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The Spectre of Globalization

DR. TIM DUNNE*

INTRODUCTION

The year 1492 marked a crucial turning point in the history of international relations. Columbus “discovered” the Americas, bringing European values into contact with the other great Western civilizations. In the same year, the Moors were expelled from Spain; Europe had been reclaimed for white Europeans; and the conquest of the Americas meant that there was only one continent that remained untouched by European conceptions of law, politics, and religion. Three centuries later, Captain Cook “discovered” this landmass they called the “great southern continent.” As the colonization of Australia was underway, Cook’s one-time fellow explorer and naturalist, Watkin Tench, noted in his diary how regrettable it was that he was stuck in Australia while a revolution was happening in France. But he need not have been so down on his luck. With hindsight, the French revolution was part of the locomotive of modernity that had propelled Tench on his journey. These two voyages represent metaphors for the expansion of European culture to the non-European world. The explorers believed themselves to be charged with an epistemic responsibility to “map” uncharted territory, and to bring home samples of plant life and descriptions of “natives.”

Of course, the motivations for these voyages of “discovery” were soon eclipsed by traditional concerns of *realpolitik*. The Americas were extremely rich in resources; by colonizing them, Spain was able to underline her great power status. Australia was not valued initially for its potential to enhance Britain’s international reputation, but to solve a *domestic* problem of the criminal underclass. It was to be a vast open prison for murderers, petty criminals, and undesirables, such as prostitutes and political troublemakers. Compare these motivations with those of Columbus and Cook who believed

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themselves to be expanding the knowable universe. Ironically, these two explorers had romantic images of the indigenous peoples: Would they have set sail had they known of the genocidal consequences of their voyages? This rupture between the motives and the outcomes illustrates what critical theorists in our own century have termed the dark side of modernity.

Since Columbus's era, the passage of modernity has seen a transformation in our thinking about space and time. These voyages of discovery expanded conceptions of space to fill the entire globe; from that moment on, space has become compressed over time. In Marx's famous dictum, the modern age is characterized by "the annihilation of space through time." The fact that we can share the same images with someone on the other side of the world, or even conduct simultaneous financial transactions, has transformed our spatial geography. This transformation has led David Harvey to speculate that the world of the 1990s is about one-fiftieth the size of the world of the sixteenth century because aircrafts travel at fifty times the speed of sailing ships.¹

At the time that Columbus set sail for the Americas, human consciousness was framed by a pre-modern belief system. South of the equator, seawater was thought to bubble at boiling point, and dragons were said to stalk the "great southern continent." In the intervening five centuries, universal forms of human organization have evolved through the development of science, political economy, social order, and the system of States. A key question for theorists of globalization is how far recent changes in communication, technology, trade flows, and identity relations actually constitute a fundamentally different kind of international order. Is globalization, in other words, more than the highest stage of modernization, which has been underway for centuries?²

This Article will steer a course between the "transformationalists," who believe that globalization is a qualitatively different period in human history, and the "skeptics" at the other end of the spectrum who believe that nothing fundamental has changed. It was this line of thinking that led the realist thinker Robert Gilpin to speculate that students of International Relations at

1. MALCOLM WATERS, *GLOBALIZATION* 55 (1995).

2. There are a variety of definitions of globalization in the literature, but none are very helpful. Held and McGrew define it as "an [sic] historical process which transforms the spatial organization of social relations and transactions, generating transcontinental or inter-regional networks of interaction and the exercise of power." David Held & Anthony McGrew, *The End of the Old Order? Globalization and the Prospects for World Order*, in *THE EIGHTY YEARS' CRISIS: INTERNATIONAL RELATIONS 1919-1999*, 220 (Tim Dunne et al. eds., 1998). Malcolm Waters defines it as "[a] social process in which the constraints of geography on social and cultural arrangements recede and in which people become increasingly aware that they are receding." WATERS, *supra* note 1, at 3.

the end of the twentieth century do not know any more about the subject than spectators in the Peloponnesian Wars twenty-five centuries ago. The extent to which the contemporary globalized order differs from previous international orders will be examined in Part I of this Article.

Those who subscribe to the strong globalization thesis, who think the new order is best understood as a discontinuity from the past, claim that the clinching argument is that the sovereign State is being “hollowed out.” In other words, it is being undermined by new political actors (institutions and non-governmental organizations) and ever more powerful economic forces (transnational corporations and global financial markets). Part II challenges the way in which this issue is framed in much of the globalization literature. Instead of thinking about a transfer of power from the State to transnational companies and global regimes, it is more appropriate to think about the way in which States are transforming—as well as being transformed by—the process of globalization.

Having looked at the historical debate about the origins of globalization, and the dispute about the capacity of States to control their environment in the current global order, Part III will consider the normative dimension. This dimension is frequently overlooked in the literature on globalization, in part because much of the work is concerned with an empirical dispute about the extent to which patterns of economic activity are changing.³ Yet politics is all about *who gets what, why, and how*. Bringing the normative back into the globalization debate leads us to the question: “Who gains from the global order?” Aside from the new metropolitan elites accumulating wealth and power, it is important to ask whether the culture of modernity brings with it the possibility of developing what Hedley Bull described as a growing “cosmopolitan moral awareness.”⁴ Many would argue that the universal human rights regime is the best example of how the global order has a social as well as an economic dimension. But how far are economic considerations narrowing the space within which States can promote redistributive justice? Is the spectre of globalization haunting the efforts of social democrats to widen and deepen moral solidarity among peoples of the world? This thought takes us into the complex question about whether the rules and institutions of international society are able to provide for the conditions of justice in the

3. In Ian Clark's words, “[t]he vast majority of globalization theorists present it as a characteristic of economic activity.” IAN CLARK, *GLOBALIZATION AND FRAGMENTATION: INTERNATIONAL RELATIONS IN THE TWENTIETH CENTURY* 21 (1997).

4. HEDLEY BULL, *JUSTICE IN INTERNATIONAL RELATIONS* 18 (1984).

global order. It is this line of argument that propels exponents of liberalism to wonder how far concepts like transnational citizenship and global governance can bridge the democratic deficit in the contemporary global order.

I. A NEW GLOBAL ORDER?

Like most concepts in politics and international relations, the meaning of globalization is contested. This is the principal reason why it is necessary to bring philosophical and sociological insights to bear on the study of globalization. Since globalization is not apparent to our sensory experiences—though of course we may be able to observe some of its effects—we need theoretical tools to guide us in framing the appropriate kinds of questions to ask. Social theory can also help us think through how the various elements of the global order “hang together.”⁵ What, for example, is the relationship between material power (e.g., technology), and patterns of domination in global politics? Or should we think of the evolving global order as being shaped by structures made up of inter-subjectively constituted rules, norms, and expectations? If this is the case, why do actors obey these norms—because they are compelled to or because they believe them to be legitimate? By asking reflective questions about the ontology of the global order, it is possible to make some progress towards answering these weighty questions. Too much of the existing globalization literature is empiricist in its orientation, assuming that these questions can be avoided and the “real” work can begin without such inconvenient metatheoretical distractions.

An obvious ontological point of departure is to insist on a definition of globalization. One of the most widely used is Anthony Giddens’s suggestion that globalization represents “the intensification of worldwide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa.”⁶ But beneath this accessible description lie many layers of complexity. Does it matter that the interdependence between the local and the global is *asymmetrical*? In other words, some local events in the “Third World” have almost no impact upon

5. I am following Alexander Wendt’s injunction to consider social theory as a separate but necessarily prior activity to explaining patterns of international relations. See his brilliant new book, ALEXANDER WENDT, *SOCIAL THEORY OF INTERNATIONAL POLITICS* (1999).

6. Anthony Giddens, *quoted in* Jan Aart Scholte, *The Globalization of World Politics*, in *THE GLOBALIZATION OF WORLD POLITICS* 14, 15 (John Baylis & Steve Smith eds., 1997).

the global order, whereas decisions on world debt taken by the “G8” countries resonate through every political and economic sphere. The definition also elides the issue of what counts as a “locality.” These questions aside, one of the most important issues prompted by Giddens’s definition is *how much* intensification is required for us to recognize the current order as being *qualitatively* different from other phases in international politics?

“How does newness come into the world?” This profound question, posed by Salman Rushdie, is one that has framed much of the globalization literature. The answer given by “globalists” is that the global sphere refers to an intensification of transborder networks and flows. The emphasis here is upon the rise of economic actors who view the world as their market. Production is no longer located in one country but brings several countries into the complex process of research, design, assembly, and finally, the export of the finished item around the world. Firms are not the only actors to unsettle the sovereign system of States. Globalists point to the myriad of transborder social movements, some taking the form of campaigning organizations such as Greenpeace and Amnesty International, others concerning networks of religious groups channeling information and coordinating their activities.

Defenders of globalization differ over the extent to which the degree of “intensification” constitutes a different kind of order. Charlotte Bretherton, for example, argues that globalization represents “a new, distinct phase in world politics.”⁷ Others see it as simply a more advanced form of internationalization or even reducible to the emergence of capitalism itself.⁸ Exponents of a longer history of globalization alert us to the importance of colonial expansion in establishing a single capitalist system. As Held and colleagues put it, “undoubtedly, the rapidly developing empires of Britain and of other European states were the most powerful agents of globalization in the late nineteenth century.”⁹ Managing overseas colonies was a costly business, a factor that contributed to the desire among the European imperial powers to establish indirect forms of control. Agreements over imperial spheres of influence in the second half of the nineteenth century, as well as the establishment of more technical regimes to regulate communication and trade, are the earliest forms of deterritorialization of decisionmaking. A much more extensive deterritorialization of governance is central to the liberal globalization narrative at the end of the twentieth century.

7. CLARK, *supra* note 3, at 19.

8. See WATERS, *supra* note 1, at 36.

9. DAVID HELD & ANTHONY MCGREW, GLOBAL TRANSFORMATIONS 41 (1999).

Technological changes are uppermost on the agenda of advocates of the distinctiveness of globalization. The time it takes to communicate with someone in another part of the world has been reduced to “instant time” through the use of telephone, facsimile, and electronic mail. It would be unwise to underestimate the potential of the Internet and the global media to facilitate the exchange of information.¹⁰ The cost of making a three-minute call from New York to London fell from \$245 in 1939—in 1990 prices—to 35 cents in 1999. But these changes mask an unevenness about the advances; an unevenness that is so great it should make us pause to reflect on whether these patterns are *really* global in scope. While over a quarter of all U.S. citizens are Internet users, this contrasts significantly with the fact that the figure is less than one percent for Latin America, Southeast Asia, East Asia, Eastern Europe, the Commonwealth of Independent States, Arab States, sub-Saharan Africa, and South Asia.¹¹ Given this data, it is hard to resist one of the conclusions of the United Nations Development Report that noted the following paradox of globalization: “The collapse of space, time and borders may be creating a global village, but not everyone can be a citizen. The global, professional elite faces low borders, but billions of others find borders as high as ever.”¹²

What the previous paragraphs imply is that there is little consensus on when globalization began. As Foucault—following Nietzsche—reminds us, it is futile to search for the origins of concepts. The history of ideas, to use a Foucauldian metaphor, is a matter of shades of gray, rather than black and white. Given that globalization is intimately connected to industrialization *and* to modernity, it seems foolish to bracket globalization off from these broader currents of Western political theory and practice. This has certainly been the response by many sympathetic to the victims of the globalization debate. As Martin Khor notes: “Globalization is what we in the Third World have for several centuries called colonization.”¹³

10. For an in-depth examination of the relationship between the Internet and state sovereignty, see Symposium, *The Internet and the Sovereign State: The Role and Impact of Cyberspace on National and Global Governance*, 5 IND. J. GLOBAL LEGAL STUD. 415 (1998).

11. United Nations Development Program, *Human Development Report 1999*, Ch. 2 at 63 (visited Nov. 1, 1999) <<http://www.undp.org/hdro/report.html>> [hereinafter UNDP].

12. *Id.* For more data on new technologies, see *id.* at ch. 2.

13. Martin Khor, *quoted in* Scholte, *supra* note 6, at 15.

II. THE WANING STATE?

In the main, the theoretical literature on globalization in International Relations is conceptually underdeveloped and largely devoid of serious research into the ethical implications of the new global order.¹⁴ Arguably, this constitutes a significant disciplinary failing given that, more than any other subject area,¹⁵ International Relations is better suited to comprehending the various interconnected aspects of the new global order, including: military and security issues, internationalization of markets, phenomena of regional integration, and the normative possibilities for cosmopolitan ethics. This failure has been accentuated by the fact that the other social sciences, and even some of the humanities, have incorporated globalization into their various research programs.¹⁶

What is the explanation for the inability of International Relations to take the lead in thinking about globalization? One answer lies in the failure to adequately conceptualize the State, an alarming thought given that “[t]he starting point of international relations is the existence of *states*”¹⁷ Before thinking about the representation of the State in the globalization debate, it is worth reflecting on how the State has been treated by conventional International Relations theories in recent times. For the last thirty years, liberalism—or pluralism as it was called in the 1970s—has been largely obsessed with a descriptive account of the “sovereignty at bay” thesis. In other words, liberals believed that power was leaking from States to non-State actors (a legacy which continues to inform much of the globalization literature, as argued below). Realists, on the other hand, have stubbornly resisted the argument that State power is in decline. For them, the context

14. A recent exception to this is Ian Clark's new book, *GLOBALIZATION AND INTERNATIONAL RELATIONS THEORY* (1999).

15. Malcolm Waters, in the conclusion to his book on *GLOBALIZATION*, made a strong plea for sociology to colonize the study of globalization. His argument in the book, however, was a descriptive account of the changing cultural and technological environment; it was devoid of any attempt to theorize the relationship between the various sectors mentioned in the text above. Moreover, he characterized International Relations' (IR) focus on the State in very crude terms: “They [IR] retain a commitment to the continuing saliency of relations between States but accept that economic and cultural integrations develop along side them.” WATERS, *supra* note 1, at 27.

16. Sociology in particular is taking a leading role in the early studies of globalization and its dynamics. See U. BECK, *RISK SOCIETY: TOWARDS A NEW MODERNITY* (1992); see also *GLOBAL CULTURE* (Mike Featherstone ed., 1990); SCOTT LASH & JOHN URRY, *ECONOMIES OF SIGNS AND SPACE* (1994); WATERS, *supra* note 1.

17. HEDLEY BULL, *THE ANARCHICAL SOCIETY: A STUDY OF ORDER IN WORLD POLITICS* 8 (2d ed. 1995).

might have changed but the primacy of the national interest remains. Marxists have taken the opposite view, this time privileging—almost exclusively—the “logic of capital” and thereby underestimating the political and legal dimensions of the international order.¹⁸

There are good reasons for believing that our theorization of the State is considerably more sophisticated today. Social constructivism has provided new tools for comprehending the relationship between States and the wider forces in the international system.¹⁹ The first aspect of the constructivist contribution draws our attention to the fact that diplomats and State leaders have agency; but crucially, the spectrum of choices facing them is constrained by layers of legal principles—what Mervyn Frost has called the “settled norms” of the system.²⁰ The interrelationship between the agents and the rules and norms constitutes the structure of international society. Constructivists also draw our attention to the fact that sovereignty is not an empirical fact but a fundamental expression of an identity relationship. There cannot be sovereign States without shared understandings and expectations of what it means to be a sovereign; “there is no sovereignty without an other.”²¹ Certain legal rules are implied by the mutual recognition of sovereignty; the principal one is of course the requirement of nonintervention in the domestic affairs of other States. It is a constitutive rule of the society of States in so far as the latter has no meaning independently of that rule.

Instead of seeing the State as an ahistorical category, as Realism suggests, we need to understand the State—and its legal sign of sovereignty—as a historically and socially constructed community. Three hundred and fifty years after the treaties of Westphalia that established the autonomy of States, the United Nations (UN) begins its Charter with the claim that “the Organization is based on the principle of the sovereign equality of all its Members.”²² Sovereignty therefore continues to be the “badge” of belonging in international society. Similarly, with the case of the nonintervention rule, Article 2.4 of the UN Charter states that “all Members shall refrain in their international relations from the threat or use of force against the territorial

18. For example, Justin Rosenberg overstates the degree to which the State is an instrumental effect of the capitalist order. In his words, “sovereignty needs to be understood historically as a form of political rule peculiar to capitalism.” JUSTIN ROSENBERG, *THE EMPIRE OF CIVIL SOCIETY: A CRITIQUE OF THE REALIST THEORY OF INTERNATIONAL RELATIONS* 123 (1994).

19. See, e.g., RODNEY BRUCE HALL, *NATIONAL COLLECTIVE IDENTITY* (1999).

20. See generally MERVYN FROST, *ETHICS IN INTERNATIONAL RELATIONS: A CONSTITUTIVE THEORY* (1996).

21. Alexander Wendt, *Anarchy is What States Make of It*, 46 INT’L ORG. 391 (1992).

22. U.N. CHARTER art. 2, para. 1.

integrity or the political independence of any state”²³ Not only are sovereignty and nonintervention written into the constitution of international society, they are presupposed in the daily rounds of diplomacy. They are so taken for granted, in fact, that it is easy to forget how they continue to determine the conditions of the possible in international relations. Early theorists of globalization often made the mistake of confusing the reproduction of sovereignty as a legal norm with the question of whether the State’s power was waning in relation to non-State actors. More importantly, much of the literature on the “declining” State thesis overlooks the extent to which States remain crucial actors in the global order.

How do we begin to assess the extent to which the transnationalization of production, trade, and finance has eclipsed the role of the State? It would be wrong to argue that there has not been a proliferation of new actors in international relations at the end of the century. Today it is possible for “private” economic actors to challenge the policies of established States, as was brutally illustrated when George Soros effectively forced the British pound sterling out of the European Exchange Rate Mechanism. The influence of media tycoons like Rupert Murdoch is another high profile example of private individuals exercising enormous public power; the hostility of the Murdoch press towards the Labour party in Britain in the 1980s undoubtedly contributed to the general view that they were “unelectable.”²⁴

There is a danger, however, in mistaking a few high profile cases of entrepreneurs successfully “taking on the State,” for a general shift in economic power from the State to non-State actors. Some defenders of the strong globalization thesis fall into this trap. Kenichi Ohmae, for example, speaks of “Stateless” corporations as though they are the dominant agents in an integrated world economy. The historical evidence, however, does not support this argument. In their powerful critique of the “strong” globalization thesis, Hirst and Thompson offer the following counters. First, levels of integration among capitalist economies prior to 1919 were higher than in the 1990s. Second, multinational corporations have distinct biases towards their home markets. Put these two arguments together, and they conclude that “international businesses are still largely confined to their home territory in

23. U.N. CHARTER art. 2, para. 4.

24. A vivid illustration of this can be seen from the front page of *The Sun* on the eve of the 1987 general election. The image had a picture of Neil Kinnock’s head in a light-bulb beneath the headline “will the last person to leave the country, please turn out the lights!” *The Sun* is Britain’s most popular newspaper, with sales consistently over 3 million and a readership of up to 10 million.

terms of their overall business activity This means that it is not beyond the powers of national governments to regulate these companies.”²⁵ The tendency to dismiss the State has prompted one leading International Relations theorist to argue that this “undermines the value of a great deal of work that goes by the title ‘globalization.’”²⁶

Linda Weiss has also mounted a fierce challenge to the “State power erosion” argument that underpins much of the globalization literature.²⁷ One obvious problem with the hyper-globalizer’s position is the inference that, in the past, States had high levels of autonomy and control. If this was indeed the case, it can be put down to the stability afforded to national economies by internationally agreed rules for controlling the price of money (i.e., fixed exchange rates). One other key counter to the “erosion” thesis concerns the capacity of States to invent new ways of bringing economic issues back under their authority. The widespread tendency within Western States to promote “star” firms by giving them generous subsidies, and the practice of using diplomatic contacts to gain export orders, are just two examples of an informal economic renationalization process. Mega-corporations like Ford, Exxon, Royal Dutch, British Petroleum, British Aerospace, Toyota, and so on are far too important for their fate to remain outside the reach of their government.

Advocates of globalization often point to the rise of new transnational actors as evidence of the unraveling of the Westphalian triangle of people, government, and territory. In this respect, “transnational civil society” has become a catch-all term to include the various non-governmental organizations (NGOs) such as aid agencies, political networks, and so on. The more “hyper-globalist” thinking on globalization sees transnational civil society as pulling in the opposite direction of States. Yet, Woods and Hurrell are surely right to argue that transnational civil society stands in a more ambiguous relationship to States.²⁸ First, many campaigning international NGOs, such as Amnesty International and Greenpeace, are in many respects extensions of liberal values found in Western States. Moreover, without the freedom and security provided by countries like France, in the case of *Médecins Sans Frontières*, or Britain, in the case of Oxfam, it is unlikely that

25. PAUL HIRST & GRAHAME THOMPSON, *GLOBALISATION IN QUESTION* 98 (1996).

26. CHRIS BROWN, *UNDERSTANDING INTERNATIONAL RELATIONS* 169-70 (1997).

27. Linda Weiss, *Globalization and Governance: Antinomy or Interdependence*, in *THE INTERREGNUM: CONTROVERSIES IN WORLD POLITICS, 1989-1999* (Michael Cox et al. eds., forthcoming 1999).

28. Andrew Hurrell & Ngaire Woods, *Globalisation and Inequality*, *MILLENNIUM* 24.3, 447-70 (1995).

these groups would survive, let alone flourish. Second, many liberal and social democratic States are involving these organizations in the public policy process. They can provide vital “on the ground” information about the unfolding of particular crises, and often government money is channeled through them as it is usually the most effective way of getting resources to the victims. As well as being involved in the implementation of foreign and security policy, NGOs are increasingly being involved in the formulation of policy. In the case of Britain’s much vaunted “ethical foreign policy” under New Labour, the Foreign Secretary has sought the advice of NGOs far more than “the men in gray suits” who run the Royal Institute of International Affairs.

In both spheres of politics and economics, it is neither apparent that globalization is replacing the sovereign State, nor is it clear that States are able to control their own economies and territories in the same way that was possible in the era of *raison d’etat*. The problem is being incorrectly framed. This error can be seen from Camilleri and Falk’s view that “global processes and institutions are invading the nation-state and as a consequence dismantling the conceptual and territorial boundaries that have traditionally sustained the theory and practice of state sovereignty.”²⁹ Even if States were being “invaded” by “global processes”—notice that the old Westphalian militaristic metaphors remain intact—this does not mean that the more penetrated an economy becomes, the more State sovereignty is undermined. For example, the Canadian economy is completely dependent on the United States, which is Canada’s dominant investor and trading partner. But it is no less sovereign *politically* because of this economic dependence. Indeed, the question of sovereignty in Canada is contested far more by clashing identities “inside” the State, as opposed to invading economic forces from the “outside.”

What is at stake here are different understandings of ontology. The participants in the “*either globalization or State sovereignty*” debate have been working with an under-theorized conception of ontology. Sovereignty is not so much on the wane as it is changing because of the different meanings actors give to what counts as a sovereign State. As Part III of this Article makes

29. JOSEPH A. CAMILLERI & JIM FALK, THE END OF SOVEREIGNTY? THE POLITICS OF A SHRINKING AND FRAGMENTING GLOBE 98 (1992). A more cautious “transformative” view of globalization is provided by Mark Zacher: “[T]his appears to be a time when it is possible to judge that the world is in the process of a fundamental transformation from a system of highly autonomous states to one where states are increasingly enmeshed in a network of independencies and regimes.” Mark Zacher, *The Decaying Pillars of the Westphalian Temple*, in GOVERNANCE WITHOUT GOVERNMENT: ORDER AND CHANGE IN WORLD POLITICS 58, 98 (James N. Rosenau & Ernst-Otto Czempiel eds., 1992).

clear, the inter-subjective understandings of sovereignty have changed in the post-1945 period. It is philosophically incoherent to separate the economic from the political; as Hirst and Thompson rightly argue, “the world trading system has never just been an ‘economy,’ a distinct system governed by its own laws.”³⁰ A theoretically more complex look at the same argument, drawn from social constructivism, tells us that markets are constituted by and through social interaction. They do not function independently of a cultural context, indicating why some products are more valued than others. The fact that gold meant little to Amerindian leaders such as Montezuma was not simply because of its relative abundance; it was because their societies—unlike ours—did not value gold as a symbol of power and beauty.

Global social and economic processes are not independent of the rule structure of international society; sometimes they outstrip the capacity of international institutions to regulate them, other times they demonstrate their continuing resilience.³¹ Both sectors need to be seen as constitutive of the global order. The key issue for more empirically minded scholars is the clarification of the relationship between the regulatory rules and constitutive norms, and their capacity to adapt to the changing economic circumstances. In this sense, understanding the ontology of the global order leads directly into an analysis of the institutions of governance. State power is crucial to the emergence of strong global institutions for the regulation of violence, political economy, and technology. To borrow from the constructivist axiom, what the preceding paragraphs suggest is that globalization is what *States* have made of it.³² States themselves have established the rules and institutions to maintain order amid the diversity of their cultures. Moreover, it would be a mistake to think that the historical process leading towards great political and economic integration was somehow irreversible.

III. GLOBALIZATION AND THE NARROWING MORAL HORIZON

As noted above, one of the central aspects of the “strong” globalization thesis is the argument that States are no longer autonomous actors; they now

30. HIRST & THOMPSON, *supra* note 25, at 14.

31. As Wight said of Burke, “European international society was more resilient than Burke feared.” The same could be said in response to the hyper-globalizer’s view of the State and the society of States. See Martin Wight, *Western Values*, in *DIPLOMATIC INVESTIGATIONS* (Herbert Butterfield & Martin Wight eds., 1966).

32. Adapting Wendt’s famous phrase from the title of his article: “Anarchy is what states make of it.” Wendt, *supra* note 21, at 43.

find themselves embedded in a web of institutions and regimes. What is interesting about the debate between “strong” globalizers and critical skeptics is that it is very much framed as an empirical problem. Neither set of protagonists tends to turn their minds to the normative dimension.³³ Making explicit what is often implicit, it is possible to draw out the contours of a normative defense of globalization: first, according to neo-liberal economic theory, the globalization of economic markets will reduce inequality; second, the creation of international institutions will further increase incentives for cooperation; and third, globalization brings with it ideological convergence. The fall of communism led many politicians and academics to argue that there is no alternative to the neo-liberal values associated with privatization, low taxation, open markets, and a minimalist conception of government.

One way of describing the “hidden” normative agenda underpinning globalization has been offered by Hurrell and Woods. They refer to the liberal narrative as the “progressive enmeshment” thesis.³⁴ In other words, actors outside of the “northern” metropolitan hub of globalization have consciously acceded to neo-liberal values. Set against this view is the “coercive socialization” model that maintains that the transmission of neo-liberal values is being propelled by hegemonic centers of power. Of course, “G8” States are key agents in shaping the agenda of the major financial institutions and in imposing conditions on poorer countries prior to receipt of investment and even aid. Accordingly, States outside the “hub” have little or no agency to resist this socialization process. In this sense, the spectre of globalization is a significant constraint upon the capacity of Third World countries to organize their economic and social policies on anything other than neo-liberal grounds.

It is perhaps useful to pause and consider where this discussion is leading. The early part of this Article questioned the widespread assumption that globalization constitutes a unique phase of modernity. This argument was further strengthened by a critical examination of the globalization thesis that the power of States is being eroded. Here, an important qualification needs to be made. The power of wealthy northern States is not being eroded, despite “‘common sense’ assumptions that states” can no longer afford universal

33. A plea to bring globalization and theories of justice together has recently been made by Richard Devetak and Richard Higgot in *Justice Unbound? Globalization, States and the Transformation of the Social Bond*, 75 INT'L AFF. 483 (1999).

34. Hurrell & Woods, *supra* note 28, at 457.

welfare payments and adequate social services.³⁵ But in the developing world, poorer States are unable to meet even the most basic international human rights standards—such as universal education for all primary school children. What this calls for is a greater awareness of the uneven process of globalization, and a concomitant need to think of new ways of bringing justice to bear on the dynamic global political economy.

As argued above, State sovereignty remains fundamental to the normative structure of international relations. Not because it represents an idealized form of community, but in the main for the simple reason that there is no other alternative. Yet, if we turn our attention to the evolving global human rights culture, we see that in the post-1945 world the particularism of sovereignty has been normatively constrained by the universalism embodied in the human rights regime. Again, this underscores the importance of considering the mutual dependence of sovereignty and global social and economic forces, as opposed to viewing them as pulling in opposite directions.

The Universal Declaration of Human Rights (UDHR), signed just over fifty years ago, established a standard of civilized conduct which applies to all governments in the treatment of their citizens.³⁶ For example, the UDHR requires States to provide subsistence needs and basic welfare, as well as a panoply of civil and political rights.³⁷ Although the latter assumed prominence in the subsequent history of the post-1945 regime, it is important to underscore that from the outset, *universal* human rights encompassed a concern for positive rights (such as collective provisions of education and health care) as well as negative rights (such as freedom from repressive government policies).

The framers of these basic documents assumed that there was no necessary conflict between the principles of sovereignty and nonintervention and respect for universal human rights. This represented a historic evolution in the norms of international society that, from the seventeenth century onwards, maintained that the domestic practices of governments were not a subject of international concern. According to the Westphalian conception of legitimacy, a government's claim to be recognized as a sovereign was not dependent upon how it behaved towards its own citizens. As a consequence

35. As Linda Weiss notes, the "crisis" in welfare provisions in many liberal States has much more to do with changing demographic and lifestyle changes than adjustments required by global economic forces. Weiss, *supra* note 27.

36. See *Universal Declaration of Human Rights*, U.N. GAOR, 3d Sess., U.N. Doc. A/810 (1948).

37. *Id.*

of the experiences of totalitarianism, governments recognized that there was a need to challenge the Westphalian model of unlimited sovereignty. In these emerging human rights norms, there was a clear consensus that States must be made accountable for their behavior.

Underlying the evolution of human rights principles was the conviction held by the framers of the UN Charter that there was a clear link between good governance and the maintenance of international peace and security. It was believed that the aggressive foreign policies of the Axis powers were caused by the militaristic nature of their domestic political systems. Diplomats and State leaders in the early post-1945 period endorsed the “democratic peace” thesis that has been rejuvenated in the theory and practice of international relations since the end of the Cold War. The manifesto for human rights and international security contained within the UN Charter and the UDHR represented, therefore, a radical assault on the existing principle of international legitimacy. Sovereignty remained the constitutive norm of the society of States, but the meaning that was given to sovereignty had been modified. In R.J. Vincent’s words, the way a government treats its people exposes “the internal regimes of all the members of international society to the legitimate appraisal of their peers.”³⁸

Since the first wave of standard setting, successive decades have seen the growing codification of human rights into both treaty and customary international law. Along with this strengthening of the regime, there has emerged a growing moral awareness within world public opinion of human rights issues and concerns reflected in the existence of NGOs, such as Amnesty International, which act as the conscience of the regime. An informed and active citizenry has a crucial role to play in monitoring State behavior for the reason that there is a disjuncture between the declaratory commitments of governments to protect and promote human rights and their compliance with these standards. For example, Amnesty International pointed out in its 1997 report that of the world’s 185 sovereign States, 123 routinely practice torture.³⁹ Even more striking is the fact that the crime of genocide, which is outlawed by the 1950 Genocide Convention, has not been banished from the practice of world politics as the appalling tragedy of Rwanda illustrated in April 1994. In short, governments—many of whom drafted and

38. R.J. VINCENT, *HUMAN RIGHTS AND INTERNATIONAL RELATIONS* 152 (1986).

39. *Amnesty International Annual Report 1997*.

signed the “International Bill of Rights”—have massively defaulted on their normative commitments.⁴⁰

What is the explanation for this double standard (i.e., State leaders engaging in human rights “talk” but not living up to their word)? One possibility is that States can never be trusted. Power corrupts; therefore, unless civil society is vibrant and vigilant, State leaders will ignore human rights commitments.⁴¹ Richard Falk offers another set of reasons. He has argued that economic globalization itself is undermining the capability of many States to fulfill their obligations, especially with respect to welfare issues and social justice. According to the neo-liberal orthodoxy, supply-side macroeconomic measures will diffuse the benefits of economic growth to all sectors in society. But, as Falk powerfully argues:

Factors associated with competitiveness, especially a fiscal preoccupation with the reduction of trade and budgetary deficits, tax reductions, and the avoidance of inflationary pressures, add to the downward pressure on public goods. When large companies cut their employment rolls the price of their shares tends to rise in stock markets, while news of a drop in unemployment tends to arouse fears of interest rate increases, and send stock prices reeling. Such patterns are characteristic of an era of globalization, with its logic dictated by the well being of capital rather than of people.⁴²

CONCLUSION

Falk’s argument about the perils of economic globalization gets close to the “waning State” thesis that was resisted earlier in this Article. However, it is important to distinguish empirical and normative challenges to the State. I have drawn upon the work of a number of globalization skeptics in order to pour cold water on some of the more exaggerated claims of the “hyper-

40. See generally HUMAN RIGHTS IN GLOBAL POLITICS (Tim Dunne & Nicholas J. Wheeler eds., 1999), for various theoretical and issue-specific attempts to critically reflect upon the stark contradiction between the idea of universal human rights and practices of human wrongs. I am grateful to my friend and co-editor for allowing me to draw from our introduction in this section of the Article.

41. For a brilliant exposition of this argument, see also Ken Booth, *Human Wrongs and International Relations*, 71 INT’L AFF. 103 (1995).

42. For analysis along these lines, see generally Richard Falk, *The Making of Global Citizenship*, in GLOBAL VISIONS: BEYOND THE NEW WORLD ORDER 39-50 (Jeremy Brecher et al. eds., 1993).

globalizers.” States are *not* universally leaking power to non-State actors. Borders are *not* being dissolved. The Internet will *not* have transformative capacity while access to it is denied to most of the world’s population. I suggested two responses to these overblown claims. First, there is a need for more empirical work to trace *where* power lies in the global order. Second, such an analysis must be accompanied by a more sophisticated conceptual approach to the ontology of the global order.

The animosity presumed between the “State” and the “global” must be unravelled and retheorized. Globalization has not transcended the complex relationship between the universal and the particular that has framed international politics since at least the Westphalian settlement in the mid-seventeenth century. As Ian Clark reminds us, “globalization needs also to be understood as a number of changes within the state, and not simply as a range of external forces set against it.”⁴³ Human rights provides a useful case study illustrating this ambiguity; there is an external standard of “good governance” outside of States, but this is parasitic upon the vitality of liberalism—and rights-based cultures—within core States. The growing cosmopolitan moral awareness within liberal States suggests new possibilities for reconfiguring the relationship between territory and community. Here it is important to proceed cautiously. The locomotive of economic globalization must not be allowed to ride roughshod over legitimate forms of cultural diversity. Those with an academic responsibility for thinking about these questions can make an important contribution by bringing the normative back in and recognizing the constitutive role played by States in generating the global order.

43. CLARK, *supra* note 14, at 52.

