

The transnational social question: social rights and citizenship in a global context

Faist, Thomas

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Thomas Faist
Universität Bielefeld

The Transnational Social Question: Social Rights and Citizenship in a Global Context

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University of Bielefeld
Center on Migration, Citizenship and Development (COMCAD)
Postfach 100131
D-33501 Bielefeld
Email Thomas Faist: thomas.faist@uni-bielefeld.de
Homepage: <http://www.comcad-bielefeld.de>

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Abstract

In the 19th century the "social question" was the central subject of extremely volatile political conflicts between the ruling classes and the working-class movements in Europe, North America and Australia. Are we now on the verge of a new social conflict, this time on a *transnational* scale? It is the aim of this paper to identify new analytical strands with respect to the transnational social question. The following four questions will thereby be examined: Firstly, what concepts are meaningful for an analysis of the transnational social question and related social rights? This will include a discussion of normative political and socio-theoretical approaches such as notions of national citizenship as opposed to world citizenship, as well as positive theory – in this case systemic differentiation theory and neo-institutionalist world society theory. Secondly, how advanced or fragmentary are social rights and citizenship in the different partial worlds? This question requires the examination of empirical evidence from a sub-global level. Thirdly, how are transnational social rights regulated? How are they governed? What problems arise in regard to their effectiveness? Here, multiple agencies and institutions on different levels of political systems have to be taken into account. The fourth and final section discusses the discursive integration of transnational social rights into the development and global social policy paradigms, and draws up a research agenda.

I. Introduction: From the Development Paradigm to a Global Social Policy Approach

From a global perspective today, there exist immense social inequalities. A sixth of the world's population – over 1 billion people – lives in absolute poverty. Malnutrition, insufficient medical care and low life expectancy, but also inadequate social security in employment or in the informal sector threatens the lives of many, especially in Africa and Southeast Asia. On a global scale, distress and social instability are a reminder of the living conditions that obtained in a large part of 19th-century Europe. At that time the "social question" was the central subject of extremely volatile political conflicts between the ruling classes and the working-class movements. Are we now on the verge of a new social conflict, this time on a *transnational* scale? The protests of globalisation critics, for instance at the World Social Forum, can certainly not be overlooked. There is also an abundance of political groupings and NGOs rallying across national borders in support of numerous campaigns such as environmental, human rights and women's issues, Christian, Hindu or Islamic fundamentalism or "food sovereignty".

Although the forms, intensity, range and addressees of such social movements do not allow a straightforward comparison of the reactions to 19th-century industrialisation - the "satanic mills" of the 19th century (Polanyi 1977) - with the protests of the early 21st century, the transnational social question is nevertheless prominent on the global political agenda. However, in contrast to the social inequalities of the 19th century, those of today are of a transnational scope and are discussed in national and transnational political forums explicitly against the background of human rights and social citizens' rights. During the East-West conflict, issues concerning transnational social inequality would have been localized strictly within the context of the development paradigm (cf. Menzel 1992). Some even claim that the development paradigm is being replaced by a global socio-political or structural policy paradigm (Klempf 2001). In the light of a growing awareness of interdependencies in the age of globalisation, the shift from the concept of development policy to a global social or structural policy also implies a shift in perspective from the remedial development of the "Third" or even "Fourth" World to a global social policy.

International organisations such as the World Bank meanwhile no longer discuss social security and social rights merely as a contributive factor to economic development, but as intrinsic rights (World Bank 2001). Historically, international institutions have sought to derive social rights from human rights (see Kaufmann 2003). For instance, in the Annual Report of the United Nations Development Programme (UNDP), explicit reference is made to the General Declaration of Human Rights (1948), the International Covenant on Economic,

Social and Cultural Rights (1966) and even the rights of citizens to a social contract on the nation-state level: Every person *"is entitled to realization, through national effort, and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality."* (UNDP 2005)

The Civil and Social Covenants of the United Nations Organization, the Universal Declaration of Human Rights and various regional declarations¹ emphasize the universality of human rights and citizens' rights (cf. Brysk and Shafir 2004). They are universal in the sense that, for instance, all member states are signatories of the International Covenant on Social and Economic Rights, i.e., the Social Covenant. The essential social rights laid down in Articles 22-27 of the Universal Declaration of Human Rights (1948) are a fundamental right to school education, the right to work and to join or form a trade union, the right to a basic or minimum income, food, clothing, housing, medical care and social security.

In the second half of the 20th century, the moral ethos of "rights" gained strong significance not just in national welfare states in Europe, Northern America, Australia and Japan, but all around the world. For political debate on social inequality two postulates were and still are of crucial significance: equality (of opportunities) and democracy. These postulates were already the subject of political discourse over 150 years ago when they were analysed by Alexis de Tocqueville (1986) in the light of events in the USA. A recent *Human Development Report* states: *"The basic objective of human development is to enlarge the range of people's choices to make development more democratic and participatory. These choices should include access to income and employment opportunities, education and health, and a clean and safe physical environment. Each individual should also have the opportunity to*

1 An incomplete list of the declarations, treaties and institutional safeguards includes (1) at UNO level: the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966), the International Convention on the Elimination of All Forms of Racial Discrimination (1965), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Rights of the Child (1989); (2) at European level: the Charter of Fundamental Rights (2000) with the European Court of Justice in Luxembourg, the European Convention on Human Rights and Fundamental Freedoms (1958) with the European Court of Human Rights in Strasbourg; and (3) in other regions of the world: the American Convention on Human Rights (1969) with the Inter-American Court of Human Rights (1979) and the African Charter on Human and People's Rights (1981).

participate fully in community decisions and to enjoy human, economic and political freedoms." (1991: 9)

It might appear tempting to dismiss such declarations as the "cheap rhetoric" of international organisations. And it would certainly be presumptuous to speak of social rights at a transnational level in the sense of social citizenship.² Nevertheless, it is worth tracing this discursive turning point and establishing its value for an analysis of the transnational social question. In addition to the concept of social rights, that of citizens' rights, or citizenship, also brings us forward here. Citizenship can be understood as a continuous series of transactions between rulers and subjects. This is particularly interesting in the tradition of T.H. Marshall (1964), because it captures the tensions between democracy and capitalism. The central focus of Marshall's theory on citizenship is the inherent tension between the idea of democracy, which is based on the notion of equal citizenship, and the social inequalities brought about by capitalism. One of the consequences of globalisation for the individual state and also at transnational, and indeed global, level is not only an increase in cross-border movements of capital, services and sometimes people, but also a perception of interdependency in this respect and a growing global social awareness, or even a notion of a world society (Robertson 1992).

Marshall argues that the expansion of citizenship rights, and especially the growth of social rights in the course of the 20th century, also enabled an historic compromise between social classes. In Europe, the solution to the social question was linked with the development of social rights, and with these, citizenship status. The possibility of this happening today on a global scale is more a normative utopian idea. There is no feasible concept of citizenship with equal political rights in any kind of global community, although there is a tendency towards an establishment of social rights in loose association with human rights. Nevertheless there are identifiable global trends in meta-principles such as the postulates of equality and democracy that show a shift in public awareness concerning transnational exchange, interdependence and dependencies. More information, and possibly even a greater knowledge of transnational social inequality, is available now than was in the past (see, e.g. Inglehart et al. 2004). The present analysis discusses these shifts in the spatial, institutional and discursive dimensions of transnational social rights on two levels: firstly in geopolitical terms, i.e. in terms of the spatial distribution of citizenship and social rights in

² *"Citizenship requires (...) a direct sense of community membership based on loyalty to a civilisation which is a common possession."* (Marshall 1964: 92) Social rights refer to *"the whole range from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in society"* (ibid.: 72).

different partial worlds of social citizenship; secondly, taking social and labour norms as an example, in terms of discursive and institutional developments across state borders.

Social inequality can be understood from two angles, which reflects the tension between the nation-state and global dynamics. On the one hand, national citizenship, or nationality, determines the spatial distribution of transnational social inequality. This is because, firstly, the principles of the attribution of formal membership according to descent or place of birth have significant consequences for substantial social inequalities and life chances. Secondly, the degree to which social rights and standards are established and implemented varies extremely in different parts of the world. The mechanisms by which membership is attributed and the level of provision of social security reinforce and consolidate global social inequalities. On the other hand, the universally accepted understanding of equality and democratization has brought the management of global economic distortions and a new mix of institutions and agencies into focus, as in the case of work and social standards. The chief concern from this angle is thus the global significance of transnational regulations that might even be a forerunner of transborder social rights. These transnational social legal standards are, however, not legal claims in a narrow sense that they can be claimed by legal means.

These two observations correspond to problems and promises of two major political paradigms. The elimination of major inequalities between North and South in terms of social rights on a national scale, as part of a development project announced by President Truman in his inaugural address in 1949, can be read as an anticipatory declaration to the newly independent ex-colonies in the 1950s and 1960s that "underdevelopment" would soon be overcome and problems of political and economic development would be dealt with effectively. The fulfilment of these promises was soon open to severe doubt with the failure of the new economic order in the late 1970s and the debt crisis of many developing countries during the 1980s. The subsequent emergence of social standards on a transnational scale reflected a political reaction, or counter-movement to economic and politically framed globalisation. The first phase was characterised by the political objectives of international organisations such as the IMF and the World Bank to overcome the alleged domination of the state over the market as a principle of social order. These objectives included the privatisation and deregulation of the markets during the 1980s and later the reemphasis on old, well-known elements of economic regulation: the rule of law, democracy, as well as, more recently, fairness and equal opportunities; also, less emphatically, but significantly, the notion of community. An example of the latter element is the emphasis of the role of migrants as development workers in their countries of origin (McMichael 2004). The two paradigms had, and still have, different objectives: the development paradigm aims to emulate the

western-style nation-state in the developing countries, while the global socio-political paradigm focuses on the North/South interdependencies arising out of globalisation. While in academic discourse on social inequality a paradigm shift is currently taking place from development to global structural policy, the substantial issues have remained the same.

On the basis of a discussion on the state of the art of research on transnational social rights, it is the aim of this paper to identify new analytical strands with respect to the transnational social question. The following four questions will thereby be examined: Firstly, what concepts are meaningful for an analysis of the transnational social question and related social rights (Section II)? This will include a discussion of normative political and socio-theoretical approaches such as notions of national citizenship as opposed to world citizenship, as well as positive theory – in this case systemic differentiation theory and neo-institutionalist world society theory. Secondly, how advanced or fragmentary are social rights and citizenship in the different partial worlds? This question requires the examination of empirical evidence from a sub-global level (Section III). Thirdly, how are transnational social rights regulated? How are they governed? What problems arise in regard to their effectiveness? Here, multiple agencies and institutions on different levels of political systems have to be taken into account (Section IV). The fourth and final section discusses the discursive integration of transnational social rights into the development and global social policy paradigms, and draws up a research agenda.

II. Social Rights within the World Political System and in Nation-States

Changes in the perception of the transnational social question take place not only in a global economic system, but also within an asymmetrically structured world political system

(Wallerstein 1983, Zolberg 1987). The relatively autonomous world political system, with nation-states as its main constituents, is central to the inequalities in the distribution of social rights. Social rights are institutionalised within nation-states and distinct from objective rights, which protect individuals from violence or restraint. The latter thus include, for instance, the freedom of association, freedom of opinion and religious freedom. Social rights are also defined as positive rights as opposed to negative rights (Höffe 2002), which are rights to liberty, i.e. political and civil rights. Positive rights require the active intervention of the state. The relationship between negative and positive rights is not dichotomous, however. Political rights are necessary at least in democracies in order to create social rights. The formal equality of rights is by no means sufficient for them to be effective. They must be

accompanied by substantial liberties. This is why Sen's "capability approach" is of significance, because it shifts the focus of rights away from *entitlements* to the *ability* to make use of such liberties and thus brings institutional opportunity structures into the debate (Sen 1999).

The debate on transnational social rights *sui generis* emerged in connection with the growing perception of increasing global threats and interdependencies. The anticipation of mass migration from Eastern to Western Europe in the early 1990s may serve as an example here. The question arose whether social rights could also be conferred to persons abroad, for instance in the form of a basic minimal income (de Swaan 1992). Not unlike the emergence of national social welfare in the 19th century, such a development was also thought to be conceivable on a transnational scale. In the 19th and early 20th centuries, it was argued, the ruling classes felt threatened to such a degree by "vagabond poor" that some states introduced welfare measures to offset this threat. The perceived threat of mass migration from Eastern Europe and the Third World, so the argument continues, had meanwhile become so great that northern states were called upon to contribute toward a welfare state at the supranational level (cf. de Swaan 1988). It is meanwhile clear that in the light of effective controls at the borders of European immigration countries there is no forceful argument for implementing this measure to prevent migration (cf. Faist and Ette 2007). However, it is apparent from this political demand that an awareness of the transnational social question and possible social rights is closely linked with the perception of interdependencies. One starting point is the analogy with the social question prevalent in the 19th century. In those days brutal repression and Anti-Socialist Laws were one defence strategy against the uprising of the lower classes. An alternative strategy was to introduce socio-political reforms and the political integration of broad sections of the population. The latter paved the way for social rights. To continue briefly with this analogy, the "War on Terrorism" and, more especially, the often called-for conflation of migration control and development policy to form a structural social policy at European Union level, are each strategies for dealing with what has meanwhile become a transnational social question. Proponents of the socio-political strategy seek to implement worldwide measures for combating poverty and promoting development. The UN's *Millennium Development Goals* (MDG) are the most salient example.³ Another strategy is the cultivation of a weaker variety of social rights in the form of

³ One of the the Millennium Development Goals of the UN, to which states committed themselves in 2000 on a voluntary basis, is to reduce absolute poverty by half by between the years 1990 and 2015. Absolute poverty is defined primarily as income poverty, operationalized according to international

labour and social standards or social clauses in transnational business agreements. Even weaker forms are voluntary commitments undertaken by transnational businesses with so-called social labels or codes of conduct.

For the conceptualization of emergent transnational social rights there are two types of approach, one stemming from normative political philosophy, and the other from political sociology, more specifically from differentiation-theoretical assumptions of world society theory. In normative political theory, in turn, two branches can be distinguished: a world citizenship – or cosmopolitan – perspective, and a nationality perspective. In a world citizenship perspective, social rights are part of a desirable world citizenship. An optimistic perspective can refer to Max Weber's social and economic history (Weber 1980) and argue that citizenship was first conceived and practised at municipal level before it moved up one level and became *de jure* and *de facto* congruous with membership of a territorial nation-state. Citizenship and citizenship rights beyond the nation-state would therefore be an evolutionary leap forward (Heater 2004). This would, however, require a global political community with socio-cultural resources such as generalised reciprocity and diffuse solidarity to be drawn on as required. This would be a broad extension of Immanuel Kant's idea of a cosmopolitan right to hospitality (Linklater 1999) by means of a rational development of identities beyond the national level. Such a global political identity is today only conceivable as a transparent, constructed affiliation (Habermas 1998). This perspective would certainly be attractive in terms of the allocation of life chances according to nationality. World citizenship would not acknowledge any privileges passed on by descent or birth within a certain territory. We would all formally have the same status as members of an all-encompassing, global polity. Such a community would, however, not only be greatly endangered by a "tyranny of the majority" (de Tocqueville 1959) because of the unavailability of exit options. More importantly in the context of transnational social rights, however, is that as positive rights, they would require a willingness to redistribute goods, i.e. reciprocity and solidarity. This notion is even less probable and less conceivable on a global scale than it is in regions like Europe. While these qualities can be observed when disaster strikes or in development policies, they have no legal status and certainly no regulative components like, say, EU social policy.

convention with the help of an income limit threshold calculated on the basis of a purchasing power parity (PPP) exchange rate (cf. Human Development Report 2005: 232).

This critique of the concept of world citizenship highlights the central elements of a republican version of national cosmopolitanism. The republican version grasps social rights primarily as a close form of solidarity on a national scale. As a consequence of this, the following conditions can only be fulfilled in a nation-state: first, only citizens of the respective nationality are counted as valid members of a framed political community and in this way secure the socio-cultural basis for citizenship, reciprocity and solidarity. Second, a common culture has a bonding effect on the citizens and enables them to agree on substantive rights and obligations that form the basis for their membership. Third, citizenship confers participatory rights and political representation. Ultimately, world citizenship from this perspective appears to be little more than a vague cosmopolitan idea in a world lacking a fundamental moral consensus. A further criticism is that at best world citizenship would weaken the bonds that hold citizens of a nation-state together. And only these national bonds ensure that citizens maintain their ties to the rest of humanity (see Walzer 1996). While this critique of the concept of world citizenship may be to the point, this version of national citizenship neglects the fact that is in itself a mechanism that perpetuates transnational social inequality.

These normative considerations must now be supplemented by socio-political reflections which can be empirically validated (Benhabib 2004: 143), in order to shift the focus on actually emerging legal constructs and especially their institutional context. To this end world society theory is useful. It has at least two branches, a theory of functional differentiation (Luhmann 1997) and a set of neo-institutionalist theories (Meyer et al. 1997). All these theories are revised versions of the original modernisation theory, and have replaced the nation-state with a world society as the main frame of reference. The world society theory, which is based on a theory of functional differentiation, sets out from the assumption that in an age when the postulate of equal opportunity is claimed to have universal validity⁴, world society offers the widest scope for an analysis of domestic and transnational social inequality. In a weak sense, world society can be conceived of as a horizon of expectation and meaning, not necessarily of concrete institutions (Wobbe 2000: 28). Remarkably, in the literature on differentiation theory the debate on the transnational social question has only begun to attract attention (Greve and Heintz 2005), and the question of social rights has not attracted any attention at all so far. From a system-theoretical perspective the neglect of

⁴ The postulate of equality can be interpreted in very different ways. Besides the equality of opportunity it can be understood as the "equality of social conditions", or what Tocqueville (1959) labels *égalité des conditions*.

social rights comes as no surprise, as the majority of the poor in so-called developing countries are excluded from functional systems such as education and the economy, and therefore ultimately cannot be mobilized on this issue (Luhmann 1997/II: 632-3). This argument overlooks the fact, however, that social movements and NGOs demand social rights directly as advocates of the poor, or that the poor make claims themselves.

Neo-institutionalist world society theory (Meyer et al. 1997) examines at one level of abstraction lower whether there are institutional forms, such as educational systems and social insurance systems, that are common to all states. Yet this kind of neo-institutionalist theory has not yet examined how such institutions are structured to contribute to the diffusion of social rights. There is clear evidence, for instance, that in many developing countries in sub-Saharan Africa and in Southern Asia the expansion of the education system, structured into a primary, secondary and tertiary schooling, contributes to even greater social inequality because it is exploited by local elites to secure privileges for their own offspring (Bevens 2004, Davis 2004). Another question that is not explored by advocates of the world polity approach is whether certain functions are not fulfilled by completely different systems, for instance informal systems of social security. Such systems cannot simply be categorized as 'traditional', as they are primarily the consequence of unfulfilled promises made by post-colonial states and international organisations (Rist 1999). Consequently, social rights and other, more informal, commitments must not only be sought in state/citizen relations, but also in other arrangements such as family systems and clientelistic political practices.

To summarize, therefore, a strong concept of world citizenship can certainly not shed further light on the emergence of transnational social rights, and a notion of a linear progression of citizenship from the municipality to the state and then to the global level would be misleading. Then again, normative theories of world citizenship allude to a world society as a horizon of meaning and expectation which already embraces meta-norms such as equality (of opportunity) and democracy. Political-sociological approaches, on the other hand, not only refer to transnational or even global horizons of expectation, as the world citizenship approach does, but also to institutional types of political multilevel systems and multi-agency constellations, like for example international regimes at state level, or networks of state and non-state organisations. The prime starting point for a debate on global social rights, however, is the fragmentation of citizenship and, consequently, social citizenship in partial worlds, as full membership of a political system is the key determiner of social inequality, and hence also the unequal distribution of social rights.

III. The Partial Worlds of Social Citizenship. On the Significance of Nationality and National Social Citizenship for Transnational Social Inequality

Nationality is an expression of the politico-spatial dimension of global social inequality. The allocation of nationality creates and consolidates unequal life opportunities. In a global perspective it can be said that while inequalities between countries in terms of income, for instance, were relatively low in the 19th century, an increasing proportion of social inequalities by the late 20th century related to education, health and life expectancy. Today – if one excludes booming economies such as those of India and China over the past few years from the calculation – this trend in inequalities is still also true in terms of incomes (see Bourguignon and Morrisson 2002).⁵ Unequal life opportunities reflect both the fragmented nature of social citizenship and accessibility to social rights, which can be differentiated if, for the purpose of this study, one divides the world into partial worlds.

To this end, the legal and political dimensions of the concept of citizenship must first be differentiated. The legal dimension constitutes nationality, and the political dimension refers to (state) citizenship. By nationality is meant the legal membership of an individual to one (or more) states, whereby the right to confer membership is the exclusive domain of the state (Faist 2007: chapter 1). As a rule, the requirement for full membership of a state, and thus for all rights, is nationality. Nationality thus serves as a mechanism that upholds social exclusivity. State citizenship, on the other hand, denotes the political dimension and is a function of three mutually dependent components. These are (1) equal political liberty, which is generally known as democracy; (2) equal rights⁶ and obligations, and (3) affiliation to a

⁵ While some authors maintain that the global inequalities in income have fallen over the past two decades, others observe an increase. These different assessments can mainly be attributed to the different measuring criteria used. Those examining *international* inequalities work on the basis of the average per capita income of a country, while *transnational* inequalities are simply measured in terms of the accumulated average income of each country. Those scrutinising *global* inequalities use a composite of international inequalities and domestic inequalities (see, e.g. Milanovic 2005 on the various measurement criteria). If one studies transnational inequality, i.e. taking countries as the unit of observation, then the inequality of income has increased since 1980. If one works on the basis of international inequality, however, then one can identify a drop in inequalities in income, which is mainly attributable to income growth in China and India (World Bank 2006: 75).

⁶ Nationality ensures that a full national cannot be expelled from a country. Nationality entails an unrestricted right of residence and a right to enter that country.

political community which is often defined as a nation. The latter is often also understood as a basis for generalised reciprocity and diffuse solidarity.

Not only the social status of an individual within a society, but especially his or her right to reside in a specific state and to have access to (social) rights, determines that individual's life chances. Nationality thus expresses the status of individuals within a transnational context. Seen thus, passports and visas are the key institutional instruments of social inequality (Shachar 2003). Passports and visas determine the cross-border mobility of individuals. Despite the dynamics of globalisation, today's world is no open market in which people can move about relatively freely; otherwise, nationality would play no constitutive role for transnational social inequality. The political mechanisms for the generation of social inequality are above all two legal principles by which entitlement to nationality is conferred, known as *jus soli*, or entitlement by birth within the territory of a particular state, and *jus sanguinis*, or entitlement by descent. The figures speak for themselves: an estimated 97% of all decisions on nationality are made on the basis of these two principles, as only roughly 3% of the world population are migrants living outside of their state of origin and may thus seek access to full membership, i.e. nationality, through other principles, e.g. discretionary decisions or naturalization. If one categorizes nationality according to politico-economic type or regime, an initial heuristic approach reveals the different worlds of social citizenship beyond formal nationality (see Senghaas 2003 who differentiates four worlds). World I is broadly congruent with the wealthiest OECD countries; World II matches the transition countries in Eastern Europe and the Newly Industrialized Countries (or NICs) in Southeast Asia, World III embraces the so-called "Third World" countries, i.e. developing countries, and World IV comprises the most impoverished countries, in which the status of statehood, and consequently citizenship, are extremely precarious, ranging from an inability to implement legitimate force to failed states (see Fig. 1).

Figure 1: The Four Worlds of Social Citizenship (in percentages)

	World I	World II	World III	World IV
	OECD	Transition Countries in Eastern Europe and NICs in Southeast Asia	"Third World"	"Fourth World"
Working Population	75-90	70-90	Informal Sector: 30-50	Informal Sector: 70-90
Extent of union organisation	25-50	30-50	5-15	n.a.
Public expenditure as percentage of GNP	35-45	30-40	20-30	10-25
Welfare expenditure as percentage of GNP	20-30	15-25	5-10	2-5

Source: Ghai 2006: 5-6; figures in percentages

The "classic" welfare states of World I have until now been the ideal-typical point of reference for the analysis of social citizenship from T.H. Marshall to the global social policy approach (Deacon 1997). Social policies in the other three world sectors are, as a rule, categorised and evaluated against the backdrop of concepts that developed in the industrialized countries. The constitutive basis of such welfare-state systems was, and continues to be, a specific type of capitalist markets and the way in which these are regulated. This type of

welfare-state system is market-structured, and exists in the context of politically regulated employment markets as the primary means of livelihood, and in highly differentiated financial markets that provide secure prospects for investors. A relatively autonomous state is essential for the political constitution and regulation of such markets. Only against this background, and in particular with the help of historical compromises between social classes regarding the regulation of markets, was that which T.H. Marshall called democratic-welfare-capitalism and characterized as a hyphenated society conceivable (Marshall 1985: 104). Over the past thirty years, social policies in these welfare states have stagnated, but despite frequent reforms they have not (yet) been subjected to fundamental deconstruction (Borchert 1998).

Furthermore, in at least one region of this particular partial world – namely within the EU – cautious endeavours are being made at supra-state level to establish elements of social citizenship, or what can be described as "nested citizenship" (Faist 2001), within a multi-level political system. EU citizenship and social rights within the EU are codified at different levels and nested within each other. Sub-state, regional, state and supra-state regulations on citizenship mutually complement each other, but without seriously endangering the status of national social citizenship. The regulations on European social policy are mainly concerned with policies and institutions for guaranteeing the rights of different categories of persons in specific policy areas. These include the validity (and recognition) in all member states of periods of employment of migrant workers in other countries in which compulsory social insurance contributions are mandatory, equality at work for men and women and the same level of standards for working conditions, health and safety at work, as well as protection against unfair dismissal. Social policy and social rights are one of those areas of European integration in which the influence of the member states is usually seen to be dominant – despite the pressure on the social security systems arising from the freedom to provide services and right to compete. In addition to the much-debated legitimacy deficit and the issue of national autonomy of member states and their welfare systems, a further pan-EU problem also lies in the socio-cultural resources required for citizenship. The rapid economic integration has so far not been matched by an adequate harmonization and adaptation of social policies and social rights. Nor have threats to social rights at member-state level been absorbed through supra-state regulations. Union citizenship, which was established through the Treaty of Maastricht, cannot therefore be regarded as an effective step towards creating and maintaining substantial social rights. Many of these regulations can, however, be interpreted as the outcome of market-creating, 'negative integration' in the EU – i.e. the abolition of barriers to the free exchange of production factors which include goods, capital, services and also freedom of work. In this connection many continue to warn against an

increasing discrepancy between economic integration and social welfare, because the rapid pace of economic integration is not paralleled by an advancement in social policy and social legislation (Streeck 1996: 64). Others again point to indications of a 'positive coordination' in the EU. Their cautious optimism refers to the beginnings of supra-state political integration with the potential for federalization at several governance levels (see Kaufmann 1997: 133). All these analyses suggest that what we see is not simply a replica of a member-state's welfare policies as a combination of distributive, redistributive and regulative policies at EU level, but regulative forms of social policy and social rights.

The rights of market citizens within the EU – as consumers, employees, business people, dealers – are the most comprehensive and legally most differentiated of EU legislation. Market citizenship, which is not based on social rights, but is regarded as a form of social investment in human capital, can be seen to progress in established policy areas. An example of this is childcare. Decisions on childcare used to be an exclusively family affair. Gradually, however, there has grown a greater awareness that more public effort must be put into childcare if women are to have the same citizen-worker status as men. This is a continuation of established forms of gender policy (cf. Meehan 1993: 101-120). Even at supra-state level within the EU there are now elements of *soft law* for coordinating and further developing social rights or standards. These elements rely not on sanctions, but on voluntary undertakings, procedurally laid down in the so-called *Open Method of Coordination* (OMC). The aim is to encourage socio-political improvements and rights through setting policy goals and publishing progress reports. Notwithstanding these progressive elements of supra-state social citizenship it should be born in mind that at the national level the debate over the disparity between rapidly progressing economic change and inadequate social security continues. Nevertheless, even as the social question, including signs of pauperisation and the formation of underclasses (Wilson 1987), again becomes a central issue of public debate in World I, the scale and severity is still not comparable with that of other partial worlds (world sectors?).

In World II, which roughly covers the transformation states of Eastern Europe and the NICs in South-eastern Asia, social rights developed in the last decades of the 20th century primarily against the background of nationalistic state-citizenship concepts that were typical of developing countries. For eastern European states formerly under the influence of the Soviet Union and the GUS states the further development of social rights is a prime objective within the context of the transition to capitalist economies. At the same time, the dismantling of formerly guaranteed social rights cannot be overlooked (Standing 1996). This is by no means the case for other transformation states, however, and especially for those that recently

underwent the transition from authoritarian development regimes to democracy. In some cases – for instance in Taiwan and South Korea, democratization changed the incentives for politicians, bureaucrats and civil society actors to such an extent that an expansion of social rights, for example in the healthcare sector, can be observed (Wong 2004). For example, politicians have been able to garner votes by introducing social policies. It is no coincidence, however, that in the successful NICs in Southeast Asia the emphasis lay less in social security, and more in social investments. Priority was therefore given to education and health, which can be categorized as market-making policy areas. Typically, the social insurance systems that have been developed in Southeast Asia since the early 1980s as a rule do not take into account measures for securing minimum means of subsistence for the very poor, so this still remains a vital informal sector (Freiberg-Strauß 1998: 93).

Characteristic of World III is a structural heterogeneity in all areas of society. While elements of social security benefits can especially be found among metropolitan public servants, social security is of a more informal nature in other sectors and regions. This creates a cleavage between urban and rural areas. Urban areas are seen as zones of modern citizenship, while in the rural areas "traditional" rights and obligations prevail – the list of dichotomies can be continued. In Africa in particular, this structure can be characterised as a legacy of colonialism (Mamdani 1996). In certain sub-Saharan regions of Africa some forms of exclusive citizenship based on ethnicity are identifiable as a source of instability and conflict.

In Latin America, this structural heterogeneity obtains within distinctive formal or informal security systems. Many Latin American countries already have a relatively extensive social security system in comparison to other countries in the southern hemisphere. These often comprise state organised, guaranteed pension and health insurance schemes, and sometimes even rudimentary unemployment insurance systems, as in Chile and Venezuela. As a rule, however, the indigent are excluded from the social insurance systems. Only a minority of wage-earners and middle-class white-collar workers are able to benefit from them. The security systems for which these categories are applicable are often of a clientelistic nature, i.e. part of an asymmetrical deal entailing votes for ad-hoc promises. Since the 1970s, with the breakaway from the import-substitution model, the structural adjustment measures of the IMF pressed for at least partial privatisation. This, together with a loss of political significance for public servants, trade unions and the industrial proletariat, eliminated the previously existing similarities with southeast European social states (Barrientos 2004). The chief guiding principle of international organisations from the 1970s until well into the 1990s was the assertion that social security would improve above all through economic growth, the growth of the formal employment market and increasing

urbanisation (Gertler 1998). This view is contradicted by empirical findings on a positive correlation between low levels of social inequality and high economic growth (see *inter alia* Mehrotra 2000).

World IV lacks the fundamental implementation of a legitimate state monopoly of force so that citizens' rights are out of the question. A Hobbesian order prevails, and in cases where the state monopoly of power is hopelessly inadequate, or in the case of failing states, even borders on a complete lack of statehood and thus a total absence of formally guaranteed rights. State institutions have a low level of autonomy, and such states are often not able to exert a monopoly of force over the state territory. Such situations were observable in the 1990s in Somalia, Sierra Leone, the Democratic Republic of Congo and Afghanistan (Miliken 2003). As converse examples of social security regimes, it might be more appropriate to term them systems of social *insecurity*. The question that arises here is to what extent alternative forms of political rule that have no state monopoly of force permit social security measures.

Altogether it is therefore questionable whether, in the light of such heterogeneity of the world sectors, the development of social rights within a world society is not too ambitious a notion. There exist quite divergent principles of social organisation for social security: formally differentiated systems in World I and partly also in World II, security only available to certain sectors of the population – primarily privileged public employees and unionised employees in the private sector – in Worlds III and IV. For the majority of the population in Worlds III and IV there are informal security systems; in World IV, owing to the low degree of statehood, the regulation of insecurity rather than social security could be said to be the goal. In brief, therefore, it can hardly be claimed that the large majority of citizens around the world enjoys the benefits of state-guaranteed social rights. At best, those excluded from such social rights themselves organise informal systems that primarily comprise non-state actors such as landowners, religious communities and kinship systems. A key point of interest here is whether and in what way development aid or remittances back home from migrants, both of which make up a large portion of the gross national product in many countries of Worlds II and III, give rise to and promote group interests and political coalitions – and how these in turn influence, and perhaps even perpetuate informal systems of social security (cf. Faist 2006).

It should also be borne in mind that the organisation of social welfare in many countries is a contentious issue between governments and their political opposition. One example of this from Worlds III and IV are Islamic solidarity networks (Schulze 2004), in whose discourse generalised reciprocity and diffuse solidarity is ascribed to their fundamental religious principles, and who publicly compete with states in this field. Organisations such as the

Muslim Brothers in Egypt emerged in the 1990s both as welfare organisations and political organisations (Ayubi 1991: 195-200). In countries in which Islamist organisations participated in the elections, social welfare was even used as a central element of their election manifestos, as was the case in Egypt, Jordan, Turkey and, briefly, in Algeria. One can see here how social citizenship and thus a correlation between social rights and the legitimacy of political regimes are created.

Three points are particularly worthy of further discussion here. Firstly, the transnational social question must be seen in the light of a highly fragmented world with respect to the vast range of opportunities that nationality and social citizens' rights provide in different countries. Emergent transnational social rights must not only be considered in terms of specific sectors, e.g. in the transnational business sector, but also in terms of specific countries. States in World IV that are not integrated to a significant degree through trade and investment in the world economy have hardly any businesses with, for instance, labour and social standards as defined by international conventions. Secondly, an analysis of transnational social rights cannot be made in isolation from their non-state institutional substructures, as otherwise the dynamics of social security verifiably provided, for instance, through informal obligations and undertakings by transnational migrants will be neglected. Thirdly, the formal, and implicitly also the informal means of providing security in Worlds III and IV are determined by transnational factors to a greater degree than in World I. Such factors are institutional such as the World Bank, the IMF and the WTO, that determine parameters through rules and the provision of finance; commercial factors such as transnational capital and investments of foreign investors; civil societal through transnational NGOs and the significant role they play in development aid or cooperation; and kinship systems through migrants and their remittances back home.

IV. On the Emergence and Significance of Genuinely Transnational Social Standards

Against the background of the constitutive significance of nationality and the different types of social citizenship outlined above, which in the case of Worlds III and IV do not correspond to European concepts and models, we can now examine ways in which social standards are regulated as they begin to crystallize at a transnational level and which are potentially the precursors of transnational social rights. Research so far works on the notion of a continuous extension of social rights ranging from the national to the regional and ultimately the global

level in a concentric fashion. It is a common assumption that with increasing range, the generalised reciprocity and diffuse forms of solidarity observable at least in western welfare states gradually become weaker. At global level at best a weak form of solidarity is conceivable, say, in the form of the universal recognition of human rights and their guarantee through the United Nations (UN). The larger the group of persons involved becomes, the more general, the less specific, the slighter an awareness of a sense of obligation and the weaker the degree of its institutionalization becomes (cf. Beckert et al. 2004).

An analysis of transnational rights must not stop here, however. After all, a struggle for new social and labour norms is currently taking place. These norms are not necessarily identical with national social rights, but they must be implemented at the national level in order to take effect. The transnational regulation of employment and social standards comprises international regimes such as the International Labour Organisation, or ILO, social clauses in trade agreements, public codes of conduct, the OECD/IAO Guidelines and the UN Global Compact; but it also includes more private transnational regulatory forms such as codes of conduct for specific businesses, international framework agreements or social labels (Dombois 2005). The governance of social and labour standards is characterised by a wide diversity of work regulations involving the traditional agents, viz. the state, the trade unions and employers associations, but also new actors such as social movements and NGOs. For this reason the architecture of institutionalized transnational standards and the limits of institutionalization should also be described, whereby it is striking that the justifications for, say, labour and social standards, insofar as they are represented by international organisations like the ILO, have in recent decades increasingly merged with the human rights discourse. Another salient point is that sanctionable rights and obligations have to an increasing degree been substituted by employers' voluntary self-regulation, especially in the case of transnational businesses (Scherrer and Greven 2001). Such standards are frequently therefore private, voluntary transnational arrangements, or soft law, and their regulation relies on cooperation, rather than sanctions (Commission on Global Governance 1995: 2). The major issue for the future is therefore whether in transnational political multilevel systems rights can be legally claimed at all. This question can be pursued by scrutinizing the case of labour and social standards.⁷

⁷ For the case study of a global health policy see Hein and Kohlmorgen 2004. In the case of transnational health policy there are also other forms of regulation, such as Global Public Private Partnerships (GPPP) which, as in the case of the AIDS/HIV campaign, consist of welfare organisations, in this case primarily the Bill und Melinda Gates Foundation, NGOs, national governments and international organisations such as the WHO.

There are manifold instances of labour and social standards as a form of multilevel policy. This means that social standards are localised at several levels and embedded within an interactive system of politics, policies and social rights that connect sub-state, state, inter- and supra-state levels with each other (Sassen 2002). The problems involved in the creation of common norms, their implementation and their ambit of validity, already clearly visible in the context of the EU multilevel system, are further magnified at global level. There is also a further distinction at suprastate level between international and transnational macro-mechanisms, namely between international regimes in the form of inter-state regulations, and transnational policy networks. The existence of international regimes, which create common rules, norms and policies, already indicates that the management of many global processes depends on national institutional factors. In fact, many international organisations like for example the ILO, or regimes such as the NAALC, which is the subsidiary agreement to the North American Free Trade Agreement (NAFTA) on labour rights and labour conditions, have no powers of enforcement or sanction mechanisms in their own right. Within the NAFTA context, only few cases have actually been referred to the official conflict resolution bodies (Dombois, Hornberger and Winter 2004). Global policy networks, as distinct from international regimes, can at best be seen as catalysts for the development of social and labour standards. Such networks cover speciality areas and often include governments, transnational enterprises (TNEs), trade unions (Greven 2006), employers' associations and civil society organisations (Benner et al. 2001: 364-5). Apart from inadequacies in realisation and implementation, obvious problems of international regimes and transnational policy networks also include the narrow range of regulated issues.

Characteristic of such multilevel systems are a multitude of old and new actors: representatives of international organisations, governments, NGOs, trade unions and businesses. The new actors include organisations of the so-called transnational civil society. They doubtlessly serve to promote the growth of a transnational public. Their strategies include, for instance, the oft-invoked *advocacy coalitions*, which use tactics such as *global observatories* and public shaming. Unlike international regimes, such network organisations are defined by joint action rather than common values and goals. One of the key problems for NGOs is the uneven access to resources in different regions of the world. As with trade unions, the problem of North-South paternalism is also manifest in NGOs. Demands for binding transnational work regulations are often interpreted in Worlds II and III as endeavours by World I to assert political dominance or even to impose economic protectionism. Thus it is civil societal organisations themselves, in their cross-regional relations, which replicate well-known social inequalities through a kind of "international

clientelism" uniting the "market of projects of the North" with the "donation market of the South" (Möller 1992).

With respect to social standards two strands of development can be observed, one of which builds on human rights as a point of reference and the other on voluntary self-regulation by corporate actors. In the second strand, it is no longer rights that are the focus of interest, but voluntary obligations which can be used as a means to avoid binding regulations. The ILO can serve as an example for the strategic switching from sanctions to the human rights discourse and technical assistance. The normative grounding of social and labour standards in human rights does not rule out other justifications such as market failure or social dumping and underbidding, and is a further example of discursive reference to equality as a meta-norm. In 1998, as part of this human rights strategy, the International Labour Conference of the ILO passed a Declaration on Fundamental Principles and Rights at Work, and selected a small number of internationally recognized social standards which lay claim to universal validity as human rights independently of whether they are ratified as ILO conventions or not.⁸ It should be remembered, however, that these rights, and the conventions that endorse them, do not have an international legal status. A major problem that already surfaced in the discussion of social rights at national level is that the proportion of non-unionised employees in the informal sector is growing. This means that the number of employees to whom these rules could apply is constantly dwindling.

Even less binding are the many forms of voluntary self-regulation undertaken in particular by transnational enterprises, or TNEs. While in the 1970s the dominant practice was to devise interstate agreements to make binding regulations for TNEs, there has meanwhile been a change of emphasis in favour of voluntary obligations, particularly in due consideration of the possibility that companies under pressure through legislation may always threaten to move their business elsewhere. A large number of stakeholders participate in the cooperation here. Only a minority of such TNEs are members of national employers' associations. Whether such arrangements can be defined as soft law may rightly be contested. Essentially, these codes of behaviour, drafted by the businesses themselves under the heading of corporate social responsibility, are about promoting learning processes rather than sanctioning companies with legal enforcement. One prominent example of such self-obligation is the UN

⁸ The eight chief conventions include the following: *Freedom of Association*: C87 on the Freedom of Association and Protection of the Right to Organise and C98 on the Right to Organise and Collective Bargaining; *Forced Labour*: C29 Forced Labour Convention and C105 Concerning the Abolition of Forced Labour; *Non-discrimination (Employment and Occupation)*: C100 Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value and C111 Discrimination (Employment and Occupation) Convention; *Elimination of Child Labour*: C138 Minimum Age Convention and C182 Worst Forms of Child Labour Convention.

Global Compact, which came into force in 2000. The principles of this Compact that relate to employment law (Nos. 3 and 6) are in turn identical with the ILO Declaration of 1998 on the Fundamental Rights and Principles at Work. Of the current approx. 60,000 TNEs with around 700,000 subsidiaries, there were only 717 signatories to the Compact in 2003, although by 2006 there were 2800 participating companies. The explicit aim of the Compact is not to sanction misconduct, but to encourage good practices that deserve emulation. However, not only membership of the Compact is voluntary. Its motto is mutual learning, i.e., it is an extremely diluted version of the open coordination method applied in EU social policy.⁹ In addition to sanctioning mechanisms, such forms of voluntary self-regulation sometimes even lack a set of consistent control mechanisms. Seen thus, codes of behaviour also oblige TNEs in their endeavour to prevent more far-reaching regulations and serve national governments as a means of preventing intervention into national legal and regulatory systems.

Beyond implementation and enforcement, the scope of labour and social norms is thus questionable in the widest sense. From a functionalist point of view one could argue that the principal norms in any case merely served to facilitate the growth of transborder economic exchange processes. While older international regimes relied on general social rights, the formal claim to validity of the more recent measures is much more selective. Besides the cases mentioned above, social clauses in trade agreements, for example, also primarily refer to employment conditions in the export sector. And seals of approval only cover a small portion of gainful employment, but not employment in production and services that are restricted to internal or domestic markets, which includes the vast majority of formal working relations. It seems that the principles of the acquisition of nationality, the asymmetrical partial worlds of social citizenship, the shifting of justifications from social rights to more general human rights, and above all voluntary self-regulatory measures do not lead one to expect the establishment of sanctionable global social norms.

Nevertheless, these somewhat pessimistic reflections overlook the mobilising force of a politics of rights and obligations. Claims and rights are two inseparable elements, as individual rights are only made possible through collective action. This is at least asserted by historical comparative sociological analyses (cf. Tilly, McAdam and Tarrow 2003). At present, however, the main function of transnational social standards and rights is not their enforcement and successful implementation, but the mobilising and reinforcing effect they

⁹ Indirectly, other forms of standards, e.g. ethical investments, transnational forms of interest representation such as global work councils, seals of approval, social observatories and consumer campaigns on social standards can lead to social standards.

have on claims to some form of minimum rights, namely the right to fundamental social rights. The implementation takes place at a local, i.e. national and sub-national level.

V. Outlook: From the Development Paradigm to Transnational Diversity

In this paper the significance of the transnational social question has been discussed both in respect of nationality and social rights, and in terms of social and labour norms as a reaction to the processes and effects of globalisation. The making and implementation of social rights at national level reflects the development paradigm, and the development of transnational social standards can be interpreted as a form of global structural policy. Sociological analyses in the past adhered strongly to the development policy paradigm, but nowadays tend favour the globalisation paradigm in general and the global structural and social policy paradigm in particular. Both perspectives take Europe as the conceptual point of departure – though not necessarily in the negative, Eurocentrist sense. For the development paradigm, this consisted of remedial development policies supposed to advance the socio-political, cultural and economic modernisation through integrated nation-states, and thus also included a welfare-state component (cf. Rostow 1990). Irrespective of its irrefutably practical political relevance, and barring those few exceptional cases of successful remedial development in the second half of the 20th century, the development paradigm cannot be said to have encouraged the simulation of the evolutionary dynamic of the development of social rights and social citizenship of the North in the South; many of the reasons for this failure are long known (cf. Chang 2002 on the political economy of development). The socio-political reactions to globalisation at transnational level must also be rated as relatively unsuccessful when evaluated against the model of established social rights. A pertinent question that arises here is to what extent the terms *rights* and *citizenship* can meaningfully be expanded to embrace transnational social inequality not merely as a remedial problem from the perspective of the nation-state development paradigm or in terms of the prospective implementation of national rights and regulations at transnational level.

The diverse cultural readings of the terms citizenship and rights should thereby always be taken into account. The question here is whether concepts such as social rights and social citizenship, as they developed in the corridor of World I, can be applied unhesitatingly in Worlds II, III and IV. What are the ramifications if social rights are removed from a state context and considered in relation to other forms of political rule? In other words, what is at stake is not merely the relative role of principles of social order such as the state, the market, the family and the community, as is the case in regime literature on World I, but the

constitution of political rule per se. If, for instance, the concept of citizenship as interpreted in World I is transferred directly into an African context, then dichotomies such as citizens/subjects or modernism/tradition will immediately arise. Such dichotomies must be scrutinized for their historical context such as – in this case – colonialism (Adejumobi 2001) and the respective interpretations of modernity and tradition (cf. Comaroff and Comaroff 1999). The problem also becomes quite manifest in discussions over citizenship in Latin America, for instance in the debate on whether paternalistic, clientelistic forms of political participation – i.e. *clientship* rather than *citizenship* – can also be deemed a valid form of democratic citizenship (Dagnoni 2003 versus Taylor 2004). The central issue here is to what extent clientelism, which does actually permit short-term social security arrangements, rules out the autonomy of individuals as citizens in the long run.

An alternative to the notion that there is only one ideal social legal practice for the whole world is the proposition that an "institutional monoculture" (Evans 2004), as nurtured over the past few decades through the conditions laid down by the IMF and the World Bank, is not an appropriate means of eliminating social inequality. This proposition is equally valid for concepts of privatisation and deregulation as well as those of good governance or socially sustainable development. This approach places more emphasis on *capabilities* rather than the somewhat restricted concept of *entitlements* in order to determine what opportunities there are for having the freedom of choice. In this way, not only social rights as a substantive, i.e. materially normative basis, but also the procedural requirements for social citizenship are brought into the discussion. Individual and collective participation are then not only conceived of as a means, but also as a goal in itself, in other words, participatory political institutions become meta-institutions (Sen 1999: 291; cf. Nussbaum 2002), in that they lay down procedures for political decision-making. Such institutions facilitate the freedom to choose, and this can be used to improve the quality of other institutions, i.e. also in terms of social security. Political citizenship thus remains the basis of substantive social citizenship.¹⁰ It becomes apparent that strong democratic states are a pre-requisite for a viable civil society (see Tocqueville as early as 1959).

Besides a structural analysis of the transnational social question, the use of the postulate of equality and democracy as meta-norms must also be analysed. Although in most partial worlds democracy, as the basis for citizenship, cannot be regarded as a legitimate

¹⁰ The reduction of the three elements democracy, rights and obligations, and collective identity to the latter two dimensions is a decisive weakness of the "postnational" concepts of citizenship (Soysal 1994). Through this reduction it is no longer clear whether and in what way, and through which agents meta-norms are converted into collectively binding decisions.

counterbalance to the market-based inequalities of capitalism in the same way as the European-type national welfare state, its significance as a meta-norm must nevertheless not be neglected. This raises the question what connotations the postulate of equality and democracy have under conditions of extreme inequality. Further, which agents advocate the discursive treatment and structuring of these meta-norms, and what do they themselves understand by the postulates of equality and democracy?¹¹ The reactions of European political elites of the 19th century, already mentioned above, to the "vagabond poor" (de Swaan 1988 what does it say in the book?), and the integration of the working classes into the emergent nation-states through legislation, as for instance in the case of Bismarck's social insurance laws, signalled the beginning of European welfare statehood. In the re-embedding of economic processes into socio-political arrangements "from below" in Europe the working class movement also played a crucial role (Polanyi 2001). Today, too, at least intellectually, the quest continues for an alternative civil society in which organised peasants, migrants, employees and the self-employed in the informal sector, and gender issues, matter (cf. Lachenmann 1998).

In the light of the fragmentation of life chances and social rights, and mindful of new architectures of governance and socio-political spaces that are not necessarily state-regulated, new methodological directions must be sought in order to embrace the mechanisms that process the transnational social question and the different forms, interpretations and combinations of social rights. For even on the optimistic assumption that a global social policy will take shape, it is by no means clear that the resultant global societal structural patterns will be conducive to convergent processes. Meta-norms, while by all means universally accepted, might still lead to path-dependent developments in the four partial worlds, which consolidate against the respective specific historic background of formal, informal or even insecurity systems of social security. A starting point for the analysis of these processes might be the inclusion of contributions from the different regions of the world to discourses on the transnational social question and social rights. With the help of approaches such as postcolonial studies (Loomba et al. 2005), transnationalization (Glick Schiller 2005) and diaspora studies (Sheffer 2003), the conceptual premises, analytical approaches, methodologies and methods of these contributions could be scrutinized. Appropriate research methods include, for instance, multi-sited (field) research (Marcus

¹¹ In the government declaration of US President Truman in 1949, in which he coined the term *underdevelopment*, democracy is the pervasive, transnational gospel: "*Democracy alone can supply the vitalizing force to stir the peoples of the world into triumphant action, not only against their human oppressors, but also against their enemies – hunger, misery, and despair.*" (cited in Rist 1999: 250)

1995; cf. Buraway and Blum 2000) in the four partial worlds, and corresponding transborder research groups.

Literature

Adejumobi, Said, 2001: Citizenship, Rights, and the Problem of Conflicts and Civil Wars in Africa, *Human Rights Quarterly* 23, 1: 148-170

Ayubi, Nazik N., 1991: *Political Islam: Religion and Politics in the Arab World*. London: Routledge

Balibar, Étienne, 2004: *We, The People of Europe? Reflections on Transnational Citizenship*. Princeton, NJ: Princeton University Press

Barrientos, Armando, 2004: Latin America: Towards a Liberal-Informal Welfare Regime, In: Ian Gough et al., 121-168

Beckert, Jens, Julia Eckert, Martin Kohli, and Wolfgang Streeck (eds.), *Transnationale Solidarität: Chancen und Grenzen*. Frankfurt a.M.: Campus

Benhabib, Seyla, 2004: *The Rights of Others: Aliens, Residents and Citizens*. Cambridge: Cambridge University Press

Benner, Thorsten, Andreas Obser, Wolfgang Reinicke and Jan Witte, 2001: Global Public Policy: Chancen und Herausforderungen vernetzten Regierens, *Zeitschrift für Politik* 48: 359-374

Bevans, Philippa, 2004: The Dynamics of Africa's In/security Regimes, In: Ian Gough et al., 202-254

Borchert, Jens, 1998: *Die konservative Transformation des Wohlfahrtsstaates: Großbritannien, Kanada, die USA und Deutschland im Vergleich*. Frankfurt a.M.: Campus

Bourguignon, Francois and Christian Morrisson, 2002: Inequality among World Citizens: 1820-1992, *American Economic Review* 92, 4: 727-744

Brysk, Alison and Gershon Shafir (eds.), 2004: *People out of Place: Globalization, Human Rights, and the Citizenship Gap*. New York: Routledge

Burawoy, Michael and Joseph A. Blum, 2000 (eds.), *Global Ethnography: Forces, Connections & Imaginations*. Berkeley, CA: University of California Press

Chang, Ha-Joon, 2002: *Kicking Away the Ladder: Development Strategy in Historical Perspective*, London: Anthem Press

Comaroff, Jean and John, 1999: Reflections on Liberalism, Policulturalism, and ID-ology: Citizenship and Difference in South Africa, *Social Identities*, 9, 4: 445-473

Commission on Global Governance, 1995: *Our Global Neighbourhood: the report of the Commission on Global Governance*. Reprint. Oxford: Oxford University Press

De Swaan, Abram, 1988: *In Care of the State: Health Care, Education and Welfare in Europe and the USA in the Modern Era*. Cambridge: Polity Press

De Swaan, Abram, 1992: Perspektiven einer transnationalen Sozialpolitik, *Journal für Sozialforschung* 32, 1: 3-17

Dagnino, Evelina, 2003: Citizenship in Latin America, *Latin American Perspectives* 30, 2: 3-17

Davis, Peter, 2004: Rethinking the welfare regime approach in the context of Bangla Desh, In: Ian Gough et al., 255-286

Deacon, Bob, 1997: *Global Social Policy: International Organizations and the Future of Welfare*. London: Sage

Dombois, Rainer, 2005: Auf dem Wege zur Globalisierung sozialer Rechte? In: Stephan Moebius and Gerhard Schäfer (eds.), *Soziologie als Gesellschaftskritik. Wider den Verlust einer aktuellen Tradition*. Festschrift für Lothar Peter. Hamburg: VSA-Verlag, 206-225.

Dombois, Rainer, Erich Hornberger and Jörg Winter, 2004: *Internationale Arbeitsregulierung in der Souveränitätsfalle. Das Lehrstück des North American Agreement on Labor Cooperation zwischen den USA, Mexiko und Kanada*. Münster: Lit Verlag

Escobar, Arturo, 1995: *Encountering Development: The Making and Unmaking of the Third World*. Princeton, NJ: Princeton University Press

Evans, Peter, 2004: Development as Institutional Change: The Pitfalls of Monocropping and the Potentials of Deliberation, *Studies in Comparative International Development* 38, 4: 30-52

Faist, Thomas, 2001: Social Citizenship in the European Union: Nested Membership, *Journal of Common Market Studies* 39, 1: 39-60

Faist, Thomas, 2006: Espacio Social Transnacional y Desarrollo: Una Exploración de la Relación entre Comunidad, Estado y Mercado, *Migración y Desarrollo* No. 5: 2-34

Faist, Thomas, 2007: *Dual Citizenship in Europe: From Nationhood to Societal Integration*. Aldershot, UK: Ashgate

Faist, Thomas and Andreas Ette (eds.), 2007: *The Europeanization of National Immigration Policies: Between National Autonomy and the European Union*. Houndmills, UK: Palgrave Macmillan

Freiberg-Strauß, Jörg 1998: Soziale Sicherung in den Ländern des Südens, in: Michael von Hauff, Michael (ed.), *Soziale Sicherung in Süd und Ost*, Kirchheim: Verlag AGE, 81-107

Gertler, Paul, 1998: On the Road to Social Health Insurance: the Asian Experience, *World Development* 26, 4: 717-732

Ghai, Dharan, 2006: *Decent Work: Objectives and Strategies*. Geneva: International Labour Office, International Institute for Labour Studies

Glick Schiller, Nina, 2005: Transborder Citizenship: an Outcome of Legal Pluralism within Transnational Social Fields, In: Franz and Keebet von Benda-Beckmann (Eds.), *Mobile People, Mobile Law: Expanding Legal Relations in a Contracting World*. Aldershot, UK: Ashgate, 27-50

Gough, Ian and Geof Wood, with Armando Barrientos, Philippe Bevan, Peter Davis and Graham Room, 2004: *Insecurity and Welfare Regimes in Asia, Africa and Latin America: Social Policy in Development Contexts*. Cambridge: Cambridge University Press

Greve, Jens and Bettina Heintz, 2005: Die „Entdeckung“ der Weltgesellschaft. Entstehung und Grenzen der Weltgesellschaftstheorie, In: Bettina Heintz, Richard Münch and Hartmann Tyrell (eds.), *Weltgesellschaft. Theoretische Zugänge und empirische Problemlagen*. Special Issue of *Zeitschrift für Soziologie*, 89-119

Greven, Thomas, 2006: Auf dem Prüfstand: Gewerkschaftsstrategien zur Regulierung globaler Konkurrenz. *WSI-Mitteilungen* 59, 1: 10-15

Habermas, Jürgen, 1998: *Die postnationale Konstellation*. Frankfurt a.M.: Suhrkamp

Heater, Derek, 2004: *World Citizenship*. London: Continuum International Publishing Group

Hein, Wolfgang and Lars Kohlmorgen, 2005: *Global Health Governance: Conflicts on Global Social Rights*. Working Paper, No. 7, August 2005, Hamburg: Deutsches Übersee-Institut (DÜI)

Höffe, Otfried, 2002: *Demokratie im Zeitalter der Globalisierung*. München: C.H. Beck

Inglehart, Ronald, Miguel Basáñez, Jaime Díez-Medrano, Loek Halman and Ruud Luijkx (eds.), 2004: *Human Beliefs and Values: A Cross-cultural Sourcebook based on the 1999-2002 Values Surveys*. Mexico, DF: Siglo Veintiuno

Kaufmann, Franz-Xaver, 1997: *Herausforderungen des Sozialstaates*. Frankfurt a.M.: Suhrkamp

Kaufmann, Franz-Xaver, 2003: *Die Entstehung sozialer Grundrechte und die wohlfahrtsstaatliche Entwicklung*. Paderborn: Schöningh

Kivisto, Peter and Thomas Faist, 2007: *Citizenship: Theory, Discourse and Transnational Prospects*. Oxford: Blackwell

Klemp, Ludgera, 2001: Entwicklungspolitik am Scheideweg – politische Randerscheinung oder globale Strukturpolitik? *Aus Politik und Zeitgeschichte B* 18-19, 13-20

Köhler, Benedikt, 2004: Strukturen, Strategien und Integrationsformen transnationaler Konzerne, *Soziale Welt* 55, 1: 29-50

Lachenmann, Gudrun, 1998: Constructs of Social Security: Modernity and Tradition in West Africa. Bielefeld: Universität Bielefeld, Forschungsschwerpunkt Entwicklungssoziologie. Arbeitspapier Nr. 304

Leibfried, Stephan and Elmar Rieger, 2004: *Kultur versus Globalisierung*. Frankfurt a.M.: Suhrkamp

Leisering, Lutz, Petra Buhr and Ute Traiser-Diop, 2006: *Soziale Grundsicherung in der Weltgesellschaft. Monetäre Mindestsicherungssysteme in den Ländern des Südens und des Nordens. Weltweiter Survey und theoretische Verortung*. Bielefeld: transcript

Linklater, Andrew, 1999: Cosmopolitan Citizenship, In: Kimberly Hutchings and Roland Dannreuther (eds.), *Cosmopolitan Citizenship*. London: Routledge, 35-59

Loomba, Ania, Suvir Kaul and Antoinette Burton (eds.), 2005: *Postcolonial Studies and Beyond*. London: Routledge

Luhmann, Niklas, 1997, *Die Gesellschaft der Gesellschaft*. 2 Vols. Frankfurt a.M.: Suhrkamp

McMichael, Philip, 2004: *Development and Social Change: A Global Perspective*. 3. edition. Pine Forge Press

- Mamdani, Mahmood, 1996: *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton: Princeton University Press
- Marcus, George E., 1995: Ethnography in/of the World System: the Emergence of Multi-sited Ethnography, *Annual Review of Anthropology* 24: 95-117
- Marshall, T. H., 1964 [1950]: *Citizenship and Social Class*. Cambridge: Cambridge University Press
- Marshall, T. H., 1985 [1975]: *Social Policy in the Twentieth Century*. 5. edition. London: Hutchinson
- Meehan, Elizabeth, 1993: *Citizenship and the European Community*. London: Sage
- Mehrotra, Santosh, 2000: Integrating Economic and Social Policy: Good Practices from High-Achieving Countries, Florence: Unicef Innocenti Research Centre, Innocenti Working Paper No. 80
- Menzel, Ulrich, 1992: *Das Ende der Dritten Welt und das Scheitern der großen Theorie*. Frankfurt a.M.: Suhrkamp
- Meyer, John W., John Boli, George M. Thomas and Francisco O. Ramirez, 1997: World Society and the Nation State, *American Journal of Sociology*, 103 (July), 144-181
- Milanovic, Branko, 2005: *Worlds Apart: International and Global Inequality 1950-2000*. Princeton: Princeton University Press
- Miliken, Jennifer (ed.): *State Failure, Collapse and Reconstruction*. Oxford: Blackwell
- Miller, David, 2000: *Citizenship and National Identity*. Oxford: Polity Press
- Möller, Alois, 1992: Basisorganisationen und internationaler Klientelismus, *Nord-Süd aktuell* 4: 65-71
- Nussbaum, Martha, 2002: Capabilities and Human Rights, In: Pablo De Greiff and Ciaran Cronin (eds.), *Global Justice and Transnational Politics*. Cambridge, MA: MIT Press, 117-149
- Polanyi, Karl, 2001 [Orig. 1944]: *The Great Transformation: the political and economic origins of our time*. 2nd Ed. Boston: Beacon Press
- Rawls, John, 1975: *A Theory of Justice*. Cambridge, MA: Harvard University Press

Risse, Thomas and Kathryn Sikkink, 1999: The Socialization of International Human Rights Norms into Domestic Practices. In: Thomas Risse (ed.), *The Power of Human Rights: International Norms and Domestic Change*, Cambridge: Cambridge University Press, 47-68

Rist, Gilbert, 1999: *The History of Development: From Western Origins to Global Faith*. London: Zed Books and Cape Town: University of Cape Town Press

Robertson, Roland, 1992: *Globalization: Social Theory and Global Culture*. London: Sage

Rostow, Walt W., 1990 [1960]: *The Stages of Economic Growth: a Non-Communist Manifesto*. 3. edition. Cambridge: Cambridge University Press

Sassen, Saskia, 2002: The State and Globalization, In: Rodney Hall and Thomas Biersteker (eds.), *The Emergence of Private Authority in Global Governance*. Cambridge: Cambridge University Press, 91-112

Scherrer, Christoph and Thomas Greven, 2001: *Global Rules for Trade: Codes of Conduct, Social Labeling, Workers' Rights Clauses*. Münster: Westfälisches Dampfboot

Schulze, Reinhard, 2004: Islamische Solidaritätsnetzwerke. Auswege aus den verlorenen Versprechen des modernen Staates, In: Jens Beckert et al. (eds.), 195-219

Sen, Amartya, 1999: *Development as Freedom*. New York: Anchor Books

Senghaas, Dieter, 2003: Die Konstitution der Welt – eine Analyse in friedenspolitischer Absicht, *Leviathan* 31, 1: 117-152

Shachar, Ayelet, 2003: *Children of a Lesser State: Sustaining Global Inequality through Citizenship Laws*. New York: New York University, Law School. The Jean Monnet Working Papers, No. 2/2003

Sheffer, Gabriel, 2003: *Diaspora Politics: At Home Abroad*. Cambridge: Cambridge University Press

Soysal, Yasemin, 1994: *Limits of Citizenship: Migrants and Postnational Membership in Europe*. Chicago: University of Chicago Press

Standing, Guy, 1996: Social Protection in Central and Eastern Europe: a Tale of Slipping Anchors and Torn Safety Nets. In: Gösta Esping-Andersen (ed.): *Welfare States in Transition*. London: Sage, 225-255.

Streeck, Wolfgang, 1996: Neo-Voluntarism: A New European Social Policy Regime? In: Gary Marks, Fritz W. Scharpf, Philippe C. Schmitter and Wolfgang Streeck (eds.), *Governance in the European Union*. London: Sage, 64-94

Taylor, Lucy, 2004: Client-ship and Citizenship in Latin America, *Bulletin of Latin American Research*, 23, 2: 213-227

Tilly, Charles, Doug McAdam and Sidney Tarrow, 2003: *The Politics of Collective Violence*. New York: Cambridge University Press

Tocqueville, Alexis de, 1986 [Orig. 1835 and 1840]: *De la démocratie en Amérique*. 2 Vols. Paris: Gallimard

United Nations Department of Economic and Social Affairs, 2005: *Report on the World Social Situation 2005: The Inequality Predicament*. New York: United Nations

United Nations Development Programme, 2001: *Human Development Report 2001*

United Nations Development Programme, 2003: *Human Development Report 2003: Millenium Development Goals: A Compact among Nations to End Human Poverty*. New York: Oxford University Press

Wallerstein, Immanuel, 1983: *Historical Capitalism*. London: Verso

Walzer, Michael, 1996: *Thick and Thin: Moral Argument at Home and Abroad*. Notre Dame, IN: University of Notre Dame Press

Weber, Max, 1980 [1922]: *Wirtschaft und Gesellschaft*. Tübingen. 5. edition. J.C.B. Mohr.

Weltbank, 2006: *Weltentwicklungsbericht 2006: Chancengerechtigkeit und Entwicklung*. Washington, D.C.: Weltbank und Bonn: Bundeszentrale für Politische Bildung, Düsseldorf: Droste Verlag

Wilson, William Julius, 1987: *The Truly Disadvantaged: The Inner City, the Underclass and Public Policy*. Chicago: University of Chicago Press

Wobbe, Theresa, 2000: *Weltgesellschaft*, Bielefeld:Transkript.

Wong, Joseph, 2004: *Healthy Democracies: Welfare Politics in Taiwan and South Korea*. Ithaca, NY: Cornell University Press

World Bank, 1987: *World Development Report 1987: Barriers to Adjustment and Growth in the World Economy*. New York: Oxford University Press

World Bank, 1997: *World Development Report 1997: The State in a Changing World*. New York: Oxford University Press

World Bank, 2001: *World Development Report 2000/01: Attacking Poverty*. New York: Oxford University Press

Zolberg, Aristide R., 1987: Origins of the Modern World System: A Missing Link, *World Politics* 33, 2: 253-58