The Ideological War Within the West

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NEARLY a year before the September 11 attacks, news stories provided a preview of the transnational politics of the future. In October 2000, in preparation for the UN Conference Against Racism, about 50 American nongovernmental organizations (NGOs) called on the UN 'to hold the United States accountable for the intractable and persistent problem of discrimination'.

The NGOs included Amnesty International-USA (AI-USA), Human Rights Watch (HRW), the Arab-American Institute, National Council of Churches, the NAACP, the Mexican-American Legal Defense and Educational Fund, and others. Their spokesman stated that their demands 'had been repeatedly raised with Federal and State officials [in the US] but to little effect. In frustration we now turn to the United Nations'. In other words, the NGOs, unable to enact the policies they favoured through the normal processes of American constitutional democracy—the Congress, state governments, even the federal courts—appealed to authority outside of American democracy and its Constitution.

At the UN Conference against Racism, which was held in Durban two weeks before September 11, American NGOs supported 'reparations' from Western nations for the historic transatlantic slave trade and developed resolutions that condemned only the West, without mentioning the larger traffic in African slaves sent to Islamic lands. The NGOs even endorsed a resolution denouncing free market capitalism as a 'fundamentally flawed system'.

The NGOs also insisted that the US ratify all major UN human rights treaties and drop legal reservations to treaties already ratified. For example, in 1994 the US ratified the UN Convention on the Elimination of Racial Discrimination (CERD), but attached reservations on treaty requirements restricting free speech that were 'incompatible with the Constitution'. Yet leading NGOs demanded that the US drop all reservations and 'comply' with the CERD treaty by accepting UN definitions of 'free speech' and eliminating the 'vast racial disparities in every aspect of American life' (housing, health, welfare, justice, etc.).

HRW complained that the US offered 'no remedies' for these disparities but 'simply supported equality of opportunity' and indicated 'no willingness to comply' with CERD. Of course, to 'comply' with the NGO interpretation of the CERD treaty, the US would have to abandon the Constitution's free speech guarantees, bypass federalism, and ignore the concept of majority rule—since practically nothing in the NGO agenda is supported by the American electorate.

All of this suggests that we have not reached the final triumph of liberal democracy proclaimed by Francis Fukuyama in his groundbreaking 1989 essay.

POST-SEPTEMBER 11

In October 2001, Fukuyama stated that his 'end of history' thesis remained valid: that after the defeat of communism and fascism, no serious ideological competitor to Western-style liberal democracy was likely to emerge in the future. Thus, in terms of political philosophy, liberal democracy is the end of the evolutionary process. There will be wars and terrorism, but no alternative ideology with a universal appeal will seriously challenge the principles of Western liberal democracy on a global scale.

The September 11 attacks notwithstanding, there is nothing beyond liberal democracy 'towards which we could expect to evolve'. Fukuyama concluded that there will be challenges from those who resist progress, 'but time and resources are on the side of modernity'.

Indeed, but is 'modernity' on the side of liberal democracy? Fukuyama is very likely right that the current crisis with radical Islam will be overcome and that there will be no serious ideological challenge originating outside of Western civilization. However, the activities of the NGOs suggest that there is already an alternative ideology to liberal democracy within the West that has been steadily evolving for years.

Thus, it is entirely possible that modernity—30 or 40 years hence—will witness not the final triumph of liberal democracy, but the emergence of a new transnational hybrid régime that is post-liberal democratic, and in the American context, post-Constitutional and post-American. This alternative ideology, 'transnational progressivism', constitutes a universal and modern worldview that challenges both the liberal democratic nation-state in general and the American régime in particular.

TRANSNATIONAL PROGRESSIVISM

The following could be considered the core propositions that define transnational progressivism:

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'Identity' group more important than the individual citizen. For transnational progressivism the key political unit is not the individual citizen, who forms voluntary associations and works with fellow citizens regardless of race, sex, or national origin, but the ascriptive group (racial, ethnic, or gender) into which one is born.

A dichotomy of groups. Transnational ideologists have incorporated the essentially Hegelian Marxist 'privileged vs marginalized' dichotomy: oppressor vs victim groups, with immigrant groups designated as victims.

Group proportionalism as the goal of 'fairness'. Transnational progressivism assumes that 'victim' groups should be represented in all professions roughly proportionate to their percentage of the population. If not, there is a problem of 'under-representation'.

The values of all dominant institutions to be changed to reflect the perspectives of the victim groups. Transnational progressives insist that it is not enough to have proportional representation of minorities in major institutions if these institutions continue to reflect the worldview of the 'dominant' culture. Instead, the distinct world views of ethnic, gender, and linguistic minorities must be represented within these institutions.

The 'demographic imperative'. The demographic imperative tells us that major demographic changes are occurring throughout the world. The traditional paradigm based on the assimilation of immigrants into an existing civic culture is obsolete and must be changed to a framework that promotes 'diversity', defined as group proportionalism.

The redefinition of democracy and 'democratic ideals'. Transnational progressives have been altering the definition of 'democracy' from that of a system of majority rules among equal citizens to one of power sharing among ethnic groups composed of both citizens and non-citizens. Real democracy will come when the different 'peoples' that live within the society 'share power' as groups.

Deconstruction of national narratives. Transnational ideologues attack national symbols and identity in democratic nation-states in the West. In October 2000, a UK government report denounced the concept of 'Britishness'. In the US, the proposed 'National History Standards', recommended altering the traditional historical narrative. In Israel, a 'post-Zionist' intelligentsia has proposed that Israel consider itself multicultural and deconstruct its identity as a Jewish state.

Promotion of the concept of postnational citizenship. In an important academic paper, Rutgers Law Professor Linda Bosniak asks hopefully 'Can advocates of postnational citizenship

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ultimately succeed in decoupling the concept of citizenship from the nation-state in prevailing political thought?'

CONCEPTUAL TOOL

Transnationalism is the next stage of multicultural ideology. Like multiculturalism, transnationalism is a concept that provides élites with both an empirical tool (a plausible analysis of what is) and an ideological framework (a vision of what should be). Transnational advocates argue that globalization requires some form of 'global governance' because they believe that the nation-state and the idea of national citizenship are ill-suited to deal with the global problems of the future.

The promotion of transnationalism is an attempt to shape this crucial in-

tellectual struggle over globalization. Its adherents imply that one is either in step with globalization, and thus forward-looking, or one is a backward anti-globalist. Liberal democrats (who are internationalists and support free trade and market economics) must reply that this is a false dichotomy—that the critical argument is not between globalists and anti-globalists, but instead over the form global engagement should take in the coming decades: will it be transnationalist or internationalist?

The social base of transnational progressivism constitutes a rising postnational intelligentsia (international law professors, NGO activists, foundation officers, UN bureaucrats, EU administrators, corporate executives, and politicians.) When social movements such as 'transnationalism' and 'global governance' are depicted as the result of social forces or the movement of history, a certain impersonal inevitability is implied. In the 20th century, however, the Bolshevik Revolution, the National Socialist revolution, the New Deal, the Reagan Revolution, the Gaullist national reconstruction in France, and the creation of the EU were not inevitable, but were the result of the exercise of political will by élites. Similarly, transnationalism, multiculturalism, and global governance, like 'diversity', are ideological tools championed by activist élites, not impersonal forces of history. The success or failure of these values-laden concepts will ultimately depend upon the political will and effectiveness of these élites.

HUMAN RIGHTS ACTIVISTS

A good part of the energy for transnational progressivism is provided by human rights activists, who consistently evoke 'evolving norms of international law'. The main legal conflict between traditional liberal democrats and transnational progressives is ultimately the question of whether the sovereign national constitutions trump international law or vice versa.

Before the mid-20th century, traditional international law referred to

relations among nation-states. The 'new international law' has increasingly penetrated the sovereignty of democratic nation-states. It is in reality 'transnational law'. Human rights activists work to establish norms for this 'new international [i.e. transnational] law' and then attempt to bring nations into conformity with a legal régime whose reach often extends beyond democratic politics.

Transnational progressives excoriate American political and legal practices in virulent language, as if the American liberal democratic nation-state was an illegitimate authoritarian régime. Thus, AI-USA charged the US in a 1998 report with 'a persistent and widespread pattern of human rights violations', naming the US the 'world leader in high-tech repression'. Meanwhile, HRW issued a 450-page report excoriating the US for all types of 'human rights violations', even complaining that 'the US Border Patrol continued to grow at an alarming pace'.

ANTI-ASSIMILATION ON THE HOME FRONT

Many of the same lawyers who advocate transnational legal concepts are active in immigration law. Louis Henkin, one of the most prominent scholars of international law, calls for largely eliminating 'the difference between a citizen and a non-citizen permanent resident'. Washington University international law professor Stephen Legomsky argues that people who hold dual nationalities should not be required to give 'greater weight to US interests, in the event of a conflict' between the US and the other country in which the American citizen is also a dual national.

Two leading law professors (Peter Spiro from Hofstra and Peter Schuck from Yale) question the requirement that immigrants seeking American citizenship 'renounce all allegiance' to their old nations. Spiro and Schuck also question the concept of the hyphenated American and offer the model of what they call the 'ampersand' American. Thus, instead of tra-

ditional 'Mexican-Americans' who are loyal citizens but proud of their ethnic roots, they do not object to post-national citizens, who are both 'Mexican & American', who retain 'loyalties' to their 'original homelands' and vote in both countries

University professor Robert Bach authored a major Ford Foundation report that advocated the 'maintenance' of ethnic immigrant identities and attacked assimilation as the 'problem in

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America'. The financial backing for this anti-assimilationist campaign has come primarily from the Ford Foundation, which made a conscious decision to fund a Latino rights movement based on advocacy-litigation and group rights. The global progressives have been aided—if not always consciously, certainly in objective terms—by a 'transnational Right'. It was a determined Right–Left coalition led by libertarian Stuart Anderson, who currently holds Bach's old position at the US Immigration and Naturalization Service, that killed a high-tech tracking system for foreign students that might have saved lives on September 11. Whatever their ideological or commercial motives, the demand for 'open borders' (not simply free trade, which is a different matter altogether) by the libertarian Right has strengthened the Left's anti-assimilationist agenda.

THE EU AS A STRONGHOLD OF TRANSNATIONAL PROGRESSIVISM

The EU is a large supranational macro-organization that embodies transnational progressivism. Its governmental structure is post-democratic. Power in the EU principally resides in the European Commission (EC) and to a lesser extent the European Court of Justice (ECJ). The EC, the EU's executive body, initiates legislative action, implements common policy, and controls a large bureaucracy. It is composed of a rotating presidency and 19 commissioners chosen by the member-states and approved by the European Parliament. It is unelected and, for the most part, unaccountable. This 'democracy deficit' represents a moral challenge to EU legitimacy.

The substantive polices advanced by EU leaders on issues such as 'hate speech', 'hate crimes', 'comparable worth' for women's pay, and group preferences are considerably more 'progressive' in the EU than in the US. European courts have overruled national parliaments and public opinion in nation-states by compelling the British to incorporate gays and the Germans to incorporate women in combat units in their respective military services.

In international politics, in the period immediately prior to September 11, the EU opposed the US on some of the most important global issues, including the ICC, the Comprehensive Test Ban Treaty, the Land Mine Treaty, the Kyoto Global Warming Treaty, and policy towards missile defence, Iran, Iraq, Israel, China, Cuba, North Korea, and the death penalty. On most of these issues, transnational progressives in the US—including politicians—supported the EU position and attempted to leverage this transnational influence in the domestic debate. Nevertheless, the Bush Administration on some of these issues has support in Europe, particularly from parts of the British political class and public, and elements of European popular opinion (e.g., on the death penalty). ▶

After September 11, while some European nation-states sent forces to support the US in Afghanistan, many European leaders have continued to snipe at American policies and hamper American interests in the war on terrorism. In December 2001 the European Parliament condemned the US Patriot Act (the bipartisan anti-terrorist legislation that passed the US Congress overwhelmingly) as 'contrary to the principles' of human rights because the legislation 'discriminates' against non-citizens.

Both realists and neoconservatives have argued that some EU, UN, and NGO thinking threatens to limit both American democracy at home and American power overseas. As Jeanne Kirkpatrick puts it, 'foreign governments and their leaders, and more than a few activists here at home, seek to constrain and control American power by means of elaborate multilateral processes, global arrangements, and UN treaties that limit both our capacity to govern ourselves and act abroad'.

CONCLUSION

Talk in the West of a 'culture war' is somewhat misleading, because the arguments over transnational vs national citizenship, multiculturalism vs assimilation, and global governance vs national sovereignty are not simply cultural, but ideological and philosophical. They pose Aristotle's question: 'What kind of government is best?'

The challenge from transnational progressivism to traditional American concepts of citizenship, patriotism, assimilation, and the meaning of democracy itself is fundamental. If our system is based not on individual rights but on group consciousness; not on equality of citizenship but on group preferences for non-citizens (including illegal immigrants) and for certain categories of citizens; not on majority rule within constitutional limits but on power-sharing by different ethnic, racial, gender, and linguistic groups; not on constitutional law, but on transnational law; not on im-

migrants becoming citizens, but on migrants linked between transnational communities; then the régime will cease to be 'constitutional', 'liberal', 'democratic', and 'American', in the understood sense of those terms, but will become in reality a new hybrid system that is 'post-constitutional', 'post-liberal', 'post-democratic', and 'post-American'.

From the fall of the Berlin Wall until the attacks of September 11, the transnational progressives were on the offensive. Since September 11, however, the forces supporting the liberal-democratic nation state have rallied throughout the West. In the post-September-11 milieu, there is a window of opportunity for those who favour a reaffirmation of the traditional norms of liberal-democratic patriotism. It is unclear whether that segment of the American intelligentsia committed to

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liberal democracy as it has been practiced on these shores has the political will to seize this opportunity. In Europe, given élite opinion, the case for liberal democracy will be harder to make. Key areas to watch in the US, Europe and Australia include immigration-assimilation policy; arguments over international law; and the influence of a civic-patriotic narrative in public schools and popular culture.

FOURTH DIMENSION?

I suggest that we add a fourth dimension to a conceptual framework of international politics. Three dimensions are currently recognizable. First, there is traditional realpolitik, the competition and conflict among nation-states (and supranational states such as the EU). Second is the competition of civilizations, conceptualized by Samuel Huntington. Third, there is the conflict between the democratic world and the undemocratic world. My suggested fourth dimension is the conflict within the democratic world between the forces of liberal democracy and the forces of transnational progressivism, between democrats and post-democrats.

The conflicts and tensions within each of these four dimensions of international politics are unfolding simultaneously and affected by each other, and so they all belong in a comprehensive understanding of the world of the twenty-first century. In hindsight, Fukuyama is wrong to suggest that liberal democracy is inevitably the final form of political governance, the evolutionary endpoint of political philosophy, because it has become unclear that liberal democracy will defeat transnational progressivism. During the 20th century, Western liberal democracy finally triumphed militarily and ideologically over National Socialism and Communism, powerful anti-democratic forces, that were, in a sense, Western ideological heresies. After defeating its current anti-democratic, non-Western enemy in what will essentially be a material-physical struggle, it will continue to face an ideological-metaphysical challenge from powerful post-liberal democratic forces, whose origins are Western, but, which could be in the words of James Kurth, called 'post-Western'.

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