

THE E-PARLIAMENT: GLOBAL GOVERNANCE TO SERVE THE HUMAN INTEREST

ROBERT C. JOHANSEN*

Human beings have struggled for centuries to gain control over their own destinies, particularly to influence the political decisions that affect their lives. By the early twenty-first century, approximately sixty percent of the world's people in more than 120 countries had achieved democratic governance within their national societies.¹ At the same time that national democratic institutions have been spreading, however, the growth of interdependence and globalization have wrested from people's national grip many of the decisions that affect their lives. Throughout the world, numerous decisions affecting citizens of one country are made by people living outside their country or by impersonal market forces that are not accountable to anyone and that often subordinate the needs of the many to the prosperity of a few.²

As political, economic, environmental, and military interdependences among countries increase, these cross-border influences, which are inadequately governed, frequently produce frustration for nearly everyone, deprivation for many, and conflict for most. People in most countries yearn for more effective and mutually beneficial cross-border decisions by their political authorities. But national officials lack effective international means; they do not feel accountable to transnational political constituencies, and they lack the will to render decisions that will more reliably serve all peoples' needs. Meanwhile, numerous global problems deepen and cast doubt on humanity's future: Terrorism cannot be satisfactorily addressed without far more

* Robert C. Johansen is a Professor of Political Science and Senior Fellow of the Kroc Institute for International Peace Studies at the University of Notre Dame. The author thanks Flavio Lotti, Director of Tavola della Pace (the Peace Roundtable), Sirpa Pietikäinen, Chair of the Executive Committee of the World Federation of United Nations Associations, and Nicholas Dunlop and Lois Barber, then the Co-Directors of EarthAction, for the invitation to present an earlier version of this paper at a seminal meeting of discussions about a world parliament (co-sponsored by the three preceding organizations and by the Province of Venice, the Italian Co-ordination of Local Authorities for Peace, and the European Masters Programme on Democracy and Human Rights of Venice International University, meeting in Venice, Italy, March 24-26, 2001). To provide full disclosure, the author notes that he has been involved in this project since its inception and is a member of the founding e-Parliament Council.

1. E-parliament, *About the E-Parliament: A New Global Forum for Democratic Problem-Solving*, <http://www.e-parl.net/eparliament/general.do?action=aboutus> (last visited Jan. 10, 2007) [hereinafter E-Parl.net].

2. As two leading international experts put it, "[t]he policy authority for tackling global problems and mobilizing the necessary resources is vested primarily at the country level, in states, while the source and scale of the problems and potential solutions to them are transnational, regional, and global." In short, "[t]oday's world needs global governance . . ." Ramesh Thakur & Luk Van Langenhove, *Enhancing Global Governance through Regional Integration*, 12 GLOBAL GOVERNANCE 233 (2006).

worldwide cooperation. Weapons of mass destruction cannot be managed without global rules that are effectively enforced by the international community. Global warming sweeps out of control while destroying the natural environment as we have known it. The continuing gap between rich and poor wreaks havoc with norms of social stability and any reasonable sense of fair play. Whether acknowledged or not, crises lurk at the doors of governments everywhere and at the very foundations of governance and human compassion. Citizens throughout the world suffer from a democratic deficit in global decision-making, an action deficit in addressing global problems, a resource deficit in meeting human needs and sustaining the biosphere, and a vision deficit in imagining how best to serve human needs and to nurture human solidarity.

In searching for ways to address these four deficits, this essay examines (1) the need for more democracy in global decision-making, (2) the prospects for meeting this need in part through a global forum of the world's democratically-elected legislators, held primarily on the Internet, so they may engage each other and members of civil society in order to work at global problems more effectively, (3) the challenges facing this world parliamentary forum, particularly the need to democratize globalization, and (4) the ways that an e-Parliament can enhance global governance to serve the human interest.

I. THE NEED FOR GLOBAL DEMOCRACY

Because of security, economic, and environmental interdependence, the human species has now reached the point in history when the familiar concepts of "national security" or "national democracy" include rather dubious assumptions about the dimensions that a political unit should encompass in order to fulfill the democratic principle or prudential security needs. The democratic principle can no longer be fulfilled *within* a single nation-state, no matter how *internally* self-governing that society may be. A national government's decisions, especially those with strong economies or big militaries, affect many people outside its borders—people who are not represented within its deliberative bodies. In turn, its own people are affected by other societies' decisions over which they have no control and in whose deliberative bodies they are not reliably represented. If people cannot any longer reliably influence the decisions that affect their lives, then they have lost democratic self-governance. Interdependence without border-crossing representative legislative institutions is undemocratic.³ Like taxation without representation, globalization without democratization becomes tyranny. When the presidents and prime ministers of the largest industrialized states gather in

3. As an e-Parliament document warns, "[e]verything today is going global, from business to news to terrorism. Everything except democracy. If our democratic institutions cannot adapt, they may be sidelined – or even in some countries swept away." E-Parliament, A New Way to Work Together 4 (Apr. 2006) (unpublished manuscript, on file with author).

the Group of Eight (G-8) to discuss the future of the world economy, they directly represent only thirteen percent of the world's population. These governments exercise a powerful global role,⁴ but that role is not mandated by most of the world's people. They do not make decisions in a globally representative body nor constitute an effective form of governance.

At present, no person or existing representative body has the authority to speak for the human race. No one possesses the legislative power to implement the human interest.⁵ Even worse, there is no focal point where humanity may speak for itself, bringing its myriad voices to focus on urgent decisions for the good of all. There is no center of decision-making where people may join hands across national borders to advance common aspirations to address global warming, govern weapons of mass destruction, curtail weapons manufacture and export, discourage terrorism, end hunger, protect the environment, or combat AIDS. The United Nations, of course, comes closest to providing an arena for expressing the human interest, but efforts to advance it there face enormous and often dogmatic political resistance from national governments pursuing their national interests, frequently with the help of international incentives and structures that allow some peoples' interests to be advanced at the expense of other peoples' rights. Today's global *democratic deficit* muffles the voices of the people of the world and stands in the way of democratic decisions both within and beyond every society on earth. As long as this deficit remains, the environment will not be well protected, wars and terrorism will not cease, poverty will not end, national ignorance will not give way to more inclusive understanding, preventable epidemics will spread, and the promise that could grow from the values of human dignity will be denied.

The pressing need for a more representative global parliamentary forum arises from the recognition that the most basic rights of a majority of the world's people, who dwell in chronic poverty, are being denied by the structure of the existing system of world order. Referring to the more "influential citizens and politicians in the wealthy countries," philosopher Thomas Pogge says that "[w]e are quite wrong to present ourselves as the most advanced in terms of human rights"⁶ Indeed, we "are chiefly responsible for the fact that most human beings still lack secure access to the most vital goods."⁷ The existing global order "does play a major role in

4. They, in practice, manage international economic affairs through the Bretton Woods Institutions: the International Bank for Reconstruction and Development, the International Monetary Fund, and the World Trade Organization.

5. The "human interest" aims to ensure the long-range survival of the human species and to equitably improve the quality of human life for all people. It emphasizes serving human needs, which includes eliminating war and poverty, halting gross denials of human rights, and achieving ecological balance. See ROBERT C. JOHANSEN, *THE NATIONAL INTEREST AND THE HUMAN INTEREST: AN ANALYSIS OF U.S. FOREIGN POLICY* 20-23, 391-93 (1980).

6. Thomas W. Pogge, *Human Rights and Human Responsibilities*, in *GLOBAL RESPONSIBILITIES: WHO MUST DELIVER ON HUMAN RIGHTS?* 3, 22 (Andrew Kuper ed., 2005).

7. *Id.*

causing the massive under-fulfillment of human rights today.”⁸ He notes that, “we continuously impose upon [the poor] an unjust global order without working toward reforms that would facilitate the full realization of human rights.”⁹ Yet, “[e]veryone is entitled to a social and international order,” the Universal Declaration of Human Rights makes clear, “in which the rights and freedoms set forth in this Declaration can be fully realized.”¹⁰ The most fundamental human rights, such as the right to life and life-sustaining food, are claims on the institutional order in which people live, including the international system. Pogge notes that a person’s human rights are “not only moral claims *on* any institutional order imposed upon [him or] her, but also moral claims *against* those (especially more influential and privileged) persons who collaborate in its imposition.”¹¹ A sense of justice and respect for human rights, says Raffaele Marchetti, “demands strengthening the transnational institutions of democracy, with the intention of creating more inclusive mechanisms of democratic self-legislation in order to avoid the current high degree of international exclusion.”¹²

Wealthy, powerful individuals and states are “the chief beneficiaries of the existing global order. This order perpetuates our control over the weaker developing countries.”¹³ Yet, we seldom acknowledge the wealthy countries’ causal role in maintaining today’s global order because “[w]e have a very powerful personal motive to want to see ourselves as unconnected to the unimaginable deprivations suffered by the global poor.”¹⁴ “This motive,” Pogge concludes, “produces self-deception and automatic rejection of politicians, academics, and research projects that explore the wider causal context of global poverty.”¹⁵ A vigorous global legislative forum can foster better understanding by focusing attention on the reasonable demand that today’s global order should be redesigned to ensure that all people are fairly represented and have access to the few goods required for meeting vital needs.¹⁶

Linked to the democratic deliberative deficit is an *action deficit*. Major decisions are urgently needed to address global problems, such as reliable rules

8. *Id.*

9. *Id.* at 23.

10. Universal Declaration on Human Rights, G.A. Res. 217A, at 76, Art. 28, U.N. GAOR, 3d Sess., 1st plen. mtg., U.N. Doc. A/810 (Dec. 12, 1948), available at <http://daccessdds.un.org/doc/RESOLUTION/GEN/NR0/043/88/IMG/NR004388.pdf?OpenElement> [hereinafter Universal Declaration].

11. Pogge, *supra* note 6, at 15. Existing international legal and moral obligations mean that “[w]e are not to collaborate in the coercive imposition of any institutional order that avoidably fails to realize human rights of whatever kind.” *Id.* at 28.

12. Raffaele Marchetti, *Global Governance or World Federalism? A Cosmopolitan Dispute on Institutional Models*, 20 GLOBAL SOCIETY 287, 288 (2006).

13. Pogge, *supra* note 6, at 22-23.

14. *Id.* at 21.

15. *Id.*

16. *See id.* at 25.

to govern weapons of mass destruction, to deter terrorism and crimes against humanity, and to protect the atmosphere against greenhouse gases before more time and opportunities slip away. Yet, necessary decisions are not forthcoming, despite calls for action from the world's moral leaders. The current global decision-making system, in which more than 190 governments must negotiate agreement before taking action,¹⁷ is too slow and cumbersome to cope with today's fast-paced, mounting problems. There still is very little cross-border communication among parliamentarians, which means they often duplicate each other's studies, ignore each other's findings, and fail to build on the efforts that others have already made. This problem is especially tragic among younger parliaments that may have severe needs for assistance. As a result, poverty and environmental degradation increase, corruption spreads, and fundamentalist backlashes flourish. Climate change and other global crises are running out of control.

The action deficit is built into today's international system—a holdover more appropriate for life in the century immediately following the Peace of Westphalia (1648), in which it originated. Its obstruction of effective international decision-making is underscored by the failure of recommendations from numerous blue-ribbon panels to implement desirable policies addressing major global problems. Some of the best known include the work of the Independent Commission on International Development Issues; the Independent Commission on Disarmament and Security Issues, the World Commission on Environment and Development, the South Commission, the Stockholm Initiative on Global Security and Governance, and the Commission on Global Governance.¹⁸ These expert commissions were created because of a recognition that the “normal channels” had failed. Yet, the same inaction that flowed out of normal international relations overwhelmed the special commissions as well. Significant progress has not been made. So dire had become the need for global reform fifteen years ago that an international commission of widely respected leaders from throughout the world declared in a far-reaching (but largely ignored) statement “that a World Summit on Global Governance” should be called, “similar to the meetings in San Francisco and at Bretton Woods in the 1940's” that created

17. E-parl.net, *supra* note 1.

18. See CANBERRA COMMISSION ON THE ELIMINATION OF NUCLEAR WEAPONS, REPORT OF THE CANBERRA COMMISSION ON THE ELIMINATION OF NUCLEAR WEAPONS 9-17 (1996); COMMISSION ON GLOBAL GOVERNANCE, OUR GLOBAL NEIGHBORHOOD: THE REPORT OF THE COMMISSION ON GLOBAL GOVERNANCE (1995); INDEPENDENT COMMISSION ON DISARMAMENT AND SECURITY ISSUES, COMMON SECURITY: A BLUEPRINT FOR SURVIVAL (1982); INDEPENDENT COMMISSION ON INTERNATIONAL DEVELOPMENT ISSUES, NORTH-SOUTH: A PROGRAMME FOR SURVIVAL: THE REPORT OF THE INDEPENDENT COMMISSION ON INTERNATIONAL DEVELOPMENT ISSUES UNDER THE CHAIRMANSHIP OF WILLY BRANDT (1980); PALME COMMISSION ON DISARMAMENT AND SECURITY ISSUES, A WORLD AT PEACE: COMMON SECURITY IN THE TWENTY-FIRST CENTURY (1989); SOUTH COMMISSION, THE CHALLENGE TO THE SOUTH (1990); STOCKHOLM INITIATIVE ON GLOBAL SECURITY AND GOVERNANCE, COMMON RESPONSIBILITY IN THE 1990's (Apr. 22, 1991); WORLD COMMISSION ON ENVIRONMENT AND DEVELOPMENT, OUR COMMON FUTURE (1987).

the United Nations, the World Bank, and the International Monetary Fund (IMF).¹⁹ This suggestion fell on deaf governmental ears.

The international community also suffers a chronic *resource deficit* to end hunger, reduce poverty, provide primary education for all children, protect the environment, finance the UN system, meet challenges to peacekeeping, monitoring and enforcing arms control, and achieve genuine security. Many studies have been conducted to identify ways of systematically raising revenue sufficient to meet global needs. All recommendations have failed in large part because a global democratic decision-making mechanism does not exist where concerned citizens and members of parliaments and congresses from many countries may focus attention for new revenue-raising measures, and where legislators, who control the purse strings, have the necessary legitimacy to raise and then decide how to spend global revenues once raised.

A world characterized by almost no global democratic governing capacity, little global action beyond rhetoric, and few resources to address global problems—the first three deficits—arises from and in turn perpetuates a poverty of moral imagination, a *vision deficit*. Unless people are motivated by a vision of genuine human solidarity that brings into focus practical steps toward a world with more security and less human suffering, our world's most divisive problems and current drift toward a global form of apartheid are not likely to be managed effectively. Although “states have the capacity to disable decision-making and policy implementation by global bodies like the United Nations, . . . they generally lack the vision and will to empower and enable global problem solving . . .”²⁰

In brief, self-governance can no longer be realized if it is confined to its traditional form of establishing democratic institutions within territorial nation-states alone. Even those countries with well-established democratic traditions are losing the democratic content of their old forms and processes. Without more global democratic governance, life-and-death issues will become even more severe and more difficult to solve. The world's people *must* establish some global rule making and accountability if democracy is not to be further undermined by interdependence and by the forces of globalization, which are not accountable to the global constituency affected by them. The choice is stark: people in national societies must press for a global manifestation of democracy, or they will stand by and let national democracy degenerate as world problems mount.²¹

19. See STOCKHOLM INITIATIVE ON GLOBAL SECURITY AND GOVERNANCE, *supra* note 18, at 45.

20. Thakur & Van Langenhove, *supra* note 2, at 233.

21. As Raffaele Marchetti concludes, “The lack . . . of legitimate political structures within which political agents—first and foremost individuals—can effectively influence social outcomes through expressing their free consent and exercising their capacity of autonomy, highlights the need for an adequate expansion of the democratic political system at the global level.” Marchetti, *supra* note 12, at 288.

To overcome the fourfold deficit requires a focal point for the gradual growth of representative government at the global level, an evolving form of world parliamentary deliberation. As the Commission on Global Governance concluded back in 1995, the world's people "need to be active in areas where government is unable or unwilling to act," because "so many of the issues requiring attention are global in scope."²² The Commission suggested "an assembly of the people" as a deliberative body to complement the UN General Assembly.²³ Although progress has not been made toward this goal, during the years since the Commission wrote, the Internet has rapidly expanded opportunities for instantaneous global communication, commerce, and governance. Even without incurring the costs and difficulties of creating a new, directly elected global deliberative body, it is now possible to bring all of the world's existing national legislators together in a virtual "world parliament." That possibility, harnessed to the driving needs for overcoming the democratic deficits described above, has animated the creation of the world's first global forum of democratically-elected national legislators, which can be accessed at www.e-parl.net.

II. NURTURING GLOBAL DEMOCRACY

The founders of the e-Parliament believe that nothing short of a broadly inclusive transnational parliamentary conversation can begin to address the scale, complexity, and urgency of current global problems, including the increasing democratic deficit attending globalization.²⁴

A. Purpose

The long-term mission of the e-Parliament is to encourage representative self-government so that every person on Earth may exercise an equal opportunity to be represented in decisions that affect their lives. The e-Parliament is inspired by the vision of equal rights and democratic governance entrenched in the Universal Declaration of Human Rights and endorsed by almost every country on earth: "[a]ll human beings are born free and equal in dignity and rights."²⁵ The e-Parliament provides a genuine opportunity to implement the principle that "[t]he will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote . . ."²⁶ The e-Parliament manifests the principle that "[e]veryone is

22. COMMISSION ON GLOBAL GOVERNANCE, *supra* note 18, at 253.

23. *Id.* at 257.

24. See E-Parl.net, *supra* note 1. Richard Falk and Andrew Strauss come to a similar conclusion, but call for a directly elected world assembly: "[a]ny serious attempt to challenge the democratic deficit must . . . consider creating some type of popularly elected global body." Richard Falk & Andrew Strauss, *Toward Global Parliament*, 80 FOREIGN AFFAIRS 212, 212-13 (2001).

25. Universal Declaration, *supra* note 10, at 72, Art. 1.

26. *Id.* at 75, Art. 21(3).

entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”²⁷ Indeed, e-Parliament initiatives are beginning to demonstrate that “[a]ll are equal before the law and are entitled without any discrimination to equal protection of the law.”²⁸

The immediate purpose of the e-Parliament is to enable all those legislators throughout the world who have been democratically elected to national (or regional)²⁹ legislatures to deliberate with one another, primarily over the Internet, and to engage with citizens in a joint search for effective solutions to global problems. The e-Parliament potentially provides a focal point where interested members of national legislatures can come together online, thus overcoming the national insularity that dominates proceedings in most congresses and parliaments.³⁰ In its first phase, the e-Parliament provides an opportunity for members of parliaments (MPs)³¹ and congresses to communicate ideas and best practices on an issue with one another and then to develop common ground for model legislation that subsequently could be introduced in many national legislatures. Because such legislation would already have support from those MPs who advanced the ideas in the e-Parliament, it might have a better chance of passing in numerous legislatures within a reasonable length of time. The goal of the international forum is to increase knowledge of legislative goals, strategies, and practices for addressing global issues, to coordinate activity in different national legislatures to maximize their collective impact on global problems, and to bring more democratic accountability, more resources, and better vision to existing international institutions. As the e-Parliament gains experience and the numbers of MPs participating increases, it could, over the years, evolve into a global body with more authority. It could even indirectly generate revenue and render legally binding decisions.

27. *Id.* at 72, Art. 2.

28. *Id.* at 73, Art. 7.

29. For example, the European Parliament.

30. For the purposes of this article, “parliaments” refers to all parliaments, congresses, and other national and regional legislatures.

31. In this article, the author refers to all democratically elected legislators in national and regional parliaments or congresses as “members of parliament” or simply “MPs,” even though their official titles, in some cases, might be “Representative,” “Senator,” “Congressman,” or some other designation.

B. Structure

1. Linking 25,000 Parliamentarians

The e-Parliament potentially links the world's 25,000 democratically-elected legislators,³² who represent, pass legislation for, and gather tax revenues from approximately four billion people, in transnational legislative conversations about issues of concern to each legislator and every constituent. Every person who holds a seat in a national or regional legislature³³ that is constituted through fair, open, democratic elections is eligible to participate. Government ministers are eligible if they are also elected members of their national parliament. Each MP decides the nature and intensity of his or her own involvement. Because the e-Parliament, which opened its website in March 2006, is "in session" at all hours in all time zones, legislators can spend as much or as little time speaking and listening to roundtable discussions in the e-Parliament as they desire; they (or their designee) participate at times when they are not required to be on the floor of their respective legislatures.

The e-Parliament is seeking ways and means for ensuring that all democratic legislatures throughout the world can have access to the website. One of the first demands on the e-Parliament is to find support for minimal computer literacy and access for every democratically elected legislator. Any individual members of national parliaments who are not yet online may gain access through his or her legislature's Internet connection.

2. Listening to Civil Society

To facilitate creative, grass roots input into global deliberative processes, an e-Forum is planned as part of the e-Parliament website so that members of civil society can express their views and interact with parliamentarians in systematic, constructive ways,³⁴ but without overburdening MPs. In addition, the proposed gathering of members of civil society should provide a constant watchdog function for the e-Parliament to ensure that elected officials do not forget those who elected them. As has been true of leading human rights organizations during negotiations to create a permanent international court and thereafter, nongovernmental organizations (NGOs) can provide important expertise on a variety of global issues, develop proposals informed by conditions at the grass roots, and offer expert assistance to MPs at work on proposals in which they share an interest.

32. About 14,000 of these legislators are elected in developing countries. E-parl.net, *supra* note 1.

33. Members of a directly elected regional legislature, such as the European Parliament, are eligible to participate.

34. The Commission on Global Governance recognized that "[s]ome way needs to be found [] to provide more space in global governance for people and their organizations—for civil society as distinct from governments." COMMISSION ON GLOBAL GOVERNANCE, *supra* note 18, at 256. They called for expanding the representation of civil society through an Annual Civil Society Forum at the United Nations. *See id.* at 258.

The e-Forum might poll citizens or citizens' organizations on issues that are being considered by the e-Parliament and transmit the results to legislators to show the views of different parts of civil society, analyzed by issue, region, or electoral district. Within reasonable procedural limits, groups of organizations could use the e-Forum to create informal networks to share information and plan common action. Well-known NGOs, such as Amnesty International and Human Rights Watch, as well as business and professional associations, for-profit corporations, trade unions, and other organizations could all participate.

3. Listening to People from Non-Democratic Systems

From the perspective of democratic values, it is desirable to hear not only from constituents of democratically elected representatives, but also from those people who do *not* live in a country with a democratic political system insofar as this may be facilitated. Although people from non-democratic political systems certainly should be represented in a global forum, the e-Parliament Council does not think it would be desirable to allow such people's "legislators," who have not been chosen through democratic processes, to participate as voting members of the e-Parliament. Consequently, they may offer comments, but when MPs are polled, they are not included. The e-Parliament upholds the principle that "[e]veryone has the right to take part in the government of his country, directly or through freely chosen representatives."³⁵ Because those persons who sit in legislative chambers in authoritarian societies are not eligible to participate as voting members, their ineligibility may eventually become an incentive to move toward more democratic processes. When controversy arises over whether a particular legislature has been chosen through democratic processes, the sitting members of the e-Parliament will, after investigation by an e-Parliamentary committee charged with this oversight responsibility, render a decision about whether the members of the legislature in question are in fact eligible to be seated as full members.³⁶

C. Structure and Governance

1. The Parliamentary Council and Citizens' Council

The e-Parliament is currently governed by a council of eighteen people who are well known for their international expertise (see Appendix A). All but two

35. Universal Declaration, note 10, at 75, Art. 21(1).

36. At present there are more than 120 democratically elected legislatures in the world "where there are normally multiple candidates in elections for parliamentary seats, votes are generally counted fairly and members of parliament can express their views without fear of imprisonment or torture." E-Parliament, *supra* note 3, at 2. This is the operational definition given to "democratically elected." *Id.*

are elected members of parliaments and congresses, currently drawn from eleven different national legislatures and the European Parliament. It is still too early to have completed the e-Parliament's organizational structure beyond the Council.³⁷ Nonetheless, the guiding democratic philosophy under-girding the e-Parliament is modeled within the entire structure. After those MPs eligible to participate have been "seated" through secure channels of communication, they will, in the future, elect the e-Parliament Council by using an online polling process. A Council of perhaps two dozen MPs will be selected without specific guidance about representation, or if a larger Council is desired, it could include one elected representative from each national parliament. In any case, the Council will organize, oversee, and administer the e-Parliament's operations, deciding matters of procedure and substantive priorities.

In parallel, a Citizens' Council of approximately two or three dozen leaders of civil society organizations, perhaps elected in an online poll of official representatives of those organizations now accredited as NGOs by the UN Economic and Social Council, is planned. It will organize, oversee, and administer the operations of the e-Forum and facilitate communication between civil society and the Council of MPs on legislative recommendations as they are being crafted.

2. E-Parliament Processes, Parliamentary Networks, and Committees

The most active parts of the new e-Parliament are its issue networks in which MPs exchange information around these specific topics of concern:

Democracy

- Democracy and human rights
- Global governance
- Parliamentary affairs

Economy

- Economic policy and trade
- Poverty and employment
- Technology and the Internet

Resources

- Agriculture and fisheries
- Energy, transport and climate
- Environment

37. The following discussion reflects the thinking of many, but not all, of those most closely associated with the e-Parliament. These matters remain in flux as the circle of participants in the e-Parliament initiative widens. For this section, the author draws, with permission, upon unpublished documents in the author's possession: e-Parliament: A New Way to Work Together and e-Parliament Discussion Paper.

Security

- Conflict prevention
- Crime, terrorism, and justice
- Defense and disarmament

Society

- Education and culture
- Health
- Population and migration

The most intensive efforts by MPs so far have advanced legislation for or legislative information on conserving energy and protecting the environment, combating corruption, nurturing democracy in populous countries that presently do not have democratically elected legislatures,³⁸ providing constructive conflict resolution skills, implementing children's right to education, accelerating the development of an AIDS vaccine, and debating the deployment of weapons in space. Other topical groups are under consideration to act on terrorism, weapons of mass destruction, the abolition of hunger, and the enforcement of UN Security Council resolutions. Nearly four hundred elected legislators have indicated a desire to participate in these issue-oriented efforts.³⁹

The e-Parliament intends to function in several ways that parallel a national parliament or congress, with a system of committees focused on major issues of global concern, such as protecting the global commons, promoting sustainable development and ending poverty, managing the global economy, and preventing war, violence, terrorism, and the proliferation of weapons of mass destruction. The committees include members from diverse regions of the world and from across the ideological spectrum from left to right.

To democratize and bring creative wisdom to the fledgling deliberative process, each issue network gathers information or holds hearings on its issue, inviting experts from civil society, business, government, and international organizations to discuss their most innovative ideas. An Ideas Bank has been established to gather policy recommendations from world-renowned experts and reputable organizations on how to address global problems. Those registered to participate may "deposit" and "withdraw" ideas in their areas of interest. Legislators, government officials, civil society organizations, and individuals may browse the proposals found there. The World Bank has contributed a number of ideas particularly useful to the energy conservation network. The e-Parliament is also developing a library of examples of desirable

38. More than two billion people are still denied democratic political processes.

39. Thirty members of the U.S. Congress, including both Democrats and Republicans, have expressed interest in the e-Parliament, as have about 360 members of parliaments from around the world. More than 135 members of parliaments have signed up for the AIDS Vaccine Caucus and 112 have joined the Children's Rights Caucus.

legislative practices on specific problems, thus enabling legislators to learn quickly what approaches have (and have not) worked in other countries.

In addition to online conversations, numerous international conference calls, and the Ideas Bank, several face-to-face hearings with legislators have been held in Europe on energy conservation and in Washington, D. C. on the deployment of weapons in space. Hearings include roundtable discussions, which enable any legislator in the e-Parliament to make suggestions. When momentum warrants action, a drafting team is created by the committee to draw up legislative recommendations through a process of broad consultation both online and, where possible, in face-to-face meetings. Drafting teams can include professional facilitators guided by expert understanding of how to build common ground among people who disagree, drawing on conflict transformation skills, active listening, mutual respect, and openness to alternative points of view. Where appropriate, a single text negotiating approach is used to elicit from the interactions a model piece of legislation on which many can agree and move action in their own legislatures.

The energy network and space weapons network illustrate some of the e-Parliament's first contributions. At their outset, the e-Parliament's MPs identified priorities they wanted to address and then conducted hearings on them. On the basis of these, they then generated proposals to aid energy efficiency and recommended specific model legislation. These e-Parliament efforts led to initiatives in the Brazilian Congress, the European Parliament, and the Parliaments of Ghana, Norway, and South Africa to reduce standby power consumption in electric appliances.⁴⁰ Other parliaments are still working on the issue.⁴¹ Another highly successful hearing on energy occurred in November 2006 in Nairobi, immediately following the Conference of the Parties of the Climate Convention.⁴²

The e-Parliament also generated serious parliamentary initiatives on the looming global dangers posed by possible deployment of weapons in space—dangers that threaten every person on earth. The e-Parliament held hearings in U.S. Congressional buildings in Washington, D.C. in September 2005. Legislators from Australia, Brazil, Denmark, Ghana, the European Parliament, Japan, Mexico, Norway, the United Kingdom, and the United States participated. Participants included three Republicans and two Democrats from the U.S. Congress, and seven chairs or vice-chairs of foreign affairs and defense committees.⁴³ The hearings were webcast live and viewed online by some 2000 people during or soon after the event, together with an audience in Washington that included experts on space weapons.⁴⁴ The hearings and additional face-to-face meetings revealed a serious danger that national

40. Nicholas Dunlop & Jesper Grolin, *E-Parliament Update* (Aug. 2006), <http://www.e-parl.net/eparliament/update.do>.

41. *See id.*

42. *See* http://epbak.gn.apc.org/pages/energy_hearing.htm.

43. For a complete list of participants, *see* e-Parliament, *Parliamentary Hearing on Space Security Held on 14th Sep 2005*, http://epbak.gj.apc.org/pages/space_hearing.htm (last visited Jan. 15, 2007).

44. http://epbak.gn.apc.org/pages/space_hearing.htm.

governments' competition in space weapons could accelerate rapidly because of the worst-case planning that most defense ministries feel they must follow in the face of uncertainty about what rivals may be doing. If the global community could bring predictability and stability to what *all* space-capable actors are doing, a weapons competition in space could be avoided. Most experts agree that all states will be more secure if each can be assured that its adversaries will not deploy weapons. Effective arms control of space weapons would greatly enhance international stability and security. Obviously, simultaneous action by legislators in multiple countries could greatly increase the transparency and reliability of the security landscape, while saving billions of dollars in military spending. Following the e-Parliament hearings, further initiatives were taken by MPs in the European Parliament's Subcommittee on Security and Defense and an All-Party Group in the British Parliament. The e-Parliament Ideas Bank is continuing to gather proposals capable of enhancing transparency and stability with regard to space weapons.⁴⁵

3. Polling

To stimulate forward movement in policy formation and value clarification, as well as to communicate to a broader international public, the e-Parliament can submit questions to MPs in online polling to gauge the levels of worldwide support. Those proposals receiving majority support from MPs throughout the world can then be referred to national parliaments and governments or, in appropriate circumstances, to intergovernmental organizations, for further action.

Although not fully operational at present, a more democratic approach to polling is under discussion in which two tabulations would be registered on each issue polled. The first would simply tabulate each participating MP as a single "yes" or "no" vote. A second tabulation would indicate the number of constituents that each particular MP in effect represents when the population of his or her country is divided by the number of legislators from that country who are eligible to participate in the e-Parliament. By weighing each legislator's vote according to the percentage of the world's population that the legislator can be said to represent at the global level,⁴⁶ the polling could, if the response

45. Dunlop & Grolin, *supra* note 40.

46. To ensure that every citizen is equally represented, the weighting can be determined by dividing the total population of a particular country by the number of elected members of its national parliament. E-Parl.net, *supra* note 1. If the parliament has two houses, the total population could be divided by the total number of legislators in both houses, so each legislator from a given country would represent an equal number of constituents. Polling in the e-Parliament could be programmed to register the total number of people represented by a vote for or against a motion to determine the outcome of a vote. In countries in the European Union, where citizens are represented in both national and the European legislatures, members of the European Parliament could, along with national legislators, be assigned an equal share of the representation of the population of a particular country.

rate is good, provide an immediate expression of world legislative opinion proportionately related to population.⁴⁷ With high participation, such polls would constitute the world's most authentic democratic legislative voice rising from four billion people.

As participation in polling increases, its significance is likely to grow. The e-Parliament intends to poll MPs on topics that are not receiving sufficient attention from executive branch officials of dominant powers, but need to enter the public debate. For example, as tensions rose over Iran's nuclear programs in 2006, national officials of the major powers focused debate on whether economic sanctions or even military actions against Iran were desirable. Few talked about the need to establish, monitor, and enforce equitable worldwide rules governing *all* nuclear weapons and *any* possible proliferation, whether vertical or horizontal. A well-executed e-Parliament poll on such issues could have helped open the debate on the full context of what diplomats and the world's publics needed to discuss to be effective in reducing the threats from weapons of mass destruction.

D. Establishing the e-Parliament

A coalition of members of civil society organizations and far-sighted members of parliaments created the e-Parliament as a not-for-profit organization without going through any formal treaty process.⁴⁸ Individual consultations with legislators from all regions of the world have indicated support for the e-Parliament. Consultations have also been held with existing networks of parliamentarians,⁴⁹ several UN agencies, and the European Commission to ensure that the e-Parliament relates constructively to existing organizations. Financial support has been raised from the Swedish International Development Cooperation Agency and the Taiwan government, as well as from foundations and individual private donors.⁵⁰

Establishing the e-Parliament has been politically feasible because it has had the practical advantage of being able to start relatively small, with people who already possess legitimacy earned through elections and are well positioned to sustain long-term growth. By being open to all democratically elected legislators of all ideological persuasions and nationalities, successful activities will be likely to attract additional participation as MPs see benefits from "attending" the international parliamentary forum. If the e-Parliament can provide expertise on issues that are of interest to MPs and add influence to those who previously have not bothered to join the global conversation, the e-

47. *See id.*

48. The groups initiating the proposal for an e-Parliament include EarthAction, which has spearheaded the campaign, in collaboration with the Harvard Program on Negotiation, One World Now, the World Federation of United Nations Associations, and a diverse group of national legislators from all parts of the world.

49. These include Parliamentarians Global Action, Inter-Parliamentary Union, and the Parliamentary Network on the World Bank.

50. E-Parl.net, *supra* note 1.

Parliament will gradually expand the number of participants and add to the collective influence of those representing the world's people.

III. CHALLENGES FOR THE E-PARLIAMENT

Although the e-Parliament clearly is not a supranational law-making body transcending separate national sovereignties, the world's people can benefit in numerous ways from the global legislative conversations that it facilitates. It is too early to do more than speculate about the e-Parliament's eventual impact. A few skeptics question whether many of the anticipated benefits will make a real difference. On the left, some argue that the e-Parliament could be elitist and confer an undesirable global legitimacy on national legislators who already are negatively bound by inertia and vested interests. On the right, people fear that its democratic emphasis might alter perceptions of legitimacy, giving too much weight to representation that is proportional to population. Some think that a substantial number of national legislators will not participate nor take the e-Parliament seriously; others fear that it will attract enough MPs eventually to influence national political processes in ways that will affect their vested interests or their ideas that sovereignty is indivisible and belongs to the state rather than to people. Some say the e-Parliament will have insufficient power to influence legislation; a few fear that it could have too much impact. We turn now to explore these issues by looking at the possible benefits that the e-Parliament can contribute to reducing the four previously mentioned deficits of global governance.

A. Addressing the Democratic Deficit

The e-Parliament is addressing several central problems of globalization today: the failure of national legislators to connect internationally, to share best practices with one another promptly, to respond to people's needs and civil society's ideas for addressing global problems, and to work together across national boundaries and through international institutions that have not been accessible to them directly. The e-Parliament is certainly no panacea, but it does enable legislators to deal with the slow pace of decision-making determined by the international system inherited from a bygone age that did not face today's interdependence and global crises. An effective e-Parliament will aid the efforts of some governments, especially middle powers, to build more effective global institutions. Many reform efforts are now blocked by influential executives of governments who do not reflect global opinion, even though some of these officials may have been elected nationally. The e-Parliament will bring a more inclusive vision to legislators who often have been inclined to limit their vision primarily to looking for ways to survive

disruptive global forces rather than to harness them for the good of all. It could bring the world's democracies together in a potentially effective group.

Skeptics argue that the e-Parliament's biggest weakness is its tendency to give a global mantle of legitimacy to the same legislators who are already deeply entrenched in the legislative habits and values that have produced present global problems. The world's existing legislators, after all, have been largely responsible for making the world's legal systems and priorities what they are today. They sustain obsolescent national priorities, unrepresentative, weak international institutions, and legal structures that they have inherited from the Westphalian international system. They represent what is wrong with today's world, the argument goes, rather than the political transformations that people need. Too many of those now sitting in national parliaments are corrupted by money, by vested interests, and by the tendency of power to corrupt the power-holder. To give them more global legitimacy could maintain rather than reduce the democratic deficit.

These arguments have some validity, yet they under-emphasize several factors. First, to the extent that the policies that MPs now advance are objectionable, they will not be improved by refusing to establish an e-Parliament. In the absence of any further global accountability, national legislators would be more likely to continue serving short-term vested interests with impunity. Second, today's legislators pursue inadequate legislative goals in part because of the context in which they operate. The e-Parliament seeks to change that context by making it more global and authentically democratic. The very same legislators, for example, might pass two quite different legislative agendas, depending on whether they have conversations, routinely, with legislators from other countries.

Third, the e-Parliament will, in the long run, reduce the democratic deficit by amplifying the voices and representation of people who are now under-represented in global decision-making. In the e-Parliament, every citizen of a democratic country potentially can be equally represented, without regard for nationality, wealth, race, or religion. The e-Parliament is the first institution in world history to offer democratic representation in a parliamentary forum to the peoples of the global South in proportion to their population. To empower the under-represented is *not* synonymous with simply extending a mantle of global legitimacy to those disproportionately powerful elites that maintain the present decision-making gridlock. To represent all people fairly will transform politics eventually.⁵¹

The e-Parliament might also call forth transparency and accountability in other institutions to which it relates. Because the MPs eligible to enter the e-Parliament, for the most part, are the same MPs who fund the UN system and

51. Indeed, equitable representation is so essential to democratic rights and freedoms that Thomas Paine, one of the revered leaders of the American Revolution, wrote that "representative government *is* freedom." LOUIS HENKIN, *THE RIGHTS OF MAN TODAY* 10 (1978) (*quoting* THOMAS PAINE, *THE RIGHTS OF MAN: BEING AN ANSWER TO MR. BURKE'S ATTACK ON THE FRENCH REVOLUTION* 170 (Prometheus Books 1987)) (emphasis in original altered).

other intergovernmental institutions, they might want to establish e-Parliament committees to help empower those institutions as well as to hold them accountable to their mandates and their constituents. Oversight committees might also be useful to monitor national compliance with existing UN conventions, such as the Convention on the Rights of the Child or the Biodiversity Convention, and to aid national governments in finding ways to honor their treaty commitments. Committees can help to monitor the activities of the largest transnational corporations and to suggest guidelines for international economic interactions that are friendly both to the environment and human rights. If the e-Parliament can generate legislation that would encourage a universal code of conduct to reduce unfair competitive advantages for businesses, it could win support from some business people. Finally, an e-Parliament can intensify the global spotlight of public scrutiny on each national legislator throughout the world to encourage transparency and accountability for legislators also.

A second concern of some critics is that organizations representing civil society will not be sufficiently influential to move legislators out of their inertia and willingness to acquiesce in the four deficits attending globalization. Yet, the demonstrated power of expert-activists from civil society in successful drives to develop the Kyoto guidelines for protecting the atmosphere against greenhouse gases, to create an antipersonnel land mine treaty, and to establish the international criminal court, suggest that civil society organizations may be able to develop even more constructive influence when they can work in the presence of a sustained, transnational legislative forum. In the three preceding examples of diplomatic initiatives, NGOs working with like-minded governments achieved what the world's largest military and economic power strongly opposed. If an e-Parliament had existed during these campaigns, it seems plausible that even more effective international deliberations might have occurred, because some U.S. legislators would probably have been in communication with legislators from like-minded countries who were supporting these efforts. The confrontations between the United States and others would have been at least better informed. Perhaps more common ground could have been uncovered. To take another example, an e-parliamentary forum might have sent much earlier and clearer signals that U.S. plans for preventive war against Iraq should have proceeded more cautiously. Skeptical members of the U.S. Congress, engaged in a global conversation, might have more willingly raised serious questions about the Bush administration's thinking regarding other countries' positions. Legislators who were overseeing intelligence agencies, and might have had established trusting relationships with legislators playing the same role in another country, might have raised legitimate questions about the integrity of what turned out to be faulty uses of intelligence. More sources of information can often increase legislative wisdom.

With an effective e-Parliament, citizens groups also will, for the first time in history, have a global focal point toward which to address their expertise and moral concerns—a single deliberative center with the twin advantages of being universally inclusive while yet remaining organically rooted in representative processes that are local and democratic. That achievement should be an enormous benefit for every person and society participating in it.

The democratic deficit is likely to be further reduced as the gradually expanding influence and success of the e-Parliament are propelled by MPs' knowledge that, if they do not exercise their voice in the e-Parliament, others' influence in the forum will displace their own. As the influence of the e-Parliament increases, the incentives to participate and the costs of nonparticipation will also increase. The worldwide presence of the e-Parliament could also aid fledgling democracies to consolidate their democratic systems with an increased sense of global community among democracies. Democratically elected MPs can be expected to help others nurture democracy in their systems. Emerging democracies also will have enhanced opportunities to address pressing needs within their societies, thereby reducing the dangerous, caustic effects of extreme political polarization. The e-Parliament also facilitates regional cooperation by enabling legislators to share experiences, ideas, and good practices with other MPs in their region. This may help address inequities and democratic deficits within regional groupings of states.

A major goal of the e-Parliament is to nurture understanding of and commitment to a cluster of democratic values and basic human rights, in addition to providing issue-specific information and exemplary legislative practices to improve the quality of global governance. The founders of the e-Parliament know that democratic procedures and institutions are no better than the political culture in which they exist. This is one reason the e-Parliament emphasizes democratic values that include not only majority rule but also minority rights and human rights more generally for all. The prospects for deepening norms of respect and tolerance for all are likely to improve with more transnational conversations among legislators.

B. Empowering Legislators and Constituents for Global Action

Although the e-Parliament does not have authority to make hard law, it could include a sufficient number of legislators, enjoying high national legitimacy, to give the e-Parliament a significant degree of international authority. If a large majority of legislators were to speak together on an issue, it would be a globally significant voice, enabling cross-border groups to build support for action that eventually could become a step toward “soft international law” in which compliance might be anticipated but not legally binding. Moreover, by sharing legislative experience and practices, it enables national legislation to move more quickly and wisely in legislatures that have less experience in a particular area. If over time a number of legislative initiatives move from the e-Parliament's consultations, hearings, and polls into

national legislatures and are enacted into law, its activities will gradually take on added significance.

Once legislators representing a significant portion of the world's societies participate in the e-Parliament, incentives will increase for MPs from other societies to join, particularly if the e-Parliament influences decisions about raising or spending money in national or intergovernmental deliberations. Because the e-Parliament issues to which they give attention are the same issues that require their expertise in performing their domestic legislative duties, they seem able to deflect criticisms of their international involvement by emphasizing that they calibrate their global role to advancing smart international strategies to serve the interests of the constituents who elect them.

Accurate, timely information often stimulates action. With its Idea Bank, the e-Parliament is becoming a source of useful information, a market place for competing ideas, and a meeting ground for informing political collaboration that can stimulate legislators' action in their home districts as well as internationally. The evolution of the European Parliament from being a forum to an institution with real (though limited) powers demonstrates a regional effort to address democratic deficits. To be sure, the diversity of the world vastly exceeds the diversity of Europe, but the pressing need for common efforts by the global community to address severe problems encourages cooperation. If legislators engage in more transnational conversations, they will become better informed about global issues such as climate change, sustainable development, peacekeeping, and UN reform; as a result, they should become more responsible as both global and national actors. To be in dialogue with other parliamentarians around the world could change perceptions of the need for action. In addition, their constituents' understanding of their global responsibilities might also gradually change.

Unlike existing intergovernmental organizations, where representation is usually based on national delegations casting a single vote after advancing a national position on an issue, the e-Parliament would encourage more variegated national expressions of views on issues and the formation of more active political alliances across borders among parliamentarians with common interests and political perspectives. Informal coalition building across borders to deal with common problems could prove to be an important function of the e-Parliament as crosscutting cleavages on various issues would weave the fabric of global society more closely together.

C. Generating Resources

Obtaining sufficient resources for the e-Parliament's operation and future programs is essential for success. If legislators active in the e-Parliament could use their influence to raise new funds from foundations or to generate public revenue for their own programs, they could add to their global influence.

Eventually parliamentarians in supportive legislatures might obtain modest appropriations for the e-Parliament from their national parliaments or perhaps from the European Commission. Even a relatively small amount from several countries' national budgets would enable the e-Parliament to expand its international influence substantially. Supportive national parliaments could also encourage private contributions to the e-Parliament by permitting a deduction from national tax obligations for such contributions. The e-Parliament might at some point be able to charge for some of its research and information services. Further in the future, funds might be raised from other sources on which many of the world's national legislatures might agree, such as a tax on carbon dioxide emissions, a small levy on international currency exchanges, or fees for using the common heritage of the high seas, the atmosphere, and space.

Raising revenue is necessary not only for paying organizational expenses and enabling issue networks to be effective, but also because additional revenue could expand the e-Parliament's overall agenda and impact. If small amounts of money in an e-Parliament budget could be allocated to subsidize programs to meet the needs of the world's poorest citizens, to protect the environment, or to prevent armed conflict, the status of the e-Parliament would be enhanced. Some UN agencies might look to the e-Parliament for additional financial support because MPs have the capacity to influence budgetary processes all around the world. As the world's legislators have more information about and contribute to oversight of UN operations, they may be more inclined to provide reliable funding for them. The UN system, in turn, would have increased democratic legitimacy if and when it could be questioned and supported by a global parliamentary forum. UN actions are always aided by strong support from public opinion; the e-Parliament should be able to articulate that opinion more authoritatively than has been possible in the past.⁵²

D. Envisioning Global Governance to Serve the Human Interest

As the foregoing discussion suggests, the e-Parliament, even in its infancy, will focus some MPs' attention a bit more on a global agenda, thereby increasing the incentives for taking global responsibilities seriously and encouraging legislators to perform their duties more responsibly. If they do not, then a global spotlight might focus helpful attention on the problem. The e-Parliament can build support for a vision of how best to serve the human interest. Such an envisioning process can begin to redress the disproportionate influence now exercised by the permanent members of the Security Council, the G-8, and market forces. For years the international community has recognized, for example, that the Security Council is unrepresentative and that

52. Falk and Strauss note that even a relatively weak global assembly could offer some democratic oversight to the IMF, WTO, and World Bank. Although they were not addressing the e-Parliament, an analogous result might be possible with it. *See* Falk & Strauss, *supra* note 24, at 216.

the composition of its permanent membership category must be changed. Yet, national competition and the desire of those with disproportionate power to retain it have prevented the change that the UN needs in order to develop a more representative law-making and law-enforcing capability. Gridlock occurs on UN reform because those who are strong refuse to concede a reduction of their power, while those who are disproportionately weak refuse to grant more authority to the UN until they have a fair say in what the UN does. The e-Parliament cannot magically solve this problem, but it can amplify the voices of global democracy and thereby contribute to making needed UN reforms.⁵³

In facilitating international parliamentary conversations, the e-Parliament also can contribute to discussions about relating the e-Parliament more integrally to UN agencies, perhaps enabling it to become a democratic chamber within the United Nations system. Its presence might encourage discussion of a directly elected people's assembly.⁵⁴ Until the effort to create such an assembly might gain sufficient political feasibility to make it a serious option, enhancing the e-Parliament provides a realistic alternative. Its success can improve understanding of the merits of global governance and increase the possibilities for envisioning more robust democratic global governance later on.

The e-Parliament also can contribute to the growth of human solidarity, or at least to a sense that all humans are in the same boat, by sustaining a globally-centered conversation and demonstrating that individuals—not states—are the most fundamental repository of sovereignty,⁵⁵ thereby helping to transnationalize decision-making and de-nationalize sovereignty. Fairer representation of the disadvantaged in decision-making is eventually likely to reduce poverty, increase opportunity, integrate the disaffected, and contribute to the stability and security that a more just and peaceful world order would sustain. To the extent that power holders—whether they are in national governments, corporations, or the UN and other intergovernmental organizations—feel tension with the idea of more equitable global

53. The e-Parliament is addressing several suggestions for UN reform contained in the report of the U.N. High-level Panel on Threats, Challenges, and Change, *A More Secure World: Our Shared Responsibility*, U.N. Doc. A/59/565 (Dec. 2, 2004), and the report by The UN Secretary-General, *In Larger Freedom: Towards Development, Security, and Human Rights for All*, U.N. Doc. A/59/2005 (Mar. 21, 2005).

54. In their excellent article, Falk and Strauss make a compelling case for a directly elected people's assembly. *See generally* Falk & Strauss, *supra* note 24.

55. If sovereignty and citizenship are denationalized, then the fault lines over policy conflicts may change. They will not always coalesce or be coterminous with national cultures; there will be crosscutting cleavages. Once fault lines become less national in definition, then the relatively small (yet proportional) influence of one's nation in the global scheme of representation will not prove as worrisome. Democracy will then no longer be tethered so directly to national or cultural ties but instead to voluntary and chosen forms of solidarity that cross national borders.

representation of all people, making this normative tension explicit is the first step toward finding creative ways to address it.

The e-Parliament will not magically transform recalcitrant national governments or narrow vested interests, but it can, after gaining more participation, provide a better possibility for overcoming the opposition from self-maximizing states that now obstruct multilateral reform initiatives, which often are seen as threatening national sovereignty. Because the e-Parliament is founded on the existing members of national parliaments, it can install some global democracy “from above” without making it appear too personally threatening to the prerogatives of legislators in their national contexts or to their constituents who speak “from below.” Because MPs operate in both the national and global contexts, they are less likely to fear a sharing of sovereign functions at both levels, particularly if interacting on the global processes enables more effective action in national contexts as well.

By empowering MPs to articulate in the global arena the voices of their constituents “from below,” the e-Parliament can encourage a gradual reformulation of people’s understanding of the preferred location of sovereignty, thereby making its partial relocation less threatening, made easier as the e-Parliament stands the test of time. To institutionalize more global governance by basing it on the single most democratic element of national government wisely enlists *national* democratic power structures on behalf of empowering *global* democratic power structures. This process opens vision to a positive sum game for legislators in both their national and global roles.

National support for global parliamentary reform is likely to grow because, in the absence of a world parliamentary presence, members of parliaments in many countries have begun to feel like an endangered species, or at least an extremely weak species. They can no longer succeed in representing their constituents well if they act only within their own national legislatures. Most national legislators (and many national legislatures) have only a very limited influence on global issues that affect their constituents, because international affairs are determined by big power foreign ministries, impersonal markets, or distant, relatively closed institutions like the IMF, the World Trade Organization, or the closed-door meetings of the Permanent Five of the Security Council. Moreover, because important decisions for many legislators’ own national societies cannot be made without involving other countries, power has moved out of the legislative branches to the executive branches of their governments, especially to the ministries of defense, foreign affairs, and treasury. In some countries, much democratic power has been sucked out of national governments altogether—from all branches of government—by globalization. To bring global vision and national parliamentarians together will partly redress this usurpation of legislative power that has occurred during globalization.

Because national legislators can gain important information, visibility, and collective influence from participation in a successful e-Parliament, they will like its potential for empowerment. Legislators are a powerful, potentially decisive group in support of this idea, which expresses a compelling vision: to

democratize and manage globalization for the good of all. Previous efforts to democratize international relations through strengthening the UN or changing its system of representation to make it more equitable have faced strong resistance from many executive-branch officials of national governments because they have seen the proposals as taking power *away* from national officials. But the e-Parliament may be able to draw support from an influential national group—legislators—if they see its success as a way of *gaining* a legitimate degree of power and effectiveness for legislators.

IV. THE PROSPECTS FOR THE E-PARLIAMENT

The preceding analysis suggests that more serious global conversations among the world's elected legislators can help change consciousness and transform ethical vision. Speaking more generally, Peter Singer has pointed out: “[i]f the group to which we must justify ourselves is the tribe, or the nation, then our morality is likely to be tribal, or nationalistic.”⁵⁶ This is our reality. Yet, it is quickly receding into the past. In contrast, “[i]f [] the revolution in communications has created a global audience, then we might feel a need to justify our behavior to the whole world.”⁵⁷ This need for a species-wide justification of governmental conduct before a global audience of voting constituents animates the e-Parliament. To justify conduct before the whole world, Singer suggests, “creates the material basis for a new ethic that will serve the interests of all those who live on this planet in a way that, despite much rhetoric, no previous ethic has ever done.”⁵⁸

Most arguments against the e-Parliament, upon close examination, are not arguments that criticize it for what it is or for what its exponents want it to be. Instead, they are arguments that criticize it for failing to be more ideal than it is politically feasible to make it at the present moment. The e-Parliament is not yet inclusive enough, but it provides a forum for more global “democracy from below” than the world has ever possessed. It certainly is not free of vested interests, but it provides more opportunity for democratic accountability and transparency to shed light on vested interests, both national and international, than ever before. It does not make legally binding rules, but it enables law-makers to converse more systematically and decisively than any process the world has ever known. The e-Parliament is not an ideal end state. It is not a final goal. But it *is* a major step on the path toward more democratic, more just, more human-centered, and more representative accountability for decision makers in every corner of the world. By encouraging more democratic global governance in the e-Parliament, we begin to address the democratic deficit, the action deficit, the resource deficit, and

56. PETER SINGER, ONE WORLD: THE ETHICS OF GLOBALIZATION 12 (2002).

57. *Id.*

58. *Id.*

the vision deficit—deficiencies that together jeopardize the future of the human species and the health of our planet.

In the long run, those initiating the e-Parliament hope “that it will develop in a way analogous to the evolution of the European Parliament over the last half-century.”⁵⁹ The e-Parliament website reminds us that only thirty-four years “after the bloodshed of World War II came to a close, the first directly elected European Parliament met[.]”⁶⁰ Moreover, the person sitting “[i]n the President’s chair, presiding over the elected representatives of the formerly warring tribes of Europe, was a woman—Simone Veil—who had spent part of her childhood in Auschwitz concentration camp. Miracles do happen.”⁶¹

59. E-Parl.net, *supra* note 1.

60. *Id.*

61. *Id.*

APPENDIX

*Members of the E-Parliament Council*⁶²

The membership of the Council will be expanding to represent more fully all regions of the world and all parts of the political spectrum. The first Council members have been:

Chair, Anders Wijkman, MEP, Christian Democrat Party, Sweden, European Parliament, President, GLOBE EU, former Policy Director, UN Development Programme; former Assistant Secretary-General of the United Nations.

Vice-Chair, Silvia Hernández, Senator, Mexico, Chair of Senate Foreign Relations Committee, Former Minister of Tourism, former President of Parliamentarians for Global Action, and of Women Parliamentarians for Peace.

Vice-Chair, Suresh Prabhu, MP, India, Shiv Sena, served in the government of India as Minister for Industry, Environment and Forests, Chemicals and Fertilizers, and Power.

Kwame Ampofo, MP, Ghana, Ranking Opposition Member of the Committee on Energy and Mines.

Mani Shankar Aiyar, MP, India, Congress (I) Party, previously head of the UN Division in the Foreign Ministry.

Dora Byamukama, MP, Uganda, Chairwoman of the Parliament's Standing Committee on Equal Opportunities.

David Chaytor, MP, UK, Labour Party, Chair of the All-Party Group on Energy Intelligence, Chair of the e-Parliament Climate and Energy Network.

Milind Deora, MP, India, Congress (I), member of the Defence Committee, and a leader in efforts to promote computer literacy in schools.

Nicholas Dunlop, Secretary-General, e-Parliament, former Executive Director of EarthAction and former Secretary-General of Parliamentarians for Global Action.

62. <http://www.e-parl.net/eparliament/general.do?action=aboutus#Council>.

Heidi Hautala, MP, Finland, former member of the European Parliament, Green candidate in the last Presidential election.

Cyd Ho, MP, Frontier Party, Hong Kong, former business executive, now a leading democrat in the Legislative Council.

Robert C. Johansen, Professor of International Relations, University of Notre Dame, Senior Fellow, Kroc Institute for International Peace Studies, expert on global governance issues.

Bert Koenders, MP, The Netherlands, Labour Party, Foreign Policy Spokesman for his party and Chairman of the international Parliamentary Network on the World Bank.

Jim McDermott, U.S. Congressman, Democratic Party, a physician interested in international efforts against AIDS.

Cecilia Malmström, MEP, Liberal Party, European Parliament, formerly a lecturer at Gothenburg University, Sweden.

Wale Okediran, MP, physician, author, member of the Nigerian parliament.

Sirpa Pietikäinen, MP, Conservative Party, Finland, former Environment Minister, Chairwoman of the World Federation of United Nations Associations.

Kono Taro, MP, Japan, Liberal Democrat, member of House of Representatives, former Minister responsible for e-Government.

William Ury, co-author of *Getting to Yes* and other well-known books on negotiation, Director, Global Negotiation Project, Harvard University.

Ernst-Ulrich von Weizsäcker, MdB, Social Democrat Party, Germany, scientist, Chairman of the Environment Committee of the Bundestag.

Graham Watson, MEP, European Parliament, Leader of the European Liberal Group.

Derek Wyatt, MP, UK, Labour Party, Chairman of the All-Party Group on the Internet, co-founder of the Oxford Internet Institute.

