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CONSIDERING GLOBAL DEMOCRACY AN INTRODUCTION TO THE SYMPOSIUM: ENVISIONING A MORE DEMOCRATIC GLOBAL SYSTEM

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Beginning in the early 1990's with the fall of the Berlin Wall, the international system's lack of transparency, accountability, and citizen inclusiveness became a major political issue. By the time of the dramatic protest against the World Trade Organization in Seattle, this *global democratic deficit* had generally come to be considered one of the primary problems associated with globalization. Paradoxically, however, in these many years of concern, there has been little scholarly discussion offering concrete suggestions for remedying the problem.

In the hopes of furthering such a discussion, fifteen prominent men and women from around the world gathered at Widener University School of Law in April 2006 to consider what could be done to make the global system more democratic. On the table for discussion were political impediments to achieving global democracy as well as specific democratization ideas and proposals. The primary focus of the Symposium, however, was the specific proposal for a popularly elected global parliamentary assembly. The articles and two speeches that follow in this volume are based on the original presentations at Widener.²

All of the Symposium participants share a common commitment to improving the international system—some would call them internationalists. But there the similarities end. The participants hail from different corners of the world, and beyond their geographical moorings, they lay claim to diverse ideological and methodological traditions. Some have been active participants in the global conversation carried on among critical theorists and deconstructionists. Others can trace their intellectual pedigree to religious, liberal, or legalistic traditions, and, of course, all are to some extent eclectic. Also noticeable in their writings is the resonance of different emotional responses to global events reflecting the authors' individual sensibilities and life experiences.

1. Chairperson for the Symposium and Professor of Law, Widener University School of Law.

2. Upendra Baxi was not able to attend the live symposium but generously contributed an article to this volume.

As the chair of the Symposium my concern was that after all the smoke of presentations, authoring and editing had cleared, a volume of work by such a diverse group would not be coherent. In the end, however, I think the reader will find that the project's diversity became its strength. Coherence in these pages comes not from method, perspective or ideology, but from the authors' collective focus on the substantive issues related to global democracy. The very attempt to undertake a common conversation despite the differing assumptions and approaches becomes a microcosm of the larger global discussion that is necessary if the proposals suggested on these pages are to be propelled toward implementation. The Symposium is in itself a sort of experiment in a global democratic dialogue.

As the diversity of the authors' perspectives would suggest, there is a range of opinion on the substantive question of how to make the global system more democratic. Even in terms of the proposal for a popularly elected global parliament to which the Symposium was mostly dedicated, there are considerable differences of thought.

Professor **Richard Falk** of Princeton and the University of Santa Barbara in *What Comes After Westphalia?: The Democratic Challenge* provides general context for the volume as a whole by observing the "puzzling disconnect" between the professed global commitment to democracy at the domestic level and the failure of leading state actors to make efforts to democratize the global system. Highlighting many of the substantive world order concerns of the Symposium, Professor Falk proceeds to argue that a sustainable future world order requires institutional innovations to address such issues as climate change, regulation of the world economy, establishment of security, and the protection of politically vulnerable peoples from human rights atrocities.

The first set of papers then examines the process of democratization at the national level which becomes a reference point for understanding how the democratization of the international system can occur. In *Democracy in the Americas*, **Heraldo Muñoz**, the Chilean ambassador to the United Nations, sets the stage for this examination by assessing the success of national democratization efforts, primarily in Latin America. Ambassador Muñoz does not ask how states or non-state actors can act to democratize the international system but rather how the international system acts to democratize states. In *Internationalizing National Politics: Lessons for International Organizations*, Wayne State Law School Professor **Greg Fox** extends this theme by examining the extent to which the sorts of democracy promotion forces of the international system referred to by Ambassador Muñoz can be adapted to democratize the international system itself.

Next, in *Can Democracy be Exported?*, **Daniele Archibugi**, the director of the Italian National Research Council, joins the democracy promotion discourse by asking the Iraq question. Can a country be democratized by force? He concludes that it cannot, except in very rare cases. Rather, looking to the global system, Dr. Archibugi suggests that domestic democracy promotion

could better be advanced by the implementation of the proposal for a citizen representative global parliament. Finally, in *The Perils of Dumb Democracy*, New School of Athens President, Ambassador **Kimon Valaskakis**, furthers this theme with his own analysis of what practices are consistent with creating a successful national democracy before similarly turning to how such practices can be applied to global democracy.

The papers of the second set primarily concern themselves with forwarding and assessing specific proposals for democratizing the global system. Professor **Richard Falk** in his article again provides a context, this time for the discussion of such initiatives, by reviewing trends and innovations over the past two decades that could eventually lead to more democratic global governance. In *The E-Parliament: Global Governance to Serve the Human Interest*, University of Notre Dame Professor **Robert Johansen** explains how one such recent innovation in global democracy called the e-Parliament can contribute to the creation of a more benign global system. The e-Parliament, as Professor Johansen explains, is an attempt to link all of the existing national parliamentarians together over the Internet.

The proposal which the remaining papers largely address is for a global assembly which would represent citizens directly. In my own paper, *On the First Branch of Global Governance*, I suggest how a global parliament could reduce political violence, and I assess four political strategies that could be used to bring it into existence. My conclusion is that success would most likely come from an interstate treaty process. **Chandra Muzaffar**, President of JUST International and Professor of Global Studies at the Universiti Sains Malaysia, in *Hegemony, Terrorism and War—Is Democracy the Antidote?* expands on the theme of global democracy and violence. He argues that hegemony is a cause of both global war and terrorism and explains why he believes a global parliament could help reduce their occurrence.

In his speech, *One Man One Vote or One Man One Goat: Reflections on Democracy in the Global Arena*, New York University School of Law Professor Emeritus, **Thomas Franck** makes his own two part case for a global parliament. He first argues that such an institution's tendency to promote wealth redistribution would, if successful, improve the functioning of the world economy by reducing excess capital concentration. He then goes on to explain why a global parliament would in his view help serve as an institutional antidote to the problem of tribal nationalism. Likewise, in *Rethinking Global Parliament: Beyond the Indeterminacy of International Law*, **Heikki Patomäki**, of the University of Helsinki, also argues for a global parliament. Professor Patomäki's advocacy is based primarily on his belief that a parliament could bring greater determinacy to the rules of international law.

More wary of the global parliament project is Harvard Law Professor **David Kennedy**. In his speech, *Assessing the Proposal for a Global Parliament: A Skeptic's View*, he puts the global parliament proposal in the context of a larger analysis which questions conventional parliamentary structures, even at the

domestic level. **Upendra Baxi**, of the University of Warwick School of Law raises his own concerns in *Towards a General Assembly of Peoples, Notes for Conversation*. For example, how could a global parliament be constructed so as not to empower those who are hostile to democracy itself, or who are committed to militarism, or so it would not further various forms of social oppression? Finally, in *America and the Future of Global Democracy*, **Zaid Ibrahim**, a member of the Malaysian Parliament, focuses his attention on what he believes to be the crucial need for America to change its behavior toward the rest of the world if a more democratic global order is to be achieved.

For those who, after reading this volume, wish to partake in the experience of the authors engaging directly with each other over the issues in their papers, the Internet makes this possible. Independent film maker Paul Martinetz has produced an award winning documentary of the live Symposium, which can be viewed online at www.law.widener.edu/envisioning.

This Symposium edition of the *Widener Law Review, Envisioning a More Democratic Global System*, is situated uniquely at the juncture between theory and practice. My hope is that it will not only help interject democratization concerns into the ongoing academic discussion about global governance, but that it will also contribute to the political effort to create a more fair and democratic global system. All readers (academics and others) who find that they wish to join the discussion should assume their right of reply in the emerging conversation about global democracy, if not in this or other academic journals, then in the popular press, or on the pages of internet forums.

The success of this volume owes to many people's very hard work, and space does not allow mention of them all. There are two individuals, however, who merit special notice. The first is Lauren Hackett, who as the External Managing Editor of the *Widener Law Review* personally supervised the editorial process. During the course of her work on this volume Lauren experienced a deep personal loss. Her mother passed away too young. Despite the anguish that Lauren has experienced over the last year, she has been unfailingly diligent and professional and most importantly brave. She has been an example to me of how much we can learn about character from our students. I would also like to thank the law review secretary, Debbe Patrick, whose high standards of professionalism and perpetual willingness to go the extra mile made her a delight to work with. This volume would never have seen the light of day without her efforts. My appreciation also goes to our Widener Law School dean, Linda Ammons. Her strong support was not only crucial to the success of our efforts but also very meaningful to me personally.

In addition, I would like to thank the Rockefeller Brothers Fund who generously contributed financially to the Symposium. Without its support, this project, if it would have gone forward at all, would have been much restricted in aim and scale. Of course, the analysis and conclusions on the pages that

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follow are not necessarily those of the Rockefeller Brothers Fund. Finally, I would like to thank the Symposium participants who contributed to this volume. All are leaders in their fields, and are extremely busy with multiple demands on their time. I am very grateful to each of them, not only for participating in this project, but for the tremendous spirit, goodwill and diligence they brought to it.

