

Globalization and exceptional powers

The erosion of liberal democracy

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A growing number of progressive intellectuals now claim that the *transnational* character of many present-day political tasks overwhelms the existing capacities of liberal democracy. The ongoing internationalization of capitalist production and financial markets, unparalleled movements of immigrants and refugees across borders, the spectre of ecological disaster: the global character of each of these problems allegedly cries out for new forms of global political coordination. In this view, the marriage of liberal democracy to the nation-state severely limits its ability to grapple effectively with the most pressing dilemmas of our times. Transnational problems call out for transnational solutions, and only an invigoration and concurrent democratization of supranational political authority offers a reasonable chance of stemming liberal democracy's decay in the face of recent global trends.¹ Proponents of this thesis, including Jürgen Habermas, typically argue that we can only maintain the historic achievements of liberal democracy (including the welfare state) if global regulatory devices can succeed effectively in countering transnationally based structural pressures on existing liberal democratic political institutions. For Habermas and many others, we can only 'catch up' to the transnational character of present-day political problems by strengthening international devices while simultaneously bracing their liberal democratic features.²

Although much can be said in defence of this position, in my view it both *overstates* the novelty of the quandaries faced by contemporary capitalist liberal democracy and *understates* their tenacity. The main reason for this is that even critical discourse on globalization and liberal democracy misses the significance of the most important conceptual innovation of the

globalization debate within recent social theory, the idea of a *compression of space and time*. Globalization involves much more than the rise of global financial markets or the emergence of novel environmental problems; it also pertains to a fundamental shift in the space and time horizons of human experience in our century, driven in the final analysis by economic and political mechanisms that pose a direct challenge to the most defensible features of modern liberal democracy. I hope to demonstrate the centrality of the idea of a compression of space and time for democratic theory by arguing that this recent addition to the conceptual paraphernalia of social theory sheds fresh light on an ominous trend within twentieth-century political development: virtually everywhere within the 'advanced' liberal world, legislative and parliamentary power has experienced a decline, whereas executive and administrative institutions have tended to gain poorly defined grants of substantial legislative power. The concept of the compression of space and time not only helps explain the relative impotence of many contemporary legislatures, but suggests that liberal democracy's present ills represent more than a sudden or unprecedented development. The recent losses of democratic sovereignty lamented by Habermas and others are simply the latest chapter in a gradual erosion of democratic legitimacy directly linked to the revolutionary implications of the 'shrinkage' of time and space long evident within capitalist liberal democracy. By placing the concept of the compression of space and time at the centre of democratic theory, we can begin to refocus critical thinking about globalization on a series of vital questions often ignored.

For those familiar with recent discourse about liberal democracy, a surprising discrepancy becomes

apparent. Despite normative liberal theory's impressive recent revival, a growing body of empirical literature continues to document the depth of both familiar and novel pathologies exhibited by liberal polities. Although many progressive-minded political and legal theorists today celebrate liberalism's virtues as a political and legal philosophy, their empirical-minded colleagues increasingly have been forced to turn their attention to worrisome trends in 'real-existing' capitalist liberal democracy.

Toward a permanent state of exception?

Take, for example, the status of elected popular legislatures. Although generally ignored by recent liberal political theorists and philosophers, a vast empirical literature documents the manner in which legislatures, even in the most stable and robust liberal democracies, have undergone an often dramatic erosion of political influence in our century.³ Although it would be unfair to criticize contemporary parliaments by comparing them unfavourably to (mythical) idealized models of their nineteenth-century predecessors, there can be little doubt that the elected legislature's role in our political systems today is substantially more modest than that originally sought by the mainstream of classical liberal theory (the American Founders, Tocqueville, John Stuart Mill). Little freewheeling deliberation goes on within the halls of the legislature; parliamentary decision-making often amounts exclusively to ratifying decisions made elsewhere, including transnational bodies (the World Trade Organization, North American Free Trade Agreement, European Union) possessing at best minimal democratic legitimacy. Most important, perhaps, administrative agencies now exercise significant law-making functions, and bureaucratic decrees often take on greater *de facto* significance than parliamentary general laws. Albeit extreme, a recent example from South America illustrates some of the perils at hand:

Peru is considered a democracy because it elects a president and a parliament. In the five years after an election, though, the executive has been known to make 134,000 rules and decrees with no accountability to the congress or the public. After elections, no ongoing relationship exists between those who make decisions and those who live under them.⁴

The sources of these tendencies have been exhaustively analysed by political scientists and sociologists. But one of them is of special significance here. Liberal democracy has increasingly blurred the dividing line between 'normal' and 'exceptional' or emergency powers. One only needs to turn to a reveal-

ing 1974 report by the United States Senate – hardly a bastion of radical critics of contemporary liberal democracy – to gain a sense of the depth of the problem. As two American senators soberly noted in their introductory comments, the United States as of 1974 had

on the books at least 470 significant emergency powers statutes without time limitations delegating to the Executive extensive discretionary powers, ordinarily exercised by the Legislature, which affect the lives of American citizens in a host of all-encompassing ways. This vast range of powers, taken together, confer enough authority to rule this country without reference to normal constitutional processes.⁵

As the report systematically outlines, a vast range of open-ended emergency delegations of power to the executive concerned not only war-preparedness and natural disasters, but many areas of economic regulation. Even during peacetime, the American president since 1945 has exercised substantial discretion to settle strikes, initiate price controls, limit exports, deal with the exigencies of the so-called drugs war, and counteract unwanted immigration. Nor have recent years witnessed a reversal of those trends that encouraged Senators Church and Mathias to conclude their 1974 report with the observation that '[e]mergency government has become the norm' within the United States.⁶ In fact, the American senators downplayed the extent of the problem by excluding a detailed comparative analysis of other liberal democracies from their report. What makes the trend toward 'rule by exceptional power' all the more disturbing is how ubiquitous it has become within liberal democracy. Substantial comparative evidence describes similar trends at work in many other liberal democracies this century, despite major differences in legal culture and institutions.⁷

The story of the rise of rule by exceptional power is a complicated one. But the American case suggests that at least two interrelated processes have been at work. Most important, the *definition* of what constitutes an 'emergency' has taken on ever broader contours within our century. For most of the nineteenth century, the employment of emergency powers (in the Anglo-American legal tradition, especially martial law) was generally limited to situations in which the polity faced a relatively direct and unmediated physical threat: for example, invasion, rebellion or civil war.⁸ But this definition has been expanded in at least four steps. First, by the late nineteenth and early twentieth centuries, martial law in the United States often served, in the words of a contemporary political scientist, as a



'household remedy' in the battle to squelch so-called 'labor unrest'.⁹ That is, martial law was widely used to smash unions and strikes; the sole connection to an earlier, more limited understanding of martial law stemmed from the fact that labour disputes during this period often involved bloody physical conflict. (Of course, a main cause of bloodletting was often the employment of martial law itself.) Second, expansive delegations of exceptional authority were increasingly granted the executive even when the polity faced no immediate threat of an attack or 'unrest' on its territory, but where the polity was involved in a military conflict *abroad* – for example, in World War I, and then again during the Korean War. A further step then entailed separating the idea of an emergency situation from any actual military conflict or violent

disorder whatsoever. In this vein, exceptional powers in the area of economic management first arose during wartime, but they rapidly expanded during economic crises that political actors described as constituting dire 'emergencies' on a par with military invasions or armed rebellions: President Roosevelt gained vast delegations of special authority by declaring the economic crisis of 1929 an 'emergency' requiring far-reaching forms of highly discretionary executive action.¹⁰

Last but not least, we can spot a recent trend toward preventive or preparatory emergency powers. The American Congress since mid-century has exhibited a willingness to increase executive prerogative even when no immediate threat (military conflict, civil unrest or economic crisis) was apparent, in order to prevent or at least prepare for (hypothetical) future threats. In this manner, the US president during the Cold War acquired an array of exceptional powers justified in part by the spectre of a prospective military conflict with the Communist world. Similarly, repeated reliance on exceptional powers within the economic realm has often been legitimized by their alleged necessity in order to *ward off* a repeat of the

disastrous economic crisis of 1929. Many regulatory institutions that first arose as an immediate response to the 'economic state of emergency' of the 1920s and 1930s soon gained a more or less permanent status; their extension was conceived as a necessary device in the battle to prevent similarly disastrous economic developments.¹¹

Given this broadening of the definition of an emergency, it is hardly surprising that the *scope* of executive emergency power has increased by leaps and bounds. Initially limited to a relatively narrow set of activities, exceptional powers, as noted in the US Senate report mentioned above, have come to concern a huge array of activities now defined as essential to 'national security'. Although it remains unclear why, for example, a 1970 postal strike represented a national

emergency justifying the president's intervention, or why 1980s' exports of non-military goods to US allies constituted a direct threat to the USA, in both cases American presidents were able to rely on extensive emergency powers to halt actions allegedly inconsistent with American national security.¹²

Such trends hardly suffice to demonstrate that liberal democracy has evolved into an authoritarian state form. Vital checks on the operations of exceptional powers continue to function more or less effectively, and elected legislatures perform indispensable functions in the United States and elsewhere. By the same token, the surprisingly far-reaching use of emergency powers in contemporary liberal democracy shows clearly that its most democratic and responsive elements – elected legislatures – are increasingly reduced to a junior partner in a political system dominated by executive and administrative decision-makers. Although exceptional powers have yet to become a permanent state of affairs, many liberal democracies have taken ominous steps towards doing just that.

Space–time compression

Dramatic changes in the time and space horizons of political and economic action during the last century, described by a number of recent social theorists as the 'compression of space and time', help explain the fusion of normal and exceptional powers within contemporary liberal democracy. In the crudest terms, modern technology seems to 'shrink' space and 'shorten' time: when a financial advisor in Singapore can communicate instantaneously with a client in Frankfurt, or a villager in rural Sweden can 'tune in', via live television, as Chinese police crack down on pro-democracy demonstrators, 'they in effect live in the same place, space has been annihilated by time compression'.¹³ Reliance on some version of the idea of a compression of space and time is now commonplace in the literature on globalization. Of course, writers who have employed this notion (or one analogous to it) – including Anthony Giddens, David Harvey and Paul Virilio – have done so in distinct ways.¹⁴ Since my interest here lies exclusively in the implications of the concept of a compression of space and time for democratic theory, I shall forgo a critical exegesis of its competing formulations and their respective strengths and weaknesses. I simply hope to show that this conceptual innovation provides a useful tool for making sense of the ominous political trends described above.

At a minimum, there seems to be a consensus among recent globalization theorists that unprecedented technological developments since the end of the nineteenth century have shortened the time horizons of human action and thereby 'annihilated' distance. Technological innovations – most recently, instantaneous computerized communication and high-speed air travel – have generated a striking 'compression' of space and time. Distance is typically measured in time. As the time it requires to connect disparate locations shrinks, space shrinks: the world of high-speed jet travel is smaller than that of the stagecoach. Of course, neither space nor time has literally been condensed. But in an era of jet travel, e-mail, and rapid-fire business transactions, 'there' seems less distant from 'here' than it once was, and the 'future' seems poised to collapse into the present. Simultaneity and instantaneousness have become constitutive of much everyday experience to an extent that would have boggled many of our historical predecessors. However overused and tired, the cliché of the 'global village' aptly captures a critical feature of our contemporary phenomenological horizons.

Although recent technological developments have heightened the present-day sense that time has suddenly 'sped up' and space rapidly 'shrunk', the process of time and space compression is hardly novel. As the cultural historian Stephen Kern has shown, many cultural and intellectual innovations dating from the period between 1880 and 1918, including Cubism, simultaneous poetry, ragtime music and important currents within European philosophy and social theory, can fruitfully be interpreted as constituting responses to a sense of time and space compression widespread among Europeans and North Americans at the time. A heightened sense of instantaneousness and simultaneity accompanied an earlier bout of time–space compression generated in part by novel forms of communication and transportation (railways, automobiles, the first aeroplanes, as well wireless telegraphs and telephones).¹⁵ In a similar vein, David Harvey has interpreted postmodernism as an attempt to come to grips with a more recent stage of space and time compression, motored by the transition from Keynesian-regulated capitalism to a present-day economy privileging greater flexibility in production, labour markets and consumption. The postmodern fascination with fragmentation, ephemerality and simulation can be directly linked to recent changes in the time and space experiences of present-day capitalism.¹⁶

Rough agreement also seems to exist that the compression of space and time is hardly experienced

uniformly across social, gender, or even national divides. Every historical moment necessarily contains a plurality of competing space and time horizons. A currency trader in the City of London engaged in computerized financial transactions with his counterpart in Tokyo exists phenomenologically in a different set of time and space horizons to the newspaper vendor standing outside the currency trader's office trying to get rid of his daily allocation of newspapers, or the housewife working at home with minimal outside contacts; traditional agricultural and artisanal production entail different sets of space and time horizons to industrial production.¹⁷ In a now classic essay, E.P. Thompson described how many features of early working-class political culture expressed opposition to the acceleration and normalization of time essential to the emergence of industrial capitalism. The different time and space horizons of early capitalists *vis-à-vis* factory labour constituted a fertile source for social and political conflict.¹⁸ In a similar mode, Harvey has noted how reactionary political thought in our century often promised a different (and allegedly superior) set of space and time horizons to those embedded in capitalist liberal democracy.¹⁹ Recall Heidegger's observation that

[f]rom a metaphysical point of view, Russia and America are the same; the same dreary technological frenzy, the same unrestricted organization of the average man. At a time when the furthest corner of the globe has been conquered by technology and opened to economic exploitation; when any incident whatsoever, regardless of where and when it occurs, can be communicated to the rest of the world at any desired speed; when the assassination of a King in France and a Symphony in Tokyo can be 'experienced' simultaneously; when time has ceased to be anything other than velocity, instantaneousness and simultaneity, and time as history has vanished from the lives of all peoples...²⁰

Heidegger's own disastrous 1930s' quest for a right-wing authoritarian answer to the compression of space and time vividly demonstrates that the emergence of a global village is hardly destined, *pace* free-market liberalism, to eliminate political and social conflict. On the contrary, experiences of instantaneousness and simultaneity are just as likely to generate new conflicts no less explosive than those of the past. The metaphor of the global village only makes sense if we keep in mind that most villages are plagued by intense conflict.

Harvey has probably been most successful in explicating the intimate links between the compression of space and time and the dynamics of modern capitalism.

Echoing Marx's famous homage to capitalism's historically progressive functions in *The Communist Manifesto*, he notes that capitalism is

a revolutionary mode of production, always restlessly searching out new organizational forms, new technologies, new lifestyles, new modalities of production and exploitation and, therefore, new objective definitions of time and space.... The turnpikes and canals, the railways, steamships and telegraphs, the radio and the automobile, containerization, jet cargo transport, television and telecommunications, have altered space and time relations and forced new material practices as well as new modes of representation of space. The capacity to measure and divide time has been revolutionized, first through the production and diffusion of increasingly accurate time pieces and subsequently through close attention to the speed and coordinating mechanisms of production (automation, robotization) and the speed of movement of goods, people, information, messages, and the like.²¹

In this view, the compression of space and time is directly tied to capitalism's underlying structural imperatives, since the technological revolution that spawns a growing sense of simultaneity and instantaneousness derives from capitalism's general tendency to reduce turnover time and overcome geographical obstacles to profitability. Hence, the entire 'history of capitalism has been characterized by speed-up in the pace of life, while so overcoming spatial barriers that the world sometimes seems to collapse inward upon us'.²² In addition, contemporary capitalism places a special premium on flexibility and the swift, decisive use of high-speed informational technologies. Unsurprisingly, time and space compression has seemed especially intense within the last twenty-five years.

Harvey's diagnosis takes us some way towards explaining the proliferation of exceptional powers within liberal democracy as an instrument of *economic* management. In my view, the problem of growing legislative impotence represents a telling example of how capitalism and liberal democracy continue to conflict, notwithstanding neoliberal rhetoric to the contrary.

Liberal democracy, capitalism and military power

As Harvey reminds us, capitalism revolutionizes economic production, constantly replacing old and worn-out forms of economic activity with new ones. Capitalism is characterized by a progressive 'speed up' not simply within specific branches of industry,

but within economic life as a whole: the time and space horizons of the early 'adventurer's capitalism' famously described by Weber differ profoundly from those of contemporary capitalism's high-speed financial transactions and computerized modes of flexible post-Fordist production. But capitalism thereby presents a *structural* challenge to liberal democracy and the traditional view of the elected legislature as the central site for lawmaking. Recollect what at first glance seems trivial: freewheeling deliberation and careful rule-making take time. In the traditional liberal view, the legislature gained its legitimacy as the supreme lawmaker precisely because it was conceived as that institution most likely to engage in relatively ambitious and wide-ranging forms of debate and deliberation, which were to issue in carefully formulated legal norms. The task of the legislature was *deliberare*, whereas that of the executive would be *agere* – that is, rapid forms of action attuned to the special requirements of the individual situation at hand. The necessity of extensive regulation of the capitalist economy often overwhelms legislatures because they have proven ever more poorly attuned to this task, given the increasingly high-speed character of the capitalist economy. Capitalism's built-in revolutionizing of the time horizons of economic production conflicts with the legislature's dependence on relatively time-consuming, methodical forms of deliberation and lawmaking. In concrete terms, the immediate consequence of this tension between the time horizons of the capitalist economy and parliamentary deliberation is parliament's abandonment of its lawmaking responsibilities – to an executive conceived as better suited to the imperatives of rapidly changing, situation-specific forms of economic regulation. Faced with the awesome task of legislating for ever-changing forms of economic action, legislators often have simply thrown their hands in the air in desperation. One result has been the alarming proliferation of open-ended delegations of emergency power.²³

The structural tension can be illustrated from another angle. From the viewpoint of traditional liberal jurisprudence, parliamentary deliberation was to culminate in relatively *clear, stable, general* legislative norms, which judges and administrators were expected to apply in a non-discretionary fashion. Clarity and stability were seen as essential to guaranteeing the transparency within law requisite to assuring the principle of fair notice upon which the whole classical ideal of the 'rule of law' rested; generality preserved legal equality by insisting that like cases be treated in like ways. But it is telling that legislation has de-

creasingly taken this form in our century, especially after legislatures (justifiably) began ambitiously to tackle the task of regulating the capitalist economy. Increasingly, legal norms are open-ended and amorphous, containing vague clauses ('unconscionable', 'in the public interest', 'in good faith') open to a variety of 'flexible' forms of context-specific application.²⁴ Traditional liberal doctrine's sensible insistence on the virtues of cogent, stable, general forms of law conflicts directly with the inherent dynamism and built-in instability of capitalist production. Parliament promises legal stability and privileges relatively unchanging, static legal forms, whereas capitalism institutionalizes constant change and generates novel, complex problems difficult to subject effectively to general, relatively static rules. Unsurprisingly, legislatures have tended to abandon traditional liberal law for open-ended legal types arguably better attuned to the ever-changing dictates of capitalist production. Particularly in the arena of the modern regulatory state, administrative and judicial discretion have become pervasive, and traditional forms of liberal law are increasingly the exception and not the norm.²⁵ One way in which legislatures have circumvented this tension is by simply abandoning traditional forms of law – by delegating vast discretionary authority to the executive.

However, emergency powers have not simply concerned economic management; the tasks of waging and preparing for military conflict have also taken on a major part in the swelling of executive power in our century. While Marxists like Harvey have tended to neglect this side of the story, others – including Giddens and Virilio – have described in great detail how international military competition in the modern state system has contributed substantially to the compression of space and time.²⁶ Many of the technological developments responsible for a growing sense of instantaneousness and simultaneity (for example, computerization) have initially been driven by military rivalry rather than commercial competition. The most traumatic experiences in which the compression of space and time has become especially vivid – German *Luftwaffe* bombings of London in World War II, or the more recent Gulf War in which millions 'tuned in' to watch so-called American 'smart bombs' do their dirty work – have been essentially military in nature. Clearly much more needs to be said about this problem. For now it suffices to note that capitalist production *and* interstate military competition represent two driving forces behind the compression of space and time in the modern world. Moreover,

both processes have contributed substantially to the erosion of liberal democracy in this century.

The role of interstate rivalry in weakening parliament is even more clear than in the case of emergency economic powers. By dramatically compressing space and time, the apparatus of modern warfare increasingly renders pre-existing geographical divides irrelevant. A familiar example illustrates the problem at hand: throughout much of modern history, the English Channel functioned as an effective natural defensive barrier for Britain; in World War I, German bombers were able to penetrate British airspace but were unable to do much damage; by World War II, Nazi planes wreaked havoc on Britain; by the 1960s, nuclear technology meant that officials would only be warned a few minutes before enemy nuclear missiles obliterated Britain.

The existing global village is armed to the teeth. The possibility of high-speed acts of mutual destruction threatens to outrun traditional liberal democratic modes of decision-making. It should come as no surprise that the sphere of foreign policy has more and more fallen into the hands of an ever-narrower set of political leaders, or that the most trying foreign-policy decisions in the contemporary world – for example, the Cuban missile crisis – were made with little public or even parliamentary input. The shrinkage of our world means not only that national borders have lost some of their original functions as ‘frontiers’ serving important defensive purposes, but that legal forms traditionally considered appropriate to the tasks of overcoming external military threats have been allowed to take on an ever-greater role within the everyday operations of liberal democracy. Just as the traditional distinction between the ‘domestic’ and ‘foreign’ has been blurred by military technology, so too has the classical liberal delineation of emergency from normal legal devices lost much of its original clarity and significance. As George Kateb has noted, ‘[t]here can be no genuine democracy so long as foreign policy figures decisively in the life of a society that aspires to be democratic’.²⁷ The problem we face today is that the compression of space and time has largely obscured the difference between domestic and foreign policy.

Of course, Cold War hysteria and old-fashioned executive usurpations of legislative power have played a decisive role in the expansion of military-related emergency powers, and there are many pressing reasons for seeking to counter their proliferation. I do not mean to suggest that the excrescences of emergency rule represent nothing more than an unavoidable con-

sequence of the compression of space and time. By the same token, it would be naive to ignore the fact that many worrisome institutional trends derive from structural problems that those of us who would prefer to live in a relatively peaceful global village need to face head-on. For starters, how might we *decelerate* an arms race in which ‘the constant progress of rapidity’ within weapons technology ‘threatens from one day to the next to reduce the warning time for nuclear war to *less than one fatal minute*’, thereby finally abolishing the possibility of even minimal human reflection and deliberation in the face of an atomic threat?²⁸

Democratic theory revisited

I have tried to suggest that the dilemmas posed by globalization for liberal democracy are more profound than generally acknowledged. A democratic theory that obscures the political implications of what arguably constitutes the most important facet of globalization, the compression of space and time, risks minimizing the huge theoretical and political tasks at hand.²⁹ The failure of even critical-minded democratic theorists to grapple seriously with the idea of the compression of space and time means that most of them have done just that.

First, conceptualizing globalization in terms of the compression of space and time allows us to see that recent erosions of popular authority within liberal democracy hardly represent a response to a novel set of challenges. From the perspective developed here, the fact that half of the laws now passed by European parliaments were in fact previously decided by transnational bodies entails a deepening of worrisome anti-democratic tendencies, but hardly an unprecedented development.³⁰ Relatively recent global trends are likely to weaken democratic legitimacy further, yet the fact remains that the decay of democracy predates the emergence of global financial markets or the ecological crisis.

Second, the perspective offered here suggests that it is incumbent on those today defending the idea of a ‘cosmopolitan democracy’ to explain exactly how their institutional proposals could counteract the deeply rooted anti-democratic trends thematized above. How might the invigoration and democratization of international political bodies manage the compression of space and time more effectively than the existing nation-state? By formulating the question in these terms, we can begin to recall the continued centrality of traditional left-wing concerns increasingly neglected in the contemporary debate about democracy and



globalization. Might some alternative to contemporary capitalism allow elected legislatures to perform their functions better than they seem capable of today? Can we assure economic well-being without forcing social and economic life into the straitjacket of a capitalist economy driven inexorably to revolutionize and unsettle economic life? Bigger regional and international political units hardly provide an automatic check against the spectre of warfare, or the ominous implications of the compression of space and time in weapons technology. What types of disarmament measures today make sense given that speed and reaction time have become all-important to military life? If I am not mistaken, much more than the deepening of (existing) liberal democratic decision-making devices on the global level will be necessary if we are to ward off the most worrisome consequences of the compression of space and time.

Third, the defensive tone of even relatively critical contributions to the debate on globalization and democracy is misplaced. In his recent essays on globalization, Habermas, for example, seems primarily concerned with the task of *preserving* the existing constellation of welfare-state liberal democracy in the face of a transnational pressures to weaken liberal-democratic institutions and dismantle social programmes. Alas, this focus obscures the seriousness of the ills plaguing *existing* liberal democratic institutions.³¹ We obviously should strive to avoid an exacerbation of the problems described above, and the sad liberal

democratic status quo is superior to the technocratic political fantasies of neoliberal ideologues. But we also need to devote more attention to a question whose significance Habermas downplays: how can we refigure democratic institutions so that they have a real chance of tackling the awesome problems posed by the compression of space and time?

Perhaps Marx's *Communist Manifesto* can provide an inspiration for beginning to tackle the dilemma at hand. After describing the revolutionary technological feats of modern capitalism, Marx famously reminded his audience that those achievements – including modern systems of mass communication and transportation – now could be employed by the working class in the struggle against capitalism. The compression of space and time motored by capitalist development could be mobilized in opposition to capitalism. Maybe a similar point can be made about the nexus between the compression of space and time and democratic politics today. Too often, the compression of space and time has served anti-democratic purposes, and a healthy dose of scepticism is in order in the face of those who believe that advanced communications and information technology represent an unabashed good for democracy. At the same time, no principled reason prevents political institutions from making use of the same phenomenon in order to refurbish democratic legitimacy. Instantaneousness and simultaneity surely might strengthen public and parliamentary debate rather than squelching it; high-speed

transportation and communication could hypothetically facilitate democratic decision-making as well as commercial and military aims. Though necessarily distinct from those eulogized by Tocqueville in *Democracy in America*, perhaps the emerging global village could succeed in providing a site for 'virtual' town meetings as well. A sober, balanced account of this prospect is very much needed today.³² Yet in order to fulfil this tall order, the institutional mechanisms of liberal democracy will need to be dramatically reconceived.

Notes

Special thanks to Mark Neocleous for helpful suggestions on this paper.

1. In this vein: David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance*, Stanford University Press, Stanford CA, 1995. A reliable survey of the ongoing debate on democracy and globalization is Anthony McGrew's 'Democracy Beyond Borders?', in A. McGrew, ed., *The Transformation of Democracy*, Open University, Milton Keynes, 1997.
2. Jürgen Habermas, 'Die postnationale Konstellation und die Zukunft der Demokratie', *Blätter für deutsche und internationale Politik* 7, July 1998, pp. 804–17; Habermas, 'Jenseits des Nationalstaats? Bemerkungen zu Folgeproblemen der wirtschaftlichen Globalisierung', in Ulrich Beck, ed., *Politik der Globalisierung*, Suhrkamp, Frankfurt, 1998, pp. 67–84.
3. Ezra Suleiman, ed., *Parliaments and Parliamentarians in Democratic Politics*, Holmes & Meier, New York, 1986.
4. Hernando de Soto, 'Some Lessons in Democracy – For the U.S.', *New York Times*, 1 April 1990, section 4, p. 2.
5. Frank Church and Charles Mathias, 'Foreword', *A Brief History of Emergency Powers in the United States: A Working Paper Prepared for the Special Committee on National Emergencies and Delegated Emergency Powers*, United States Senate, US Government Printing Office, Washington DC, 1974, p. vi.
6. *Ibid.* For a defence of this thesis, see Arthur S. Miller, 'Constitutional Law: Crisis Government Becomes the Norm', *Ohio State Law Journal*, vol. 39, no. 4, 1978, pp. 736–51. On recent developments, see Louis Fisher, *Presidential War Power*, University of Kansas, Lawrence, 1995, pp. 134–85. Jules Lobel, 'Emergency Power and the Decline of Liberalism', *Yale Law Review*, vol. 98, 1989, pp. 1385–433.
7. Ernst Fraenkel, ed., *Der Staatsnotstand*, Colloquium, Berlin, 1964; Clinton Rossiter, *Constitutional Dictatorship: Crisis Government in the Modern Democracies*, Harcourt Brace Jovanovich, New York, 1963.
8. George M. Dennison, 'Martial Law: The Development of a Theory of Emergency Powers, 1776–1861', *American Journal of Legal History*, vol. 18, 1974, pp. 52–79.
9. Charles Fairman, 'Martial Rule in the Light of *Sterling v. Constantin*', *Cornell Law Quarterly*, vol. XIX, 1934, p. 29; Church and Mathias, *A Brief History of Emergency Powers in the United States*, pp. 32–40. The comparative literature documents the existence of ample parallel trends outside the USA as well; emergency devices were a favourite weapon against labour and socialist 'unrest'.

10. In his inaugural speech of 1933, Roosevelt declared that the economic crisis constituted a 'national emergency' necessitating the exercise of 'broad Executive power to wage a war against the emergency, as great as the power that would be given to me if we were in fact invaded by a foreign foe'. Cited in Church and Mathias, *A Brief History of Emergency Powers in the United States*, pp. 55–6. The British probably moved in this direction earlier than the Americans. The Emergency Powers Act of 1920 explicitly focused on the problem of assuring the supply and distribution of economic necessities. In 1923 Germany, President Friedrich Ebert relied on the emergency clauses (Article 48) of the Weimar Constitution to pass controversial economic and social policy measures.
11. Church and Mathias, *A Brief History of Emergency Powers in the United States*, pp. 40–94.
12. On the latter example, see Joel B. Harris and Jeffrey P. Bialos, 'The Strange New World of United States Export Controls Under the International Emergency Economic Powers Act', *Vanderbilt Journal of Transnational Law*, vol. 18, 1985, pp. 71–108. This 1979 Act gives the President broad authority to declare an emergency and then 'regulate ... prevent or prohibit, any ... exportation of, or dealing in, or exercising any right, power, or privilege with respect to, transactions involving, any property in which any foreign country or a national thereof has any interest; by any person, or with respect to any property, subject to the jurisdiction of the United States'. The courts have permitted the executive to construe its emergency powers in accordance with it in an extremely broad manner (p. 77).
13. Malcolm Waters, *Globalization*, Routledge, London and New York, 1995, p. 55.
14. The term 'compression of space and time' is used most consistently by Harvey. Giddens tries to capture a similar phenomenon by means of the term 'disfanciation', whereas Virilio employs a variety of terms. For my purposes here, these terminological differences are unimportant. Of course, important theoretical and political differences separate these authors, and each would certainly disagree with select elements of my attempt here to make productive use of the idea of a compression of space and time. But since my main concern here lies in making a constructive contribution to critical political theory, for now I am forced to ignore the exegetical complexities at hand. Anthony Giddens, *The Consequences of Modernity*, Stanford University Press, Stanford CA, 1990; Paul Virilio, *Speed and Politics*, Semiotext(e), New York, 1986.
15. Stephen Kern, *The Culture of Time and Space, 1880–1918*, Harvard University Press, Cambridge MA and London, 1983.
16. David Harvey, *The Condition of Postmodernity: An Enquiry Into the Origins of Cultural Change*, Basil Blackwell, Oxford, 1989. I do not endorse this rather orthodox interpretation of postmodernism; I merely use it to illustrate recent employment of the idea of a compression of space and time.
17. On the interconnection between economic activity and competing time and space horizons, see Georges Gurvitch, *The Spectrum of Social Time*, D. Reidel, Dordrecht, 1964.
18. E.P. Thompson, 'Time, Work-Discipline, and Industrial Capitalism', *Past and Present* 38, 1967, pp. 56–97.
19. Harvey, *The Condition of Postmodernity*, 207–10.

20. Cited in *ibid.*, p. 208.
21. David Harvey, *Justice, Nature and the Geography of Difference*, Blackwell, Oxford, 1996, pp. 240–41.
22. Harvey, *The Condition of Postmodernity*, p. 240.
23. John Dewey made a related point when he noted that the 'mania for motion and speed' characteristic of industrial capitalism exacerbated the difficulties of democracy. 'How can a public be organized, we may ask, when literally it does not stay in place?', John Dewey, *The Public and Its Problems*, Swallow Press, Athens OH, 1981, pp. 140–41.
24. Franz L. Neumann, 'The Change in the Function of Law in Modern Society', in *The Rule of Law Under Siege: Selected Essays of Franz L. Neumann and Otto Kirchheimer*, edited by William E. Scheuerman, University of California Press, Berkeley and London, 1996. Free-market theorists also describe this trend, but place it in a very different light; see Friedrich Hayek, *The Road to Serfdom*, University of Chicago Press, Chicago, 1944.
25. On the American case, see Theodore Lowi, *The End of Liberalism*, W.W. Norton, New York, 1979.
26. Philip Cassell, ed., *The Giddens Reader*, Stanford University Press, Stanford CA, 1993, pp. 257–83. Although I disagree with Giddens on many points, it seems to me that he is right to argue that military rivalry and conflict *cannot* be adequately explained by Marxist conceptual devices. Nor can we neglect the institutional structures of the modern state in explaining either the growth of its instruments of surveillance or apparatus of warfare. In contrast, Virilio seems to waver uneasily between a *marxisant* interpretation of military conflict and an alternative line of inquiry in which the *technology* of modern warfare is conceived as an independent factor in the compression of space and time. The latter strand comes out most clearly in Paul Virilio, *Revolutionen der Geschwindigkeit*, Merve Verlag, Berlin, 1993.
27. George Kateb, *The Inner Ocean: Individualism and Democratic Culture*, Cornell University Press, Ithaca and London, 1992, p. 22.
28. Paul Virilio, *Speed and Politics*, p. 139. For a good critical discussion of Virilio's theory, see Stefan Breuer, *Die Gesellschaft des Verschwindens*, Rotbuch Verlag, Berlin, 1995, pp. 155–86. As I write this, a leading German newspaper reports that in 1983 the Soviet atomic warning system falsely reported an American attack; the Soviets assumed that they had only twenty minutes to respond. Fortunately, Soviet commanders had sense enough to ignore the information provided them by their military satellites. 'Fehler führte 1983 fast zu atomaren Schlagabtausch', *Frankfurter Rundschau*, 23 September 1998, p. 2.
29. Held refers to the 'chronic intensification of patterns of interconnectedness mediated by such phenomena as the modern communications industry and new information technology', but he fails to capture the full implications of time-space compression. David Held, 'Democracy: Past, Present, and Possible Futures', *Alternatives* 18, 1993, p. 264.
30. Ulrich Beck, 'Wie wird Demokratie im Zeitalter der Globalisierung möglich? – Eine Einleitung', in Beck, ed., *Politik der Globalisierung*, pp. 32–3; James Goodman, 'The European Union: Reconstituting Democracy Beyond the Nation-State', in McGrew, ed., *The Transformation of Democracy*.
31. This problem runs like a red thread through Habermas's recent work. See my 'Between Radicalism and Resignation: Democratic Theory in Habermas' *Between Facts and Norms*', in Peter Dews, ed., *Habermas: A Critical Reader*, Basil Blackwell, Oxford, 1999.
32. On the internet and democratic politics, see Gary S. Schaal and Andre Brodocz, 'http://www.democracy.ade?: Zum Zusammenhang von Internet, Globalisierung und Demokratie', *Berliner Debatte. INITIAL*, vol. 9, no. 4, 1998, pp. 49–58.

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