

Critiquing Liberal Cosmopolitanism? The Limits of the Biopolitical Approach

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Today there is a widespread recognition of the erosion of political community on the territorial basis of the nation-state. Instead, alternative framings of “being” political or of engaging in politics have argued for a more radical post-territorial space of political possibilities, of what it means to be political, and of how we envision political community. Through focusing on the two dominant articulations of post-territorial political community, liberal cosmopolitan and radical poststructuralist approaches, this article seeks to analyze the possibilities and limitations inherent in the search for political community beyond the boundaries of the nation-state. The aspiration to engage in, construct, or recognize the existence of a post-territorial political community, a community of broader humanity, has been articulated in liberal terms as cosmopolitanism, driven by global civil society, and in poststructuralist terms as “political cosmopolitanism,” “cosmopolitanism-to-come” or the “solidarity of the governed,” given its force by the creativity of the resistance to liberal universalism of the “multitude.” This article seeks to draw out the similarities between these two contrasting approaches, ostensibly based upon either the extension of or the critique of liberal political ontologies.

The attenuation or hollowing out of territorial politics has created a crisis of traditional frameworks of political community. Territorially defined and constructed political communities are suffering from a generic lack of cohering values and sentiments, expressed in regular discussions of the meaning and relevance of different national values, symbols and traditions. Governments have great difficulty in legitimating themselves in traditional ways. With the decline in party membership and voting, even holding elections every five years does little to legitimate governing elites or to cohere political program for which they can be held to account. Traditional framings of foreign policy in terms of the national interest appear problematic and are often buttressed with claims of ethical or values-based foreign policy that seek to secure the interests of people elsewhere rather than collectively expressing the interests of their citizens. In the face of this crisis in, and transformation of, traditional ways of understanding and participating in politics it is of little surprise that discussion of the possibilities of post-territorial political community has taken center stage.

There is a growing consensus that expressing political community in territorially bounded terms is inherently problematic because of its narrow, self-interested and divisive framework, in which radical politics are sidelined. For many critics, territorial political allegiances are held to be the product of uncritical and unreflective understandings of the role of state-based political communities in interpolating subjects that are submissive and uncritical. As the theoretical engagement with the

problems or the failure of territorial politics develops, increasingly counter-posed to this hollowed out, exclusivist and hierarchical framework are the possibilities of being political and of doing and participating in politics, held to be opening up with global interconnectedness and new forms of media and communications. The traditional state arena, in which modern liberal frameworks of political community first appeared, is now considered to be much less relevant and, in its stead, it seems that the possibilities of post-territorial political community are now about to be realized.

Critical theorists seemingly agree that post-territorial political community is the only possibility for the reconstruction of meaningfully political practice in today's globalized world. The possibilities of post-territorial politics became increasingly articulated in the 1990s, mainly by theorists who argued that liberal democratic politics could no longer be meaningfully practiced within the confines of the nation-state. Liberal cosmopolitan theorists, such as Mary Kaldor, David Held, Andrew Linklater, Richard Falk and Daniele Archibugi, argued for the need for a new cosmopolitan political order, based on the extension of political community beyond the nation-state (for an overview, see Archibugi, Held, and Köhler 1998). These theorists assert that democracy and political community can no longer be equated with the territorial limits of nation-states: "democracy must transcend the borders of single states and assert itself on a global level" (Archibugi 2000:144). Without this shift, cosmopolitans allege the dominant relations of power and inequality will be perpetuated. For Falk (1995:50), Western states "do not even purport to represent the great majority of women and men on the planet. Moreover such states represent only the dominant class, gender, and race within their own territorial space." To meet the needs of cosmopolitan or global citizens, it is necessary to extend democracy beyond the nation-state. As Linklater states:

Transcending state sovereignty which remains the constitutive principle of modern political life is understood as essential to promoting narratives of increasing cosmopolitanism. Expanding the realm of dialogic commitments is regarded as necessitating measures to reduce or eradicate the asymmetries of power and wealth which exist within sovereign states and in the global economic and political system. (1998:109; see also 192)

David Beetham (1999:137) argues that in a world of nation-states "the demos that is democracy's subject has come to be defined almost exclusively in national terms, and the scope of democratic rights has been limited to the bounds of the nation-state." He suggests that in the same way that democracy was extended from the level of the town to that of the state in the eighteenth century it should, in the twenty-first century, be extended from the nation to humankind as a whole. Similarly, Jan Aart Scholte (2002:290) suggests that globalization has generated the "growth of cosmopolitan bonds, where people identify the demos in terms of humanity as a whole" while conventional "mechanisms of democracy tend to define 'the people' only in territorial-state-nation terms."

The reason for this new and more expansive institutionalisation of democracy is held to be the impact of globalizing processes, which have created a "democratic deficit" at the national level. As Anthony McGrew notes:

... democratic thinkers, from J. S. Mill to Robert Dahl, have assumed a direct symmetry between the institutions of representative democracy and the political community which they serve... but this presumes a direct correspondence between rulers and ruled, a correspondence which is disrupted by the existence of global and regional networks of power. (1997:237)

For liberal cosmopolitans, the state-based international architecture has been undermined both from above and below: from above, it has been weakened by

globalization and the alleged transformation of capitalist social relations, which has challenged the “modern system of territorial rule” (Ruggie 1993:151), creating a much less rigid “spatial context in which power operates” (Agnew 1999:501) weakening the consolidation of sovereign rule within fixed territorial boundaries (for a challenge to this argument, see Rosenberg 2000); from below, it has been politically challenged by new expressions of post-territorial political community, organizing and communicating in post-territorialized global space; this new arising political subject was global civil society (Kaldor 1999; Baker 2002; Keane 2003; Chandler 2004a; Baker and Chandler 2005).

The 1990s was the high point for liberal cosmopolitanism as a radical critique of traditional territorially bound political community, which suggested that we were witnessing a progressive transformation of both domestic and international relations. There was an assumption that the forces of immanent cosmopolitan change would be able to challenge the reactionary, exclusivist and divisive domination of the international agenda by nation-states, creating a new cosmopolitical era. For many of these advocates, the war over Kosovo in 1999 was held to mark the birth of the new cosmopolitan order (Habermas 1999); however, for others the resort to militarism—and the connection between humanitarianism and human rights and a war not sanctioned by the UN Security Council and fought in such a way as to minimize Western casualties—signaled problems in the cosmopolitan agenda being used to legitimize the exercise of Western power and a new interventionist order (Booth 2001). However, it was 9/11 and the birth of the “Global War on Terror” that saw a shift toward the critical affirmation of an immanent post-territorial community in opposition to the claims of a new cosmopolitan global order.

The development of academic perspectives of post-territorial political community in opposition to those of liberal cosmopolitanism pre-dated 9/11 and was shaped by the development of anti-globalization campaigns and environmental protests. A radical alternative vision of post-territorial community was formulated by Michael Hardt and Antonio Negri, first in *Empire* (2001, first published 2000) and later in *Multitude* (2006). For Hardt and Negri, post-territorial political community is derived from the shared desires of the “multitude,” the universal people united in struggle against domination:

The virtuality of world space constitutes the first determination of the movements of the multitude... [which] must achieve a global citizenship. The multitude's resistance to bondage—the struggle against the slavery of belonging to a nation, an identity, and a people, and thus the desertion from sovereignty and the limits it places on subjectivity—is entirely positive. (2001:361–2)

Since 2000, the radical critique of liberal cosmopolitan frameworks has been enhanced by the translations into English of Michel Foucault's (2003, 2007, 2008) lectures at the Collège de France and the critical work of post-Foucaultian theorists such as Giorgio Agamben (1998, 2005). For these critics, the Westphalian or UN-based international order based on the sovereign equality of nation-states has been challenged both from above and below: above from the shifting needs of post-material or biopolitical processes of production (Virno 2004; Hardt and Negri 2006) cohered through the networked power of *Empire* (Hardt and Negri 2001); and below from the resistance to neoliberal biopolitical global governance, through the multitude.

This article seeks to draw out the similarities in approach to post-territorial political community, as expressed by both the 1990s liberal cosmopolitans and the 2000s radical poststructuralists. First, that both approaches derive their strengths from their rejection of state-based political community rather than from their capacity to demonstrate the existence or strength of alternative

post-territorial political community. Second, that key to both approaches is the degradation of the modern liberal conception of the rights-bearing subject: once the connection between citizenship and political community is broken then political community lacks any clear conceptual grounding. Thirdly, the article seeks to highlight that discussions about post-territorial political community fail to recognize that particular individuals or struggles appear to directly confront power—either in the form of elite advocacy or oppositional protest—precisely because the mediating links of political community are so attenuated.

The Political Project of Post-Territorial Political Community

The debates around the constitution of post-territorial political community, in the 1990s and 2000s, revolve around different understandings of the emergence of an immanent universalizing political subject, capable of overcoming exclusion and hierarchy in international relations. For the 1990s critics, this universalizing power—which sought to undermine the power of state sovereignty and privilege the rights of cosmopolitan individuals—was often termed global civil society. This universal was grounded in a view of an emerging cosmopolitan, universalist or global consciousness in the wake of the ending of the Cold War (for example, Shaw 1994). The discourse of universal human rights challenged the prerogatives of state sovereignty; therefore it was assumed that states were not capable of originating and bearing this discourse. The leading agents of cosmopolitan political approaches were assumed to be non-state actors, primarily NGOs, often described as “norm entrepreneurs” (Finnemore and Sikkink 1998). The rise of this universalist discourse was often understood in a social constructivist framework, based on the “power of ideas” and the importance of global information networks (Risse, Ropp, and Sikkink 1999). For liberal cosmopolitans, such as Kaldor, since the end of the Cold War, we have been witnessing a fundamental political struggle between global civil society and state-based approaches (Kaldor 2003, 2007).

For the 1990s critics, the universal discourse was driven by progressive agency “from below” and therefore was a challenge to power. In our more disillusioned 2000s, particularly since 9/11, there has arisen an alternative critical reading of the discourse of cosmopolitan universality and the nature of post-territorial political community. Often a starting point for these critics is the work of German legal theorist Carl Schmitt, who, writing in the mid twentieth-century, was highly critical of US claims to uphold universal cosmopolitan rights in opposition to what he saw as the European view of international law which privileged sovereign rights (see Schmitt 2003). Schmitt claimed famously that “whoever invokes humanity wants to cheat” (Schmitt 1996:54). Rather than a new progressive liberal universal subject arising from below, critical theorists in the 2000s saw the dangers of the liberal discourse as one which uncritically legitimated new totalizing mechanisms of intervention and regulation from above.

In a direct challenge to the advocates of liberal cosmopolitan approaches, these critical approaches have been primarily constructed within poststructuralist frameworks, suggesting that a new universal subject may be emerging from below but in opposition to the cosmopolitan discourse of power promoted by the liberal advocates of the 1990s. In the recent work of Mark Duffield (2007) Vivienne Jabri (2007a) and Costas Douzinas (2007) this framework is melded with post-Foucaultian readings of cosmopolitan rights as an exclusionary and hierarchical exercise of biopower and the constitution of an alternative political community in the struggle against the universalizing power of biopolitical global governance.

In this framework, new global governmental practices are highlighted that are legitimized through the privileging of declarations of the rights of the human over and above the formal rights framework of sovereignty and non-intervention. For Duffield, the focus on cosmopolitan human rights, expressed

in the discourses of state failure and the merging of security and development, creates a biopolitical blank check to override the formal rights of sovereignty on the basis of the needs of securing the human. For Jabri, the recasting of military intervention in terms of the human undermines the state-based order and the line between domestic and global politics constituting a new global biopolitical order. For Douzinas, human rights discourses undermine territorial forms of sovereignty but enable the emergence of a new “super-sovereign” of global hegemonic power.

Here, the universalism of liberal cosmopolitan theorists is “stood on its head” to argue that it is the universalizing interests of power, understood in vague terms of biopolitical, neoliberal, global governance, rather than the genuinely cosmopolitan ethics of empowerment, which drives the discursive practices of regimes of regulation and intervention in the international sphere. As the 1990s liberal discourse has been challenged by the 2000s poststructuralist discourse, we seem to be caught up in a contestation over which academics have the most progressive or radical understandings: of hierarchies of power—as a product of “statist” exercises of national self-interest or as a product of new global governmentalities; and of post-territorial political community—as a response and opposition to these hierarchies, either in the form of global civil society or multitude.

However, it is not clear whether the contestation—in terms of the ontological framings of the relations and dynamics of power or of alternative political subjects of post-territorial political community—reflects much more than the starting positions of the critical academic theorists concerned. It seems that the radical differences between those who espouse and those who critique global liberal ontologies—and thereby read post-territorial community in liberal or poststructuralist framings—are derived less from empirical investigations than from their own normative aspirations. For cosmopolitan theorists, their normative aspirations for a more ethical and engaged foreign policy agenda were given added legitimacy through linking their demands with those of activist NGOs and assertions of global civil society’s immanent existence. As Kaldor (1999:195) asserts, the concept of global or transnational civil society is used on the one hand as an analytical device, but on the other hand, it is also used to express “a political project.”

Similarly, for poststructuralist critics, the struggle against “empire” is alleged to be more than mere philosophical idealism precisely because it is founded upon the immanent existence of the “multitude.” Just as with the concept of global civil society, Hardt and Negri’s (2006:221) multitude is partly framed as an abstract heuristic device. But more importantly it is also a normative project: “The multitude needs a political project to bring it into existence” (2006:212). As they state: “The proletariat is not what it used to be” (2001:53). Their task, therefore, is to discover a new form of global agency. They describe this mixture of academic investigation and normative aspiration as illustrating that multitude “has a strange double temporality: always-already and not-yet” (2006:222). It appears that the new post-territorial political communities, held to be coming into existence, conflate empirical and normative aspirations in the critique of the perceived hierarchies of power: either being seen as constituted against the narrow state-interests dominating international politics or against the biopolitics of global “empire.”

At the level of discursive analysis (as we shall see) the choice between these two approaches can easily appear to be a purely subjective one. Neither one appears to satisfactorily ground the existence of a new emerging universal subject capable of constituting post-territorial political community—as the agent of cosmopolitical regimes or of post-cosmopolitical resistance to these regimes. In both, the subject—which is alleged to demonstrate both the lack *and* the presence of post-territorial political community—is grounded in a way that confuses normative political critique with empirical analysis. Both approaches

suggest that traditional territorial political communities have been fundamentally undermined by the changing nature of social relations—by globalization or by biopolitical production processes. These changing social relations are held to have undermined territorial political community through the deconstruction of the unitary assumptions involved in modern liberal democratic political theory. However, they have been much less successful in demonstrating that new post-territorial forms of political community have been constructed in their stead.

What is clear is that, in the name of post-territorial political community, liberal and radical critics have sought to represent the crisis of legitimacy of representative political bodies as a product of political contestation emerging from post-territorial actors. In these frameworks of understanding global politics, the shift toward post-territorial community is seen as indicative of new lines of political struggle that have replaced those of the territorialized framework of Left and Right. For liberal and critical theorists, this is the struggle for cosmopolitan and human rights and for emancipation against the sovereign power of states. For poststructuralist theorists, this is seen as the struggle for autonomy and difference against the universalizing war waged “over ways of life itself” by neoliberal biopolitical governance (Reid 2006). However, these struggles remain immanent ones, in which global political social forces of progress are intimated but are yet to fully develop. There is a problem of the social agency, the collective political subject, which can give content to the theorizing of global struggle articulated by academic theorists. It seems that neither liberal nor poststructuralist theorists are able to envisage the possibility that we could live in a world where politics appears to have become deterritorialized, not as a result of the expanded nature of collective political engagement, but precisely because of the absence of political struggle (see further Chandler 2009).

Political Community Without Political Subjects

Neither the liberal nor the poststructuralist visions of post-territorial community contain modern liberal rights-bearing subjects. For neither is there a universalizing sphere of legal or political equality constituted by autonomous rights-bearing subjects. The liberal cosmopolitical critique of liberal democratic frameworks of political community is precisely that they are not able to empower and protect minorities and the marginal or excluded and that, therefore, there needs to be an external level of regulatory rights enforcement of cosmopolitan rights. As Falk argues:

It is now evident that democracy, at least as constituted in liberal democratic societies, is not by itself a sufficient precondition for a peaceful and just world. Democracy as an operative political form seems quite compatible with certain types of militarism and racism, perhaps resting in turn on patriarchal practices and hidden assumptions. (1995:24)

The cosmopolitan project seeks to legitimize liberal policy-frameworks without engaging with the electorate, increasingly seen to be too “egoistic” or “apathetic” and distanced from liberal policy elites, and, under “reflexive modernity,” lacking commonality (for example, Beck 1998). The challenge to the liberal rights framework is based on the belief that progressive ends—such as the protection of human rights, international peace or sustainable development—would be more easily achieved without the institutional constraints of democratic accountability. In Falk’s (1995:216) words, the problem is: “the reluctance of national citizenries for emotive and self-interested reasons to endorse globalizing initiatives.”

The cosmopolitan, or post-territorial, democratic subject is defined through being freed from any political framework that institutionalizes liberal democratic norms of formal accountability. The bearer of human rights or rights of global citizenship, by definition, has no fixed territorial identity and thereby no place within any institutionalized framework of legal and political equality from which to hold policy actors to formal account. Because they are freed from any such framework, the “rights” of the cosmopolitan citizen are dependent on the advocacy of an external agency. By default, the cosmopolitan subject becomes concrete only through “representation” on a particular issue through the agency of global civil society advocates who also have an existence “free” from the institutionalized political framework of the nation-state.

Without the institutionalization of mechanisms of accountability, global civil society claims to “represent the people” remain unsubstantiated (Edwards 1999:180). Whereas the claim for representation is inevitably contested, global civil society actors and movements often assert that the crucial role which they perform is that of “articulation” of the needs of global citizens. Because the global citizen cannot directly hold policy-makers to account, the role of global civil society interlocutors becomes central to give content to claims of democracy without formal representation. Kaldor (2001), for example, argues that “the role of NGOs is not to be representative but to raise awareness,” adding that the “appeal is to moral conscience” not to political majorities. Johan Galtung (2000:155), similarly, gives support to this form of “empowerment,” which he terms “democracy by articulation, not by representation.”

Cosmopolitan frameworks invert the grounding liberal relationship between rights and their subjects in their construction of rights independently of their subjects (see Chandler 2003). These rights are fictitious—in the same way as animal rights or the rights of the environment or of future generations would be—because there is a separation between the subjects of these rights and the political or social agency giving content to them. The proposed framework of cosmopolitan regulation is based on the fictitious rights of the “global citizen” or of the “human” not the expression of rights through the formal framework of political and legal equality of citizen-subjects. This framework recognizes neither the democratic rights of citizens nor the collective expression of these rights in state sovereignty. It is important to stress the qualitative difference between the liberal-democratic approach, which derives rights from self-governing human subjects, and the cosmopolitan approach of claiming rights on the behalf of others, who can only be constituted as non-subjects (see further, Chandler 2002:103–5).

In reinterpreting “rights” as moral or discursive claims, a contradiction appears between the enforcement and guarantee of cosmopolitan rights and the formal equality of the liberal democratic legal and political framework. Within the normative framework of cosmopolitan theory, vital areas of formal accountability, at both the domestic and international level, are questioned while new and increasingly ad hoc frameworks of decision making are seen to be positive and “emancipatory.” First, the formal right of sovereign equality under international law would be a conditional or residual right under the cosmopolitan framework. As Held (2000:24) notes: “sovereignty *per se* is no longer a straightforward guarantee of international legitimacy.” Archibugi (1998:210) argues that it is a matter of urgency that “democratic procedures should somehow be assessed by external agents” effectively transferring sovereign power elsewhere. In this framing, states that failed these external assessments of their legitimacy would no longer have equal standing or full sovereign rights and could be legitimately acted against in the international arena.

More fundamentally, the domestic rights of citizens to democratic self-government would be removed. Cosmopolitans assert that, despite adherence to all

internationally accepted formal democratic procedures, a state's government may not be truly democratic. In the cosmopolitan framework the formal demos is no longer necessarily the final arbiter of democratic outcomes because:

... the choices of a people, even when made democratically, might be biased by self-interest. It may, for example, be in the interests of the French public to obtain cheap nuclear energy if they manage to dispose of radioactive waste in a Pacific isle under their control, but this will obviously be against the interests of the public living there. (Archibugi 1998:211)

For cosmopolitan theorists the ethical ends for which they advocate are privileged above the sphere of democracy. As Linklater (1998:192) argues, this means a "break with the supposition that national populations have the sovereign right to withhold their consent" if cosmopolitan demands "clash with their conception of national interests." In this framework, a small minority may be more "democratic" than a large majority, if they have an outlook attuned to cosmopolitan aspirations. Kaldor (1999:120) draws out the implications of the argument when she suggests that the international community should not necessarily consult elected local representatives but seek "to identify local advocates of cosmopolitanism" where there are "islands of civility." Just as states cannot be equally trusted with cosmopolitan rights, neither can people. Instead of the "limited" but fixed and formally equal demos of the nation-state, there is a highly selective "demos" identified by international institutions guided by the cosmopolitan impulse.

The biopolitical critique of the discourse of cosmopolitan rights is that rather than a mechanism of empowerment it is an exercise of power. So far, so good. But, rather than critique cosmopolitan rights for the fictional nature of the rights claimed, the poststructuralist critics wish to portray all rights constructions—whether posed in terms of the territorialized "citizen" or the deterritorialized "human"—as equally oppressive and hierarchical. The poststructuralist critique, in fact, reflects a very similar view of citizen rights as the liberal cosmopolitan vision: expressing a similar aspiration to evade the problematic question of political representation and the formal constitution of political community. For cosmopolitan human rights advocates, there is no distinct difference between global, deterritorialized, human rights and territorial, sovereignty-bounded, democratic and civil rights. All rights claims are seen to be equally empowering and able to tame power in the name of ethics and equality. Here, the extension of cosmopolitan frameworks of global governance is read to be the extension of the realm of freedom and a restriction on state sovereign power. The poststructuralist response is to argue that the liberal discourse reveals the truth in its blurring of rights claims: the hidden relationship between democracy and dictatorship; law as ad hoc and arbitrary power is therefore the inner truth of the appearance that law is a reflection of the autonomy and agency of legally constituted subjects (Agamben 1998:10).

For the critics of cosmopolitan rights regimes, the extension of a discourse of rights and law merely enhances the power of liberal governance. Indeed, Giorgio Agamben (2005:87) has captured well the ethico-judicial blurring of human rights regimes as a "state of exception," by which he means not a dictatorship but a hollowing out or emptying of the content of law:

... the state of exception has today reached its maximum worldwide deployment. The normative aspect of law can thus be obliterated and contradicted with impunity by a governmental violence that—while ignoring international law externally and producing a permanent state of exception internally—nevertheless still claims to be applying the law.

Cosmopolitan claims do, in fact, advocate for a “permanent state of exception.” However, in reading the state of exception as the essential nature of the sovereign state and law, Agamben (2005:88) argues that the lesson is that progressive politics can never operate within the modern state form: “Politics has suffered a lasting eclipse because it has been contaminated by law, seeing itself, at best, as constituent power (that is violence that makes law), when it is not reduced to merely the power to negotiate with the law.” In his earlier work, *Homo Sacer*, he argued:

It is almost as if... every decisive political event were double-sided: the spaces, the liberties, and the rights won by individuals in their conflicts with central powers always simultaneously prepared a tacit but increasing inscription of the individual's lives within the state order, thus offering a new and more dreadful foundation for the very sovereign power from which they wanted to liberate themselves. (1998:121)

For both the liberal cosmopolitan advocates of human rights and their radical poststructuralist critics, there is no specific understanding of the problem of cosmopolitan rights as based on non-socially constituted legal subjects (Lewis 1998). For both liberal cosmopolitan theorists and poststructuralists, rights regimes are understood to be constituted independently of and prior to the rights subjects. For cosmopolitan advocates, it is precisely because the poor and excluded cannot autonomously enforce their rights that an external agency needs to step in to empower them and constitute them as rights holders. For poststructuralists, rights are also constituted independently and prior to their subjects: it is the declaration of rights which constitutes the subject; rights therefore are understood as preceding and interpolating their subject (Douzinas 2007:92). Douzinas (2007:129) therefore stresses the darker side of rights: “the inexorable rise of registration, classification and control of individuals and populations.” Poststructuralist critics exaggerate the cosmopolitan claim that rights are independent from subjects in order to view all rights claims as fictions and all rights-subjects as non-subjects (Agamben's “bare life”).

For radical poststructuralists, the ambiguity of cosmopolitan frameworks of political community—which can only empower those who decide on the content and ad hoc implementation—are read to be, not an attack on modern liberal democratic frameworks of rights and law, but instead essentialized as the key to understanding the modern state as a biopolitical power. The radical critics critique the claims of the liberal cosmopolitans by essentializing them as modern liberal rights claims *per se*. This one-sided understanding of rights, through breaking their connection to rights-subjects, produces in an exaggerated form the cosmopolitan critique of the political sphere of representation. For liberal advocates of cosmopolitan rights, representational claims are problematic because they may undermine rights protections and therefore regulatory power needs to exist above the nation-state; for poststructuralists, any participation in the political sphere of the territorial state is inherently disempowering, necessitating a “flight from sovereignty” and the formal sphere of representation (Hardt and Negri 2006:341).

The flight from the sphere of the rights-bearing subject of liberal modernity, in both cosmopolitan and poststructuralist frameworks, is crucial to enable the move to post-territorial constructions of political community. For modern liberal political theory, it was the rights framework which reflected and institutionalized the existence of a political community of equal rights-bearing subjects. The liberal political ontology has the autonomous rights-bearing individual as the foundational subject of legal and political spheres of formal equality. The rule of law and the legitimacy of government were derived from the consent and accountability of rights-holding citizens.

In the frameworks of cosmopolitan and biopolitical theorists of post-territorial political community, political community is no longer constituted on the basis of a rights framework of autonomous subjects. Formal frameworks of politics and law are held to be independent of the political subject (which is reinterpreted as the object of administration and regulation rather than as a rights subject). For liberal cosmopolitans, the existence of rights (law) prior to and independently of political subjects is held to legitimize regimes of international intervention and regulation, while for poststructuralists the autonomy of law is read as the autonomy of power to interpolate and create the ruled subject. In both frameworks, by theoretical construction, there is no longer a distinction between the citizen and the non-citizen as rights claims are merely a reflection of the claims of rule made by (benign or oppressive) power.

Once the construction of political community is freed from political and legal frameworks of liberal rights, both cosmopolitan and post-structural approaches are free to establish the existence of political community at the global level, as a post-territorial construction. The only problem with this construction is the question of how political community can be constituted without the rights and duties of citizenship. The approaches to this problem will be briefly addressed below.

Individuals and the “Community”

In modern liberal theorizing, it is the rights and duties of citizenship which constitute the shared bonds of political community. The political sphere is clearly distinct as the public sphere of law and politics from the private sphere of particularist identities, hobbies and interests. Political community is therefore distinct from the bonds of family, friendship or groupings of special interests. What makes political community distinct is its public nature, which forces people to engage with others whom they do not necessarily know or agree with in order to contest representational alternatives. It seems clear that the attenuation of political contestation, of the struggle between Left and Right, has meant that political community has less meaning for many of us than other (non-political) communities with which we may participate or identify.

The advocates of post-territorial political community dismiss the bonds of citizenship, constituted by modern liberal rights frameworks; this means that the bonds that constitute post-territorial community are much more difficult to locate. For cosmopolitan theorist, John Keane (2003:11), global civil society, constituted by networked actors, constitutes a form of political community, albeit a “paradoxical” one:

It refers to a vast, sprawling non-governmental constellation of many institutionalized structures, associations and networks within which individual and group actors are interrelated and functionally interdependent. As a society of societies, it is “bigger” and “weightier” than any individual actor or organisation or combined sum of its thousands of constituent parts—most of whom, paradoxically, neither “know” each other nor have any chance of ever meeting each other face-to-face.

The idealized view of global civil society relies on claims about the communicative interaction of global civic actors which have little connection to reality. Similarly, William Connolly (2001:352) has to go through some contortions to substantiate his claim that “network pluralism sustains a *thick* political culture,” as he adds by way of parenthesis:

... but this is a thickness in which the centre devolves into multiple lines of connection across numerous dimensions of difference... such as ethnicity, religion, language, gender practice and sexuality. These lines of flow slice through the centre as diverse constituencies connect to one another, pulling it from concentric pluralism toward a network pattern of multidimensional connections.

The line between a complete lack of social or political interconnection and having a “thick political culture” seems to be in the eye of the beholder. It is important to highlight the abstract and socially disengaged nature of the post-territorial project. Advocates of global civil society, such as Kaldor, are keen to assert that global civil society is actively engaged in debating global issues, but they are much less specific when it comes to detailing the concrete nature of these “debates”: the content or ideas generated; if a record was kept; or if the debate had any consequences. It appears that, in making these assertions of communicative debates, these advocates repeatedly use the concept of “public/global/ethical *debate*” in an intellectually dishonest way. The dictionary definition of “debate” is a formal form of argument in which parties attempt to persuade an audience of their position and there are rules enabling people to discuss and decide on differences. Public debate inside or across national boundaries is, of course, a positive exercise but this does not mean that there is any form of public debate in deterritorialized “global space.” Debate is a purposive human activity: web sites do not talk to themselves—or personal blogs—just as diaries which we keep under our beds do not communicate with each other.

The question of engagement and interconnection between the multitude of networked actors constituting the alternative framework for post-territorial political community is a problematic one, which reveals the lack of mediation between the particular and the ostensible political “community” or the “many.” This lack of mediation is highlighted in Hardt and Negri’s (2006:139) description of the multitude as neither one nor many. They assert that the multitude “violates all such numerical distinctions. It is both one and many” thereby allegedly threatening all the principles of order. In fact, it is the lack of social or political connection between the various struggles, from those of Los Angeles rioters to Chiapas rebels, which defines the multitude. This lack of connection is described by Hardt and Negri (2001:54) as “incommunicability”: “This paradox of incommunicability makes it extremely difficult to grasp and express the new power posed by the struggles that have emerged.”

However, the more isolated and marginal these struggles are, then the more transgressive and “global” they become in their “direct” challenge to “power” or “empire.” For example, the Los Angeles rioters are held to challenge racial and hierarchical forms of “post-Fordist” social control, or the Chiapas rebels are seen as challenging the regional construction of world markets. The key assertion is that “Perhaps precisely because all these struggles are incommunicable and thus blocked from travelling horizontally in the form of a cycle, they are forced instead to leap vertically and touch immediately on the global level” (2001:56). These struggles are immediately global because of their lack of interconnection in the same way that they are “deterritorialized” because they lack the capacity to strategically or instrumentally challenge power. It is their lack of social or political connection that makes these struggles non-territorial or “global.”

The multitude no more constitutes a political community than liberal cosmopolitan constructions of global civil society (Chandler 2004b, 2007). In both frameworks, there is no mediation between the particular, at the level of the individual or the particular struggle, and any collective political subject. Post-territorial political community is therefore constructed precisely on the basis of prioritising an abstract universal, which preserves the individual and the

particular. Any declaration of “community” can only be a highly abstract one. As Jabri (2007b:728) argues, in expressing the post-territorial alternative of “political cosmopolitanism”: the alternative is “a conception of solidarity without community”; one which does not assume any shared vision or views and, in fact, seeks to deconstruct universal perspectives as merely the project of hegemony.

It is not clear what the theorists of post-territorial political community—whether in its liberal cosmopolitan or post-liberal post-cosmopolitan forms—have to offer in terms of any convincing thesis that new forms of political community are in the process of emerging. Political community necessarily takes a territorial form at the level of the organization for political representation on the basis of the nation-state (in a world without a world government) but has a post- or non-territorial content at the level of ideological and political affiliation, which has meant that support and solidarity could be offered for numerous struggles taking place on an international level (given formal frameworks in the nineteenth and twentieth century internationals of anarchists, workers, women and nationalists) (see, for example, Colas 2002).

For the content of territorial political community to be meaningful does not mean that politics can be confined to territorial boundaries: the contestation of ideologies, ideas and practices has never been a purely national endeavor. However, without a formal focal point of accountability—of government—there can be no political community; no framework binding and subordinating individuals as political subjects. The critique of territorial political community and assertion of the immanent birth of post-territorial political community, in fact, seeks to evade the problem of the implosion of political community in terms of collective engagement in social change. The attenuation of politics and with it the implosion of bonds of political community is thereby over politicized by both 1990s liberals and 2000s radicals.

Without the collapse of political community there would be little discussion of the meaning of post-territorial politics. Hardt and Negri (2006:83) highlight this when they counter-pose post-territorial, networked, struggles of the multitude to territorial struggles, revealing that: “Many of these [territorial] movements, especially when they are defeated, begin to transform and take on [post-territorial] network characteristics.” So, for example, it was the defeat of the Zapatistas which freed them to take up life as a virtual Internet struggle. It was political defeat and marginalization that meant that they could take up an even more radical challenge than confronting the Mexican government, that of the postmodern subject, attempting to “change the world without taking power” (2006:85). The failure of modernist political projects based on the collective subject is clear; as Hardt and Negri (2006:191) observe: “The people is missing.” But unlike Paolo Virno’s (2004) theorizing of the multitude as reflecting merely the crisis of the state form in terms of the plurality and incommensurability of political experiences—that is, the lack of political community—Hardt and Negri seek to see the multitude as the constitutive agent of the postmodern and post-territorial political world.

Many authors have understood the rejection of territorial politics as the rejection of the ontological privileging of state power, articulated in particularly radical terms by Hardt and Negri (2006:341) as “a flight, an exodus from sovereignty.” Fewer have understood that this implies the rejection of political engagement itself. Politics without the goal of power would be purely performative or an expression of individual opinions. Politics has been considered important because community was constituted not through the private sphere but through the public sphere in which shared interests and perspectives were generated through engagement and debate with the goal of building and creating collective expressions of interests. Without the goal of power, that is, the capacity to shape decision making, political engagement

would be a personal private expression rather than a public one. There would be no need to attempt to convince another person in an argument or to persuade someone why one policy was better than another. In fact, in rejecting territorial politics it is not power or the state which is problematized—power will still exist and states are still seen as important actors even in post-territorial frameworks.

The essential target of these critical theorists of post-territorial community is political engagement with citizens, that is, the necessity to legitimize one's views and aspirations through the struggle for representation. As Falk (1995:212) describes:

... transnational solidarities, whether between women, lawyers, environmentalists, human rights activists, or other varieties of "citizen pilgrim" associated with globalisation from below... [have] already transferred their loyalties to the invisible political community of their hopes and dreams, one which could exist in future time but is nowhere currently embodied in the life-world of the planet.

The interconnectedness that is celebrated is, in fact, the flip-side of a lack of connection domestically: "Air travel and the Internet create new horizontal communities of people, who perhaps have more in common, than with those who live close by" (Kaldor 2003:111–112). What these "citizen pilgrims" have in common is their isolation from and rejection of their own political communities. The transfer of loyalties to an "invisible political community" is merely a radical re-representation of their rejection of real and visible political communities—the electorate.

For both liberal and radical views of post-territorial political community, political contestation is unnecessary. Political views are considered self-legitimizing without the need to engage in politics—that is, bypassing society or the masses—and directly expressing the claims to power in radical protests at world summits or in the power of NGO lobbying. This evasion of society, this retreat from political community, is expressed in radical terms as the fundamental "right to difference" (Hardt and Negri 2006:340) or "freedom from a singular Universal Ethic" (Keane 2003:196). Radical approaches became "globalized" at the same time as their political horizons became more and more parochial and limited and they drew back from seeking to engage instrumentally or strategically with the external world. For Alberto Melucci, these new social movements existed outside of the traditional civil society-state nexus, submerged in everyday life. Without reference to a political community, Melucci (1988:248) argues traditional measurements of efficacy or success miss the point: "This is because conflict takes place principally on symbolic ground.... The mere existence of a symbolic challenge is in itself a method of unmasking the dominant codes, a different way of perceiving and naming the world." This, in Melucci's (1988:259) words is the "democracy of everyday life," where legitimacy and recognition stem from "mere existence" rather than the power of argument or representation. Rather than the struggle for representation, the post-territorial struggle of "globalization from below" is framed as one of autonomy and held to be self-constituting.

The radical self-constitution of the political subject avoids the mediating link of the political process. Political legitimacy is no longer derived from the political process of building support in society but rather from recognition and acceptance of social isolation. This is a logical consequence of the New Left's rejection of any legitimate collective political subject. As Laclau and Mouffe (2001:167) assert in their summation of the essence of "radical democracy":

Pluralism is *radical* only to the extent that each term of this plurality of identities finds within itself the principle of its own validity.... And this radical pluralism is *democratic* to the extent that the autoconstitutivity of each one of its terms is the result of displacements of the egalitarian imaginary. Hence, the project for a radical and plural democracy, *in a primary sense*, is nothing other than the struggle for a maximum autonomization of spheres on the basis of the generalization of the equivalential-egalitarian logic.

The claim is not for equality but for autonomy; for recognition on the basis of self-constituted difference rather than collective or shared support. The focus upon the marginal and the subaltern appears to provide a radical critique of power but, without a transformative alternative, can easily become a critique of modern mass society. Here, the critique of “power” or “the state” becomes, in fact, a critique of political engagement. Political community is only constituted on the basis of the potential to agree on the basis of shared, collective, interests. The refusal to subordinate difference to unity is merely another expression for the rejection of political engagement. Political community can not be constituted on the basis of post-territorial politics in which there is no central authority and no subordination to any agreed program. For Hardt and Negri (2006:105): “The multitude is an irreducible multiplicity; the singular social differences that constitute the multitude must always be expressed and can never be flattened into sameness, unity, identity, or indifference.”

Beyond the territorial boundaries of the nation-state, it is precisely the missing essence of political community (the formal political sphere of sovereignty and citizenship) which becomes constitutive of post-territorial political community. Without the need to worry about the constitutive relationship between government (sovereign) and citizen, political community becomes entirely abstract. There is no longer any need to formulate or win adherence to a political program and to attempt to challenge or overcome individual sectional or parochial interests. Engagement between individuals no longer has to take a political form: all that is left is networked communication. For Hardt and Negri (2006:204): “The common does not refer to traditional notions of either the community or the public; it is based on the communication among singularities.” While communication is important there is little point in communication without purpose, what the multitude lacks is precisely this subjective purpose that could bind them and constitute political community.

In the absence of popular engagement in politics it could be argued that Jean Baudrillard’s (1983) warning, *In the Shadow of the Silent Majorities*, of the simulacrum of the contestation over political power is being fully realized:

[Out of the disengagement of the masses] some would like to make a new source of revolutionary energy.... They would like to give it meaning and to reinstate it in its very banality, as historical negativity.... Final somersault of the intellectuals to exalt insignificance, to promote non-sense into the order of sense. Banality, inertia, apoliticism used to be fascist; they are now in the process of becoming revolutionary—without changing meaning.... (1983:40)

The demise of political community reflecting the attenuation of political contestation has been reinterpreted by theorists of post-territorial community in ways which over-politicize the attenuation of political contestation and collective engagement by constructing abstract forms of community, alleged to articulate and to legitimize particular theorists’ own normative beliefs (whether liberal or poststructuralist). This is done through, first, dismissing the idea of political community as one based on rights of equality and representation, thus blurring the meaning of the political; then, second, dismissing the idea of community as

one based on mediating links of engagement in a common political project, thus blurring the meaning of community.

Cosmopolitan theorists remove the distinction between the citizen and the non-citizen to constitute a political engagement based on the inequalities of advocacy. However, the poststructuralists argue that even engagement at the level of advocacy is oppressive and that awareness of the Other is all that political engagement can constitute without creating new frameworks of domination. Duffield (2007:232), for example, suggests that the only alternative to the hierarchies of liberal advocacy is to assert that we are all victims of governmentalism: “we are all governed and therefore in solidarity.” Apparently we should focus on what we share with postcolonial societies, not offering the hierarchical “solidarity” of development or political autonomy but instead the solidarity of learning from the poor and being marginalized as equals; once humbled: “through a practical politics based on the solidarity of the governed we can aspire to opening ourselves to the spontaneity of unpredictable encounters” (2007:234).

Jabri (2007a:177) argues that we need a new cosmopolitanism, but one that reflectively recognizes that “any discourses that view their worth in universal terms, are but expressions of ‘forces of domination’ based upon explicit principles of exclusion.” Instead, the “*politics of peace*” [emphasis in original] emphasizes solidarity which: “makes no claim to universality, nor is it teleological in outlook.... Rather, the politics of peace expresses local and often rather invisible acts, expressions of solidarity that are neither hierarchically defined nor suggestive of any claim to universality” (2007a:177).

For Douzinas (2007:295), political opposition has to take the form of a “cosmopolitanism to come” of individualized protest:

Dissatisfaction [—] with nation, state, the international [—] comes from a bond between singularities. What binds me to an Iraqi or a Palestinian is not membership of humanity, citizenship of the world or of a community but a protest against citizenship, against nationality and thick community. This bond cannot be contained in traditional concepts of community and cosmos or of polis and state. What binds my world to that of others is our absolute singularity and total responsibility beyond citizen and human, beyond national and international. The cosmos to come is the world of each unique one, of whoever or anyone; the polis, the infinite number of encounters of singularities.

Poststructuralist constructions of post-territorial political community celebrate the atomization and dislocation of the individual with the implosion of political community. But what connects atomized individuals is merely the lack of political community. The cosmopolitanism “to come” looks rather like the world we are already living in. Post-territorial political community is the world that exists but radically reinterpreted; this is why global civil society is both a descriptive and normative concept and why multitude “has a strange double temporality: always-already and not-yet” (Hardt and Negri 2006:222). As Baudrillard presciently noted, once the political subject—the people—is disengaged from politics, the vacuum left can be reinterpreted by radical academics to suit their predilections without reality changing.

Conclusion

The attenuation of politics and hollowing out of the meaningful nature of representation constitutes the collapse of any meaningful political community. In the 1990s, the inability of political elites to create projects of political meaning, able to cohere their societies or offer a program of shared values, led to attempts to evade the problems of legitimizing political programs on the basis of electoral

representation alone. The advocates of cosmopolitan political community in the 1990s were the first to distance themselves from state-based politics, finding a freedom in the free-floating rights of global advocacy. It was under this banner of global liberalism and ethical policy-making that political elites sought their own “exodus from sovereignty”—justified on the basis of a critique of the liberal rights subject—and, in the process, further attenuated the relationship between government and citizen. This was a discourse that sought to respond to the collapse of political community rather than one that reflected the birth of a newer or more expansive one at a global level.

In the 2000s, the hollow nature of liberal cosmopolitan claims appeared to be clearly exposed in the Global War on Terror. The radical discourse of post-structuralist post-territorial political community sought to critique this international order as a product of global liberalism, but the nature of the critique was in content and form little different from that of 1990s cosmopolitanism. There is little difference between the frameworks of the poststructuralist critics and the liberal cosmopolitans because the groundwork of the critique was already laid by the crisis within liberal thinking. It was the work of the self-proclaimed “liberal” cosmopolitan theorists that fundamentally challenged the foundational liberal ontology, which established the modern liberal order through deriving political legitimacy from the rights of autonomous individual subjects. The liberal basis of political order and of political community on the basis of shared rights and duties had already corroded from within. The radical critique of the cosmopolitan discourse of global rights offers a critique of sovereign power, representational politics and its grounding liberal ontology, but one that merely echoes, to the point of parody, that of its ostensible subject of critique.

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