

NATIONALISMS ACROSS THE GLOBE

VOL. 19



Privatizing Democracy

Global Ideals, European Politics
and Basque Territories

Jule Goikoetxea

Peter Lang

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PETER LANG

Oxford · Bern · Berlin · Bruxelles · Frankfurt am Main · New York · Wien

Bibliographic information published by Die Deutsche Nationalbibliothek.
Die Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data is available on the Internet at <http://dnb.d-nb.de>.

A catalogue record for this book is available from the British Library.

Library of Congress Cataloging-in-Publication Data

Names: Goikoetxea, Jule, author.

Title: Privatizing democracy : global ideals, European politics and Basque territories / Jule Goikoetxea.

Description: Bern ; New York : Peter Lang, 2017. | Includes bibliographical references and index.

Identifiers: LCCN 2017008808 | ISBN 9783034322614 (alk. paper)

Subjects: LCSH: Democratization--Spain--País Vasco. |

Democratization--France--Pays Basque. | Democracy--Economic aspects. |

País Vasco (Spain)--Politics and government. | Pays Basque

(France)--Politics and government.

Classification: LCC JN8399.P3459 G65 2017 | DDC 320.946/6--dc23

LC record available at <https://lcn.loc.gov/2017008808>

Cover image © NASA/Goddard Space Flight Center Scientific Visualization Studio

Cover design by Peter Lang Ltd.

ISSN 1662-9116

ISBN 978-3-0343-2261-4 (print) • ISBN 978-1-78874-000-5 (ePDF)

ISBN 978-1-78874-001-2 (ePub) • ISBN 978-1-78874-002-9 (mobi)

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This publication has been peer reviewed.

Printed in Germany

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To my father, Tomas Goikoetxea

Acknowledgements

My sincerest acknowledgements go to Graham Avery for inviting me to Oxford and to Jan Zielonka, from the Centre of European Studies at St Antony's College, for having me during the writing of this book. I am also very grateful to Maria Jaschok and Janette Davies from the International Gender Studies Centre of Oxford University for their warm and enthusiastic welcome.

I am particularly obliged to John Dunn and Will Kymlicka for their support and confidence throughout my short but intense academic career so far and I am also very grateful to Michel Burgess not only for his feedback on Basque federalism, but for being so encouraging and nice.

Thanks to my doctoral and Master's students for sharing their questions and thoughts.

I want to express my gratitude to Karl Cordell and to *Ethnopolitics* and *Nationalities Papers* for letting me reproduce the articles published in their journals.

The most intense and intimate acknowledgement goes to all those women who publicly confront social normality with perseverance in order to make this world less miserable by turning our communities and our bodies into politically wealthy battlefields for emancipation.

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CHAPTER I

Introduction

Privatizing democracy

Democracy is neutralized by allowing political communities without territorial and political capacity for self-government.

Democratization is a process of collective emancipation through self-government. Continuous political contestation is essential for emancipation, but we never know which mechanisms and conditions can empower us until we know which ones subjugate us. Those capacities and power techniques that modulate our individual and collective bodies and make them docile tend to be the relatives of those which make us equal and free. The question, after reading this book, will still be how.

The title, *Privatizing Democracy*, may seem an oxymoron, for democracy is a process whereby the public sphere widens, while privatization goes in the opposite direction by transferring rights, decision-making capacities and public institutions along with public wealth, knowledge, sanitation, education, natural resources, territories and political authorities to private hands (in the sense of non-elected, non-accountable and not popularly legitimated). Thus, the book focuses on how Western democratization takes place in this era of global capitalism, which obstinately continues to privatize the mechanisms and structures that provide people with empowerment and capacitation for self-government.

However, politicization and political contestation are as perseverant as the privatization and moralization carried out by neoliberal economic rationality and liberal cosmopolitan universal and teleological morality, respectively. *Privatizing democracy* refers thus to the process whereby

all those mechanisms and strategies used to empower and capacitate the population end up privatized and empowering only the holders of capital.

The rationalist conception of the individual, proposed by Descartes in the seventeenth century and developed further by Kant, together with the new political economic theories of the eighteenth century and the technical developments of the nineteenth, led on the one hand to what we call *homo economicus* and, on the other, to the industrialized and bureaucratized society from which the modern state originates. These new conceptions and material capabilities did not eliminate previous political goals, such as conquest; they just rationalized the discourse of conquest in other directions. It is within this context that the discourse of nationhood and democracy acquired its strength. So, the major short and medium term changes in the socio-political arena came not from the new attitudes towards natural rights and the moral self-determination of the free individual, but rather from the economic efficiency that the new techniques and technologies offered in an increasingly industrialized and productive society. It was the Physiocrats, not Kant, who wanted to regenerate the world economically and morally and for that purpose insisted on universal education, not precisely for its value as a natural or universal right, but because the new economic order could only be created simultaneously with a new political order, which could be spread only through universal education.

The standardized education and bureaucratization that led to a high degree of efficiency and cultural homogenization form one of the main principles from which modern statehood and, eventually, industrialized nations emerged. For a particular economic and political order to expand, a large, patriotically minded population (from which to recruit military forces that would spread the principles of the new enlightened civilization) was necessary. Consequently, warfare was an essential element if the new political and economic order was to survive and modern industrial and commercial wars could only be waged with highly trained (literate), patriotic armies. At present, many things have changed. Many others have not.

All in all, the principles of nationhood and modern statehood were the product of highly effective institutions which produced high culture by means of standardized education, which prepared the people of a given territory to be efficient, in the sense of productive, in order to constantly

foster economic growth. This continuous economic growth needed, at the same time, new markets around the world, which were acquired by conquest or occupation. Liberty in the liberal sense, was and still is, a concept attached not only to propriety but also to rationality and the latter entails not only regularity, but also efficiency. This allegedly enlightened, civic and morally superior “Western nationalism” led to highly rationalized and cruel Empires, which were, according to liberal scholars and elites, the most effective way of imposing peace. This discourse can today be seen reflected in any North American political TV drama or in any European macro-economic policy brief.

The key idea is that the principle of enlightened and civic nationhood dressed up imperialistic aspirations and it informed the modern notion of empire, but it also informed, though political contestation against this very notion and the set of practices it implies, the modern idea of democracy. This is why we never know beforehand what will emancipate us until we know what subjugates us, amongst other things, because emancipation and subjugation are discursive practices that articulate the world in its perpetual conflict and transformation. This is also why one of the main dimensions of every political conflict is about the meaning and significance of “conflict”, “freedom”, “democracy”, “dignity”, “political community” and “self-government”.

I describe (and establish hence the meaning of) democratization as a process that consists of the inclusion of as *many people as possible* in the *governance of their political and socio-economic system* by empowering them through specific technologies of power that in our place and time are *public disciplinary and biopolitical techniques and institutions*, which subjugate but also capacitate the people so that they can gain *as equal access as possible* to resources and opportunities in order to govern themselves.

The aim is to go forward and backward, once and again, through two notions of democracy.

In the first one, democracy refers to individual and collective empowerment for (self-) government through public institutions and strategies in which the core idea is that there is no democracy without people being able and hence capacitated, to govern themselves, whatever people, public or govern refer to at each historical moment.

The second notion, more specific to the last few centuries, focuses on current public disciplinary and biopolitical techniques and institutions and considers the concepts and practices of state – and popular – sovereignty as basic elements which, thanks to politicization, have led to diverse democratization processes within industrialized, patriarchal and capitalist societies.

The more we lay down the location and timing of concrete democratization processes, the more detailed descriptions we are able to offer. Nevertheless, the more precise the description, the fewer similarities we will encounter among collective processes of empowerment and capacitation for (self-)government throughout history.

As Hobsbawm always said, we belong to a concrete historical moment and place. I participate in the drama of history, insignificant as this participation may be, so the twentieth and twenty-first centuries shape me, doubtless more than I shape them and therefore, there is no impartial approach to anything. But partiality is to conflict what conflict is to change and freedom, for partiality means politics and politics is the effect of what we are able to politicize in each historical moment.

Deleuze, Bourdieu and Negri said that their generation was supposed to be one in which the atomistic subject and the philosophy of consciousness along with the notion of continuous historical progress of (dialectical and analytical) rationality were finished. Instead, here we are, one generation later, with the same autistic, atomistic and patriarchal subject as the sovereign of human and social sciences, pathologically attached to the same historical teleology and the same monotheistic morality, where truth is still considered to be opposite to power and hence not produced through power but somewhere out there to be discovered by a universal (pragmatic) rationality. Intersubjective fashions do not change this anti-political and a-historical certainty whereby free trade is the leading economic truth and liberal universal ideals the leading moral truth, both assembled within the old – too old – liberal state-phobia, in which the state is a horrible, violent agent or site, unlike society, community, family and the individual.

Our approach runs in the opposite direction and one of our main premises is that the state is not per se more violent than society, community and family, among other reasons because the state is neither a thing nor a subject. As a result, it is neither bad nor good, since it has no heart.

The complex of structures, practices, techniques and relationships we call the state can in any case be much more effective in creating and reproducing violence and therefore it can also be much more effective in creating welfare, inclusion and equity. This difference in approaching not just the state, but the regime of existence of any social object is highly significant when analysing power relations and the effects of these relations in shaping society, individuals and any type of community.

Democratization processes are discontinuous and multi-dimensional, but above all, very slow and highly uncertain. Since we cannot foresee all the consequences a particular strategy, institution or power technology will have in terms of empowerment, capacitation, docility or subjugation, democratization never ends. Democracy, or whatever name future generations give to collective empowerment for self-government, will never be achieved completely and this eternal lack of closure is what freedom is about. It cannot be known, beforehand, what is going to be privatized, moralized and naturalized and what, therefore, will have to be politicized. Therefore, we can never foresee the contents of politicization, but we can always choose to politicize.

Democratization always takes place partially and contrary to mainstream thinking, this is good news, for even if it is true that without an ending there is no happy ending, this opens the door to constitutive perpetual conflict and therefore perpetual change in human communities and this is precisely what allows and indeed obliges, each generation to shape its own forms of emancipation and democratization.

At the present moment, any pessimist would say that things cannot get worse, but I nevertheless consider myself an optimist, for things can always get worse.

Main topics and theses of the book

The main question is: what do the people need in this global capitalist era, in order to survive as a democracy?

Proposals to solve both global and European democratic deficits are based on the premise that democracy can work without sovereignty. National, popular and state sovereignty are being rejected by most liberal thinkers as a mechanism for democratizing the current world. Our first thesis argues that the set of public structures we call the state, along with the theory and practices of popular and state-sovereignty are fundamental for democratization, amongst other things, because the less institutional and constitutional power a political community has, the less sovereignty that community will be able to acquire and hence the less reproductive power it will have for maintaining itself across time and space as a self-governed community. It will be seen how and why these local territorial assemblages we call *demos* require sovereignty in terms of the institutional and territorialized political capacity a community has for self-government. Sovereignty may be divisible, but it cannot disappear, since a community without *political capacities* (material sovereignty) and an unchallengeable site of authoritative judgement (formal sovereignty) cannot govern itself in accordance with its own political decisions.

Our second thesis says that *perpetual conflict* is a necessary condition for democratization. Firstly, we will see there is no democracy without constant politicization and political contestation. Secondly, in order to achieve welfare, individual and collective empowerment is necessary and this in turn demands certain capacitations and subjugations, which allow the creation of new social and political subjects and objects. Docile and empowered (individual and collective) bodies are two sides of the same coin, perpetually in conflict.

The state is an effect of power rather than its origin, but because it is a structured and a structuring social set of phenomena, it is not only an effect but also a point of (re)production which the concept of "cause" does not entirely encompass. Social objects are objective and subjective, in the sense that they are not only institutionalized or objectified power relations but also, beliefs, perception and discourses which generate our meaningful world and therefore, these very power relations. The regime of existence of social phenomena cannot be reduced to dichotomies of cause/effect according to propositional or elemental logic, since in many instances, effects articulate their own causes a posteriori, because causes are meaning effects.

The third thesis argues that there cannot be a *demos* in the twenty-first century without this *demos* being at the same time a normalizing society; a society based on public disciplinary and regulatory mechanisms and institutions. Political freedom and equality are always created through specific subjugations which not only modulate the (individual and collective) body, but also empower and capacitate it.

To link democratization with anti-disciplinary and anti-biopolitical mechanisms emancipated from the principle of sovereignty, as liberals but also many (among the few) socialist scholars of democracy do, does not make any historical sense, since current democratization processes have actually occurred not just through the socialization of the theory of law and popular sovereignty, but through the application of public disciplinary and biopolitical mechanisms. The idea that individuals, because they were born equally free, should have equal right to choose, makes no sense in this light, for we have to create these individuals first. We are not born free, woman, black or rich; we are born mammals. Mammals that are then (hopefully) turned into autonomous individuals capable not only of choosing individually but of collectively empowering and freeing themselves by politicizing power techniques of subjugation. It is not universal morality and individual rationality which cause democratization, but mechanisms of docility and obedience, along with political contestation against these very mechanisms, which is why empowerment goes hand in hand with control and coercion, since a body is disciplined when it can be used, transformed and perfected. This is what makes it an empowered body, emancipated by its power of self-modulation.

Our approach includes neither Sen's (1999) nor Nussbaum's (2011) capabilities theories, since our philosophical and theoretical principles are highly divergent. However, the concept of capacity, to the extent that it is, in our approach, political, needs to be understood as a social capability and its significance needs to be intimately linked to social wellbeing. As regards Nussbaum, we share her objective of focusing on those capacities (see her ten capabilities) which have been invisibilized in democratic and political theory due to its patriarchal content (as regards sources, development and objectives).

In this sense, disciplinary public techniques tend not only to increase body skills, or make its subjection lighter, they make the body more obedient

the more useful it is. But then again, the more useful it is, the more empowered it can become for self-government, as our theses point out. We agree with Foucault in that the point is not to ask subjects how, why and by what right they can agree to being subjugated, but to show how actual relations of subjugation manufacture free and equal subjects. "Let us ask how things work at the level of on-going subjugation, at the level of those continuous and uninterrupted processes which subject our bodies, govern our gestures, dictate our behaviours. We should try to discover how it is that subjects are gradually, progressively, really and materially constituted through a multiplicity of organisms, forces, energies, materials, desires, thoughts, etc. We should try to grasp subjection in its material instance as a constitution of subjects" (Foucault, 1997: 97).

Democratization is a process of collective empowerment for self-government and it is therefore a process of collective emancipation, but as noted earlier, we never know which mechanisms and conditions will lead us to emancipation until we know which ones subjugate us. Therefore, the first part of the book studies certain social, discursive and institutional conditions that allow the material and discursive (re)production of democracy, along with those mechanisms and strategies that in this global capitalist era lead to the privatization of this very democracy. The second part of the book will illustrate, through an applied analysis of the Basque Country, what has been argued in the first part.

Chapter 2 on global capitalism, democracy and the European Union shows why globalization, understood as global capitalism, poses such a great challenge to our theories and practices of democracy. Drawing on the latest theories on globalization and European integration, this chapter will argue that liberal multi-level governance regimes should be understood as the governmental mechanisms of global capitalism for privatizing public authority and people's political capacity. The chapter will diagnose the "democratic deficit" of the European Union and summarize the main proposals for remedying the problems derived from it, amongst which liberal cosmopolitan proposals known as "cosmopolitan or global democracy" are predominant. We will argue that these proposals lead not to a cosmopolitan or a global democracy but to the disappearance of democracy.