). Since donor countries has beforehand often decided their agenda, they can use the voting instead of deliberating (Ibid: 523).

As for accountability, it seems as though there is confusion among the members of whom the Global Fund is accountable to. Some claim that there is a shift in whom they are accountable to based on the current issue in focus (Ibid: 523). Other claim that the Global Fund is only accountable to donor states (Ibid: 523).

It seems as though current economic and political power plays a big part in who gets heard. It seems some countries, for example the US, has withhold their finance to the Global Fund until the programs they favour are in focus (Ibid: 524). Some even say that the US and other donors are responsible for stalling, or even controlling, the deliberation process (Ibid: 524). It was further expressed by some members that these donors could threaten the processes by withholding funds (Ibid: 524).

It seems that deliberation does not take place very often (Ibid: 525). When they do exist, they are often informal (Ibid: 525).

Additionally, these meetings are often only between the civil society actors themselves, not with the Global Fund Board. The only time they do have a chance to voice their opinions seems to be every two years where they have a meeting with the Board, the Secretariat and sometimes representatives from donor members (Ibid: 525). But even at these rare occasions, concerns are expressed. Again it seems that the donor members have the mandate, and that the Board rarely listen to concerns stemmed from local needs (Ibid: 525).

Instead of deliberation, it seems as though the Board usually only gives a response, not willing to debate the issues raised by the stakeholders (Ibid: 525).

Brown emphasizes that even though this signals a poor channel of communication between the Global Fund and stakeholders, the purpose of the Global Fund is to accomplish deliberation within the Global Fund, not outside of it (Ibid: 526).

There are more local and national deliberation opportunities that the Global Fund encourage stakeholders to engage in. However, they have been heavily criticized for not have any safeguards to prevent exclusion and a fair discussion (Ibid: 526-27).

There are several studies conducted on the efficiency of the Global Fund. Unfortunately, most of them are done by the Global Fund itself, which leads us to question how biased the research may be. However, the studies are transparent and their method illuminated, making it easier to follow how they reach their results.

Even though the Global Fund is the funder for the studies, the studies points to several shortcomings in implementation, and efficiency. Several studies conducted in countries like Nepal, Laos, Indonesia and Thailand, and include a conclusion on the different policy shortcomings that exists within the Global Fund.

Perhaps the most notable in a deliberative context is the discovery that many implementations are misguided, in that they do not match the current development

of the different countries. Since the Global Fund itself has certain demands, their shortcomings are bound to happen.

In Lao, the study points to problems of earmarked funds, not matching the priorities of the country's need (Mounier-Jack et al, 2010: 41). In Papua New Guinea, there seems to be a lack of linkage between the Global Fund and other health priorities (Rudge et al, 2010: 52). In Indonesia, criticism is aimed at the limited connection with other NGOs and health organizations (Desai et al, 2010: 47). In Nepal, the problem of coordination with local priorities is again also apparent (Trägård et al, 2010: 61). The exception is Thailand where it seems as though the different proposals are well integrated with Thailand's health system (Hanvoravongchai et al, 2010: 57). This is explained by Thailand's relatively well-developed health system (Hanvoravongchai, 2010: 57).

Some authors do suggest that the Global Fund has been overall effective (Komatsu et al, 2007: 808), but that it is not yet sufficient to achieve major impact on the diseases that it is set out to fight (Komatsu et al, 2007: 809).

Others suggest that the Global Fund still has had a "profound impact" on the knowledge in how to combat the diseases (Kerkhoff et al, 2006: 633).

Before continuing with the analysis, and before comparing these results with the 'Discursive democracy' approach, it is important to remind ourselves that correlation does not by default mean causation. Similarly, to draw wide conclusions from one particular case is something one needs to be careful about doing. Once we recognize these important methodological implications, we can proceed with the analysis.

Let us begin by analyzing the purpose of the Global Fund to that of Dryzek's ideas of deliberation. The primary focus of the Global Fund was to address the many deficits they identified in transnational politics. Further, they stressed that a new system had to be established, one that was deliberative in nature and inclusive in practice. This idea of an inclusive deliberative organization mirrors that of Dryzek. Besides the fact that discourses are not explicitly addressed in the same way as Dryzek addresses them, the organization is extremely similar to that of what Dryzek proposes. Further, implicit in many of the guidelines set by the Global Fund, are that different discourses are to be able to get their voice heard.

Moving on to the inclusive part then, Dryzek proposes an approach that would include every possible discourse, as long as they followed democratic and deliberative criteria (such as not using threats, coercion etc). This was similarly stressed by the Global Fund. Even though the Global Fund have not explicitly addressed discourses, they speak frequently about the importance of inclusiveness, especially concerning the various actors most affected by the diseases the Global Fund is set out to fight.

The result of the critique, especially channelled by Brown, is however quite negative. At first, on a general scale, it seemed as though deliberation did work and that the Global Fund was in fact inclusive. On further interviews, though, it surfaced that quite the contrary was the case. The inclusion was almost non-existent. The political and economic power advantages of the donor members

played a big role, and threats of fund withdrawal made deliberation severely crippled.

More critique has surfaced where it seems clear that the connection between the local communities and the Global Fund itself is somewhat dubious, not working as intended.

As far as I can see, the Global Fund did include a range of discourses. Additionally, they gave every member (from different discourses) an equal chance to have a say. Thus, we would here be forced to ask ourselves if Dryzek's approach does in fact work. But there is an important thing to remember here. Dryzek does not favour a voting clausal. In fact, here stresses that 'Discursive democracies' need not be make binding decisions, but can also function as forums raising important issues to the public. Let us remember, many of the people interviewed by Brown said that it was because of votes that donor states could push their agenda through, and limit deliberation.

Even so, the Global Fund seemed inclusive (at least considering the board), and the Global Fund guidelines explicitly address the issue of inclusiveness. Thus, for Dryzek, this poses one serious question. If the organization, that is set out to be deliberative and include different discourses, fails to work as intended, can a "discursive democracy" in fact be inclusive in practice? Further, it demands that we acknowledge the importance of current power-relations, since they seem to be important factors in distorting the deliberative process.

Accountability is another feature that Dryzek says deliberation within a 'Discursive democracy' would increase. As we have seen, the Global Fund seemed to cause confusion about who and when they were accountable. Indeed, the variation in responses Brown received painted a mixed picture. On the general level however, it seemed as though the deliberation process itself did not generate accountability. Not only was this explicitly not mentioned, but the severe disconnect between stakeholders and the Global Fund suggest that stakeholders had a hard time holding people accountable.

What are then the implications for the approach pushed by Dryzek? On the one hand, Dryzek points to deliberation as a good process to generate accountability, over time teaching participants to learn and appreciate these values. On the other hand, it is clear that this did not happen in the Global Fund, and as far as I can see, there are no indications of it happening in the future. I think it is fair to stress that Dryzek's approach needs to be more specific in how accountability can be generated from the deliberation process itself. I certainly feel that his approach is not convincing in this aspect.

Even if we grant Dryzek the logic of accountability being produced by the process itself, it seems as though we need safeguards in order to control the process if this is not the case. It seems evident that additional attention needs to be given to this particular issue, and especially address the severe consequences a process can have if it turns out that it does not generate accountability.

As we have seen, there is a disconnect between stakeholders and the Global Fund itself. Brown concluded in his study that there was indeed a severe disconnect between the Global Fund and stakeholders. Other studies stressed that the Global Fund projects did not match the local needs and capabilities.

As Brown wrote, however, it seems as though the deliberation that was going to take place was within the Global Fund, not with stakeholders. The stakeholders have opportunities to have smaller deliberation forums, which then the Global Fund can use for their extended discussions. So the disconnect may not, as Brown argues, be attributed to the Global Fund itself.

I think that this issue of effectiveness, on the other hand, is one of the features that actually strengthens Dryzek's approach. Dryzek's approach is that the main purpose is to increase the inclusiveness of governance processes, and thus also widen the range of issues raised. Even though there seems to be problems with effectiveness on the part of the Global Fund, there is indeed some indirect effect. The Global Fund has established itself as an organization, yielding awareness of issues that are profound and acute. This was expressed by one of the studies used in this thesis, where it seems as though the Global Fund had generated knowledge of how to combat the diseases. This is certainly a positive effect, even though it is not a decision *per se*.

There are then some features that were not especially included in the Global Fund. First of all, there is no clear reference to discourses. This is not a huge issue, since discourses, according to Dryzek, exist whether we address them or not. On the other hand, awareness of discourses works as a foundation for intellectual action according to Dryzek. Therefore, this may be an untested feature of the 'Discursive democracy' approach. Additionally, the very fact that the Global Fund in their guidelines only implicitly address discourses may contribute to the unawareness of discourses.

It is important to stress, however, that the Global Fund has fallen victim to current power-relations. This indicates that a 'Discursive democracy' may have to address the issue of power-relations more carefully. Dryzek does do this, but as we have seen, the logical approach of his seems not to mirror how it works in practice.

Another feature is the emphasis on consensus-reaching. Even though the overall goal is to reach consensus, this seems not to be the reality. Contrary, it seems as though voting has halted this process. For Dryzek, this does definitely not weaken his case. He explicitly proposes a system where voting is not part of the process. Thus, that voting in the Global Fund caused the deliberative process to stall, has no direct consequences for the approach.

6. Conclusion

I began the thesis with the question: “*Does the ‘Discursive democracy’ approach work in practice?*” I think that it is time to answer the question, having now discussed the Global Fund.

The overall answer is that it is uncertain. As we have seen through the analysis, certain features seem to have been working relatively good. Deliberation on a general level do exist, even though its precise nature seems to be rendered by existing power-relations. Deliberation is one of the clear guidelines, written by the Global Fund, thus at least it is an organization that brands itself with being deliberative.

The Global Fund seems to have been relatively inclusive, at least on the surface. However, as we found, there were severe problems with the deliberation between the different discourses, and the powerful existing members had more influence over the process than less powerful members.

The Global Fund also had issues with accountability. There was confusion, signalling, if not problematic, at least a uncertain picture of the accountability.

The efficiency seems to be a subject first and foremost hard to measure. Even so, there seems to be difficulties in matching policy with implementation. And it seems as though there is a disconnect between stakeholders and the Global Fund.

So what does this mean then for the question of the thesis? First of all, the case is again not an exact replica of what Dryzek envisage. It does, however, contain many of the features addressed by Dryzek. The case tells us that despite clear guidelines and safeguards, the process is not working as intended. It seems as though consensus is down rated to give way to existing power-relations, making deliberation crippled. Additionally, it seems as though its inclusiveness is mostly on the surface, not in reality taking into full account the various interests of the stakeholders.

Another problem for the approach by Dryzek is that accountability is in a state of confusion. Instead of being generated by the process itself, it seems to have landed in a state where it is hard to recognize.

In essence, the approach by Dryzek does not get support from the case. At best the case give us indications for why this particular deliberation model failed, not necessarily the model proposed by Dryzek. Even so, since much of Dryzek’s works builds upon many of the very features discussed in the analysis, it is crucial that we recognize the deficiencies discovered within the Global Fund.

Further research must then be concentrated on cases that resemble a ‘Discursive democracy’ and try to find cases that include more features of a ‘Discursive democracy’.

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