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Andrew L. Strauss

University of Dayton, astrauss1@udayton.edu

Richard A. Falk

Princeton University

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The Deeper Challenges of Global Terrorism: A Democratizing Response

Richard Falk and Andrew Strauss¹

Answering the terrorist challenge

The audacious and gruesome terrorist attacks on the World Trade Center and the Pentagon, along with the military response, have been the defining political events of this new millennium. The most profound challenge directed at the international community, and to all of us, is to choose between two alternative visions. What we call the traditional statist response emphasizes 'national security' as the cornerstone of human security. Centralization of domestic authority, secrecy, militarism, nationalism, and an emphasis on unconditional citizen loyalty, to her or his state as the primary organizing feature of international politics are all attributes of this approach.

We recommend an alternative vision, one that we call democratic transnationalism. Democratic transnationalism attempts to draw on the successes of democratic, particularly multinational democratic, domestic orders as a model for achieving human security in the international sphere. This approach calls for the resolution of political conflict through an open transnational citizen/societal (rather than state or market) centred political process legitimized by fairness, adherence to human rights, the rule of law, and representative community participation. The promotion of security for individuals and groups through international human rights

law in general, as reinforced by the incipient international criminal court with its stress on an ethos of individual legal responsibility, assessed within a reliable constitutional setting, is a crucial element of this democratic transnationalist vision, which aspires to achieve a cosmopolitan reach.

Before the events of September 11 we had argued in favour of the establishment of a distinct, global institutional voice for the peoples of the world as a beneficial next step to be taken to carry forward the transnational democratic project. We proposed a GPA, which we have variously identified as a Global Parliamentary Assembly, and interchangeably as a Global Peoples' Assembly.² So far we have deliberately refrained from setting forth a detailed blueprint of our proposal, partly to encourage a wide debate about the general idea, partly to generate a sense of democratic participation in the process of establishing such a populist institution. We have expressed a tentative preference for representation on a basis that would to the extent possible incorporate the principle of one person one vote. The eventual goal would be to enfranchise as voting constituents all citizens of the planet above a certain age. We have further taken the position that the GPA should not interfere in matters appropriately defined as within 'the internal affairs of states', although acknowledging that the extent of such deference is bound to shift through time and often be controversial in concrete instances. The main mission of the GPA would be to play a role in democratizing the formulation and implementation of global policy. It is our conviction that such an assembly's powers should always be exercised in conformity with the Universal Declaration of Human Rights, and other widely accepted international human rights instruments.

We believe that carrying out the transnational democratic project, including establishing the GPA, should be treated as part of the political response to the challenges posed by the sort of mega-terrorism associated with the September 11 attacks. Transnational terrorism, which consists of networks of dedicated extremists organized across many borders, of which al Qaeda is exemplary, is so constituted that its grievances, goals, recruitment tactics and membership, as well as its objects of attack, are all wholly transnational. This form of political violence is a new phenomenon. It is the frightfully dark side of an otherwise mostly promising trend toward the transnationalization of politics. This

trend, a result of economic and cultural globalization, has manifested itself in a pronounced way since the street demonstrations staged against the 1999 WTO meeting in Seattle.

The state-centric structures of the international system are not adequate to address this new transnational societal activism and, in fact, the arbitrary territorial constraints on the organization of work and life have intensified various forms of frustration, which feed the rise of transnational terrorism. One cause of this frustration is that globalization in all its dimensions is bringing with it changes of great magnitude that often directly impact on the lives of individuals and regions. These changes range from growing income inequality within and between many societies to powerful assaults on cultural traditions that offend non-Western peoples. Adverse impacts of globalization on many adherents of Islam have definitely induced political extremism in recent decades even before September 11, starting with the Iranian Revolution of the late 1970s.

Even in democratic societies there is a growing sense that domestic politics is not capable of responding creatively to long-range challenges of regional and global scope. It is certainly the case that the magnitude of these challenges is well beyond the capacities of even the strongest of states to shape benevolently on their own. At the same time individuals have an ever-greater incentive to influence global decision-making through their use of the technologies of globalization, especially the Internet. Information technology has given individuals an unprecedented ability to increase their leverage on public issues by making common cause with like-minded others without regard to considerations of geography or nationality.

An institutional framework such as that which would be provided by a GPA is a democratic way to begin peacefully to accommodate this new internationalization of civic politics. Individuals and groups could channel their frustrations into efforts to attempt to participate in and influence parliamentary decision-making as they have become accustomed to doing in the more democratic societies of the world. Presently, with trivial exceptions, individuals, groups and their associations are denied an official role in global political institutions where decision-making is dominated by élites who have been officially designated by states. Intergovernmental organizations, such as the United

Nations, the World Trade Organization and the International Monetary Fund are run as exclusive membership organizations, operated by and for states. With the possibility of direct and formalized participation in the international system foreclosed, frustrated individuals and groups (especially when their own governments are viewed as illegitimate or hostile) have been turning to various modes of civic resistance, both peaceful and violent. Global terrorism is at the violent end of this spectrum of transnational protest, and its apparent agenda may be mainly driven by religious, ideological and regional goals rather than by resistance directly linked to globalization. But its extremist alienation is partly, at the very least, an indirect result of globalizing impacts that may be transmuted in the political unconscious of those so afflicted into grievances associated with cultural injustices.

In addition to helping provide a non-violent and democratic channel for frustrated individuals and groups to affect meaningfully global decision-making, a GPA has the potential to provide a way of helping to resolve inter-societal and more recently inter-civilizational conflict and polarization. Presently, the institutions around which citizen politics is formally structured are confined within distinct domestic political systems. This makes a unified human dialogue on issues of shared concern impossible. And transnational remedies for perceived injustices are not available. In a globalizing world it is crucial to encourage debate and discussion of global issues that builds consensus, acknowledges grievances, and identifies cleavages in a manner that is not dominated by the borders of sovereign territorial states, or even by innovative regional frames of reference as in Europe. As a consequence of this existing pattern of fragmentation in the political order, societies and cultures develop their own distinctive and generally self-serving distortions and myths, or perhaps, at the very least, experience exaggerated differences of perception that feed pre-existing patterns of conflict. Most persons within one society have little difficulty identifying the distorted perceptions of others, but tend to be oblivious to their own biases, an insensitivity nurtured by mainstream media especially in the midst of major crises. The oft heard American response to the September 11 attacks, 'Why do they hate us so?' and the seething anger in the Muslim world that has risen to the surface in the aftermath

of the attacks starkly demonstrate just how profound and tragic is the perception gap for societies on both sides of this now crucial civilizational and societal divide.

The establishment of a GPA provides one way to address constructively this perception gap. Like all elected assemblies, a GPA would be a forum engendering debate on the main global controversies, especially as they affect the peoples of the world. Because elected delegates would be responsive to their respective constituencies, and because the media would cover proceedings, this debate would likely exert an influence far beyond the parliamentary chambers. Its echoes would be heard on editorial pages, listservs, and TV, in schools and churches, and in assorted discussions at all levels of social interaction around the world. Spokespersons directly connected to aggrieved groups of citizens would have a new transnational public arena to voice their opinions and grievances, as well as to encounter opposed views. Those attacked or criticized would have ample opportunity to defend themselves and express their counter-claims. From such exchanges would come the same pull toward a less confrontational understanding between diverse groups of citizens that we find within the more successful domestic democratic systems of the world. Of course, complete agreement would never be achieved and is not even a worthy goal. Conformity of outlook is never healthy for a political community, but it is especially inappropriate in a global setting, given the unevenness of economic and cultural circumstances that exist in the world. But a GPA process could at least greatly facilitate convergent perceptions of reality, thereby making controversies about problems and solutions more likely to be productive, including a mutual appreciation and acceptance of differences in values, priorities and situations.

In addition to helping reduce the perception gap as an underlying cause of social tensions, a GPA would further promote the peaceful resolution of enduring social tensions by encouraging reliance on procedures for reaching decisions based on compromise and accommodation. Even where mutually acceptable solutions are not immediately achievable, parliamentary systems of lawmaking and communication, if functioning well, at least provide a civil forum where adversaries can peacefully debate and clarify their differences. If such institutions generate community respect and gain legitimacy, then those who do not get their way

on a particular issue will be generally far more inclined to accept defeat out of a belief in the fairness of the process and with an understanding that they can continue to press their case in the future.

Of course, the brand of Muslim fundamentalism embraced by Osama bin Laden is illiberal and anti-democratic in the extreme. Given the existence of such extremism, it is appropriate to question the ability of liberal democratic institutions to absorb successfully those who share the worldview of al Qaeda, or adhere to similar orientations. One of the impressive features of liberal parliamentary process, however, is its considerable ability to assimilate many of those who do reject its democratic outlook. Because parliamentary process invites participation and because it has the politically powerful capacity to confer or deny the imprimatur of popular legitimacy upon a political position, experience at the domestic level suggests that even those with radical political agendas will seldom decline the opportunity to participate. In the United States, for example, those on the Christian right who have deep religious doubts about the validity of secular political institutions have not only participated in the parliamentary process, but have done so at times with zeal, tactical ingenuity, and considerable success despite their minority status. In other countries, small political parties at the margins of public opinion often exert disproportionate influence in situations where a majority position is difficult for dominant parties to achieve. By participating in the process they have come to accept, at least in practice, the legitimacy of these institutions and procedures for societal decision-making.

Somewhat analogously, in the Cold War era the orthodox Soviet-inspired critique of the American system nominally accepted by those American Communists represented by the Communist Workers Party included a rejection of 'bourgeois' rights in favour of what was then identified as 'the dictatorship of the proletariat'. Yet, despite their professed rejection of 'bourgeois democracy', their leader Gus Hall ran for President of the United States repeatedly in an attempt to gain a tiny bit of electoral legitimacy for his position of isolation at the outermost reaches of public opinion. The relative domestic openness of the American political process helps explain why the United States has suffered relatively little indigenous political violence in the

twentieth century. During the period of heightened political tensions in the 1960s, groups committed to violence such as the Weather Underground, unlike al Qaeda today, could not attract popular support for their radical rejection of the American governing process, and never became more than a nuisance, posing only the most tangential threat to the security, much less the stability, of the country. This lack of societal resonance soon leads to the decay, demoralization and collapse of such extremist groups, a dynamic of rejection that is far more effective in protecting society than law enforcement is even if enhanced by emergency powers as is the case in wartime conditions. To a lesser extent, the same self-destruct process seems to have kept the right-wing militia movement from posing a major threat to civic order, although it was indirectly responsible for inspiring the 1995 Oklahoma City bombing. This phenomenon with variations can be observed within all of the more democratic systems of the world. The Osama bin Ladens of the planet would be highly unlikely themselves to participate in a global parliamentary process, but their likely ability to attract any significant following would be substantially undermined to the extent that such an institution existed and gave the most disadvantaged and aggrieved peoples in the world a sense that their concerns were being meaningfully addressed. Indeed, if such a safety valve existed, it might prevent, or at least discourage, the emergence of the Osama syndrome, that the only way to challenge the existing arrangement of power and influence is by engaging in totalizing violence against its civilian infrastructure.

Civic activism: setting the stage for a GPA

We believe that the underlying preconditions for a GPA are being created by the way that civic politics is increasingly challenging the autonomy of the state-centric international system. In one of the most significant, if still under-recognized, developments of the last several years, both civic voluntary organizations and business and financial élites are engaged in creating parallel structures that complement and erode the traditionally exclusive role of states as the only legitimate actors in the global political system. Individuals and groups, and their numerous transnational associations, rising up from and challenging the confines of territorial states, are

promoting 'globalization-from-below', and have begun to coalesce into what is now recognized as being a rudimentary 'global civil society'. Business and financial élites, on their side, acting largely to facilitate economic globalization, have launched a variety of mechanisms to promote their own preferred global policy initiatives, a process that can be described as 'globalization-from-above'. While these new developments are rendering the territorial sovereignty paradigm partially anachronistic, they are still very far from supplanting the old order, or even providing a design for a coherent democratic system of representation that operates on a truly global scale. Until the international community creates such a representative structure, the ongoing tension between the democratic ideal and the global reality will remain unresolved. And we will continue to be plagued by an incoherent global political structure in which the peoples of the world are not offered the sort of democratic alternative to violence that is increasingly considered the *sine qua non* of legitimate domestic governance.

The organizations of global civil society

Is this coalescence of personal initiatives with an array of transnational initiatives that we identify as global civil society capable of mounting a transformative challenge to the customary role of states as the representatives of their citizens in the international system? Civil society, roughly defined as the politically organized citizenry, is mostly decentralized, broken down into non-profit organizations and voluntary associations dedicated to a wide variety of mostly liberal, humanitarian and social causes (though some decidedly illiberal and anti-liberal, of which terrorist and criminal networks are the worrisome instance). Transnationally, the largest and most prominent of these organizations bear such respected names as Amnesty International, Greenpeace, Oxfam, and the International Committee of the Red Cross. There are now more than 3,000 civil society organizations either granted consultative status by the United Nations Economic and Social Council or associated with the UN Department of Public Information.

As described by Jessica Mathews in her landmark 1997 article in *Foreign Affairs*,³ global civil society gained significantly in influence during the second half, and particularly the last quarter, of

the twentieth century. The early 1990s, however, was the time when civic transnationalism really came of age. If any single occasion deserves to be identified with the emergence of civil society on the global scene it would probably be the June 1992 UN Conference on the Environment and Development held in Rio de Janeiro. More than 1,500 civil society organizations were accredited to participate and 25,000 individuals from around the world took part in parallel NGO forums and activities. Civic associations and their representatives were for the first time recognized as an important and independent presence at a major world inter-governmental conference. The Rio Conference, partly responsive to this active involvement of global civil society, produced four major policy-making instruments.⁴

After Rio the pattern intensified. In the first half of the 1990s there were several other major global conferences under UN auspices at which civil society participation was an important factor. The most significant of these dealt with human rights (Vienna 1993), population (Cairo 1994), and women (Beijing 1995). The democratizing success of these global events produced a backlash among several major governments, especially the United States. The result in the short term has been the virtual abandonment of such conferences by the United Nations, supposedly for fiscal reasons, but actually because governments were afraid of losing some of their control over global policy-making. With the exception of the racism conference in Durban, South Africa, during 2001, there has been no major conference of this sort in the new millennium. It is important to evaluate this experience in the setting of the quest for global democracy. There is little doubt that these conferences in the 1990s did a great deal to establish the role and presence of civil society as a significant player in the global arena.

When the 1990s came to an end, the decade's balance sheet of accomplishments reflected for the first time in history the impact of global civil society. These transnational forces had been instrumental in promoting treaties to deal with global warming, establish an international criminal court and outlaw anti-personnel landmines. These same actors were also influential during these years in persuading the International Court of Justice to render an Advisory Opinion on the legality of nuclear weapons and in defeating an OECD attempt to gain acceptance for a multilateral

investment agreement. This global populist movement at the turn of the millennium gained widespread attention through its advocacy of the cancellation of the foreign debts of the world's poorest countries. While all of these efforts to a greater or lesser extent remain works-in-progress, civil society has clearly been indispensable in achieving current levels of success.

During the formative years of the 1990s the most visible gatherings of civil society organizations took place beneath the shadow of large multilateral conferences of states. As the decade drew to a close, and with these conferences, at least in the near term, mostly foreclosed, something different began to occur. The multitude of global civil society organizations began to act on their own, admittedly in an exploratory and highly uncertain fashion, and yet independently of states and international institutions. For instance, in May 1999 at The Hague Appeal for Peace, 8,000 individuals, mostly representing civil society organizations from around the world, and given heart by the presence of such luminaries as Nobel Peace Laureates Archbishop Desmond Tutu, José Ramos-Horta, and Jody Williams, met to shape a strategy for the future and to agree on a common agenda. Throughout the following year there were similar though smaller meetings in Seoul, Montreal, Germany, and elsewhere.

These meetings were a prelude to the Millennium NGO Forum held at the UN in May 2000 at the initiative of UN Secretary-General Kofi Annan. It was an expression of his 'partnership policy' to reach out to non-state actors of both a civic and a market character. The Secretary-General invited some 1,400 individuals from international civil society to UN Headquarters in New York to present their views on global issues and to debate an organizational structure that might enable the peoples of the world to participate effectively in global decision-making. That UN Millennium Forum agreed to establish a permanently constituted assembly of civil society organizations called the Civil Society Forum that is mandated to meet at least every two to three years, scheduled so as to precede the annual sessions of the UN General Assembly. While progress has been uneven, civil society has been continuing to work in the face of statist resistance and skepticism to bring this forum into fruition.

Many activists within global civil society regard this UN millennial initiative as the first step toward the establishment of a

popular assembly that would meet at regular intervals, if not on a continuous basis. The emergence of such a Civil Society Forum might over time come to be recognized as an important barometer of world public opinion, and significantly, from the perspective of this chapter, could be seen as a preliminary, yet significant, step on the path to the establishment of a GPA.

The global business élite at Davos

Complicating, yet undeniably crucial to the dynamics of global democratization, are the efforts of business and finance to reshape the international order to render the global marketplace more amenable to the expansion of trade and investment. Transnational business and financial élites have so far clearly been more successful than civil society. Through their informal networks and their stature in society, financial and business élites often blend seamlessly with national and international structures of governance. State emissaries to the international system are frequently chosen directly from their ranks, and the acceptance of the neo-liberal economic ideology as tantamount to the official ideology not only of international economic institutions, but of other international organizations and most governments, has given business and banking leaders an extraordinary influence on global policy. Even in formerly exclusive arenas of state action, these private sector actors are flexing their muscles. As an indication of this expanding international influence, by bringing business and banking officials into United Nations policy-making circles for the first time, the UN Secretary-General has made 'partnering' with the business community a major hallmark of his leadership. The United Nations has now established a formal business advisory council that is meant to institutionalize a permanent relationship between the business community and the UN, as well as initiated a 'Global Compact' in which major multinationals sign on to a set of guidelines that commits them to uphold international standards pertaining to environment, human rights and labour practices in exchange for being given what amounts to a UN stamp of approval for their conduct.

As with civic groups, élite business participation in this emerg-

ing globalism is in the process of transforming itself into an informal institutional structure that indirectly challenges the statist paradigm. The best example of the ability of elite business networks to extend their influence into the international system has been the World Economic Forum that has been meeting annually in Davos, Switzerland. The WEF was begun modestly three decades ago by the Swiss business visionary, Klaus Schwab. During its early years the WEF concentrated its efforts primarily on rather humdrum management issues. In the early 1980s, however, it succeeded in transforming itself into a political forum. In many ways Davos as we know it today is the legacy of earlier attempts to create transnational networks tasked with joining together international corporate and policy-making élites. Most observers agree that the most prominent of these precursors to the WEF was the highly secretive Bilderberg Conferences. Also important was David Rockefeller's Trilateral Commission (which also began in the 1970s, with an immediate display of influence on the highest levels of governmental decision-making in the industrial countries of the North before largely fading out of sight, in large part because Western governments adopted and acted upon its policy agenda). In terms of sheer concentration of super-élites from around the world, however, there has never been anything approaching the scale and salience that has been achieved by Davos over the course of the late 1990s. Annually, 1,000 of the world's most powerful executives and another 1,000 of the world's senior policy-makers participate in a week of roundtables, discussions, lectures and presentations by world leaders.

But Davos has become much more than an assemblage of the rich and famous, although it is far less menacing and conspiratorial than its most severe critics allege, and it espouses no grandiose project that seeks to rule the world. At the same time, its advocates often make claims that stretch the reality of its considerable influence beyond the point of credibility. The WEF provides flexible arenas for discussion and recommendation that give its membership the ability to shape global policy on a continuous and effective basis. It is notable that the UN Secretary-General's ideas about a partnership with business and civil society have been put forward as proposals during several high-profile appearances by Kofi Annan at Davos. In addition to encouraging

the development of its own well-articulated approaches to global problems on the basis of neo-liberal precepts, the WEF conducts and disseminates its own research, which not surprisingly exhibits a consistent economic outlook that portrays the future as market-driven. The WEF produces an annual index ranking the relative economic competitiveness of all countries in the world, which is given substantial media attention at the time of release each year.

There is no objective way to gauge the extent of influence exerted by Davos. Its own claims as a facilitator of conflict resolution are often not convincing. For example, the WEF takes credit for facilitating early meetings between the apartheid regime and the ANC, and for bringing Israeli Prime Minister Shimon Peres and PLO Chairman Yasser Arafat together in 1992, where they purportedly reached a preliminary agreement on Palestinian administration of Gaza and Jericho. The WEF is far more discreet about claiming any direct influence on global social and economic policy, being sensitive to accusations of back channel lobbying on behalf of transnational corporate interests. If the focus is placed on global economic policy then Davos together with other overlapping networks of corporate élites, such as the International Chamber of Commerce, seems to have been remarkably successful up to this time in shaping the global policy setting in directions to its liking. This success is illustrated by the expansion of international trade regimes, trends toward privatization, the maintenance of modest regulation of capital markets, the credibility accorded only to a neo-liberal interpretation of state/market relations, and the supportive collaboration of most governments, especially those in the North.

All in all the WEF has managed to position itself so as to provide a vital arena of inquiry and decision during this early stage of economic globalization. Such positioning has reduced the significance of democratic forces operating within states in relation to foreign economic policy, which in turn strengthens the argument to provide opportunities for civic participation in transnational institutional settings that will offset the impact of the multinational corporate arenas and give more voice to grassroots and populist concerns. Again, the focus on this dynamic is likely to be lost in the short-term aftermath of the September 11 attacks, which has temporarily restored the state as guardian of

security to its traditional pre-eminence. Underlying globalizing trends are likely with the passage of time, however, to reassert the significance of establishing the structures of global governance in forms that take into account the goals of both market and transnational civic forces.

A GPA as the logical outcome of the process of global democratization

Putting aside the backlash against the global conference format, it seems reasonable to suggest that the international system is now exhibiting greater participation by non-state actors than ever before in its history. Without question, global civil society is unable to equal the influence, resources and power linkages of the corporate and banking communities. Nevertheless, relying on imagination and information, many of these civic networks have found ways to carve out a niche within the international order that enables effective pressures to be mounted. At the same time, there are many shortcomings of such an ad hoc and improvised approach to global democracy. This transformation of the international system has been occurring in a largely uncoordinated and uneven fashion that further tends to disadvantage the concerns of the weakest and poorest. This obscures the need to connect these two types of globalizing networks (from above, from below) in a manner that is coherent, fair and efficient from the perspective of global governance.

In effect, what we have at present is a partial transplant from domestic political systems where interest group pluralism flourishes within an overarching representative structure of parliamentary decision-making. At the global level we currently have rudimentary interest group pluralism, but it is deficient in several respects. There is a lack of accountability due to the absence of a representative structure and a low quality of functionality as a result of statist unwillingness to provide institutional capabilities for transnational political life. We believe this to be an inherently unsustainable path to a more evolved global system that is humane and comes to approximate a democratic model. What is notably missing from these intersecting forms of transnationalism is some type of unifying parliamentary body that can represent general as well as special interests.

The prevailing understanding of democracy today rejects the view that organized interest groups can validly claim to represent society as a whole. As global civil society has become more of an international presence, those opposing its agenda and activism have already begun to ask upon what basis are those within it entitled to represent the peoples of the world. Awkward questions are asked: 'Who other than themselves do civil society organizations speak for?' 'Who elected them?' 'To whom are they accountable for their actions?' As global civil society becomes more influential, and as more ideologically diverse and antagonistic groups such as, for example, the American National Rifle Association, or for that matter Islamic fundamentalist organizations, clamour for access to global arenas of decision, this problem of representation can only become more complex and ever more hotly contested.

This illegitimacy charge can be equally levelled at the Davos improvisation, which, unlike civil society, does not even possess that degree of representativeness that comes from having within its ranks large membership organizations. Certainly those citizens who oppose mainstream globalization regard the Davos model of élite politics to be extremely suspect. Such an assessment of these transnational developments suggests that the kinds of opening of the international system that have been occurring do not satisfy the demand for democratic participation. Something more is needed. Some sort of popular assembly capable of more systematically representing the diverse peoples of the world is necessary if the democratic deficit is to be meaningfully reduced. To the extent that the global undertakings are criticized for their failure to measure up to modern democratic standards, then world order seems ever more vulnerable to the charge of being more of an insiders' game than all but the most corrupt and draconian domestic political systems. Even before the events of September 11 it was evident that those whose interests were not being addressed, were unwilling to accept the legitimacy of existing global arrangements. It seems likely that given the continuation of these conditions, that the democratic deficit will grow even larger, leading to the further proliferation of various types of severe instability, which are currently causing such widespread turmoil and suffering in the world system.

The absence of a unifying parliamentary structure also means

that there is currently no institutional vessel capable of bringing together the organized groupings of transnational activism that are identified with civil society and the Davos constituencies so as to facilitate dialogue, and the search for compromises and accommodations. As matters now stand, only governments have the institutional capacity to find such common ground and strike deals. As we discussed previously, there is no process for individuals and groups themselves to create a social consensus across borders or to engage formally with those acting on behalf of market forces. To the extent that solutions to global problems can be arrived at within a structure that institutionalizes interaction and allows for direct communication among competing interests, such interests will be much more likely to accept as legitimate, policy outcomes that have been fairly negotiated and agreed upon.

A GPA as a practical political project

We believe that the establishment of some sort of parliamentary assembly is necessary to begin to deal seriously with the democratic deficit. At the same time we realize that scepticism is rampant: is the creation of such a global assembly politically possible at this stage of history? For a variety of reasons, we believe that it is not Panglossian to believe it possible for the global community to take this vital step in building global democracy. After all, empirically suggesting the viability of such a project is the European Union, which has been making impressive attempts to overcome a purported regional democratic deficit. The EU already possesses a transnationally elected legislative body, the European Parliament. The European Parliament, along with the European Council and the European Commission, is one of three legislative bodies operating within the framework of the European Union. As we would expect to be the case with a globally elected assembly, the Parliament has struggled to establish credibility over time in the face of statist scepticism and media scorn. In recent years, however, the European Parliament has finally begun to gain respect, and has started to exercise significant power. Europe is, of course, far more homogeneous and economically integrated than the world at large, and the establishment of the Parliament was a part of a broader movement toward regional unity. At the

same time this European evolution shows that there are no absolute political or logistical barriers to the creation and functioning of such an assembly on a transnational scale, and further, that such a development is fully compatible with the persistence of strong states and robust nationalist sentiments. In fact, on a global level, those with a pronounced interest in global governance – civil society, the corporate élite, and many governments – have an individual as well as collective stake in erecting some type of overarching democratic structure.

The role of civil society

Certain sectors of civil society in particular could likely be, and in fact are being, mobilized to lead the drive for such an assembly.⁵ This is important, because while there is the potential to find some support from corporate and political élites, it is unrealistic to expect the main initiative to come from these sectors. Most of the individuals leading business and governmental organizations tend to be institutionally conservative, as well as often too closely linked to state structures to support such a bold initiative. For these reasons, the primary energy for a global parliament will come from civil society, or nowhere.

It is rather obvious, however, that not even all civil society organizations are in favour of the creation of such an assembly. Some evidently sense that their influence would shrink in an altered world order. Nevertheless, the sentiments throughout global civil society are overwhelmingly in favour of establishing institutions and practices that will enable global democracy to flourish in the years ahead. Within this broader consensus there exists a realization that the creation of a functioning global parliament or assembly is a necessary and desirable step. The appeal of the GPA proposal to advance the agenda of global civil society seems rather obvious. At a general level, a democratically constituted assembly would be likely to address widespread societal concerns about the undemocratic nature of existing international institutions such as the World Trade Organization, the International Monetary Fund and the World Bank. It would almost certainly encourage further democratizing global reforms, as well as provide a setting for debates about the positive and negative effects of globalization. There would for the first time a

widely recognized global forum in which such matters of public concern as environmental quality, labour standards, and economic justice could be discussed from a variety of perspectives, including encounters between civil society representatives from North and South who set forth contrasting concerns embodying differing priorities. The presence of democratic structures does not, of course, guarantee that participants will consistently behave responsibly. We have learned from experience that even the most experienced and respected legislative institutions within states can act in an erratic fashion from time to time that does not reflect the real interests or values of constituents, but such is the cost incurred to sustain democratic processes as the basis of governance.

Even an initially weak and controversial global assembly could at least provide the beginnings of democratic oversight and accountability for the international system. The fact that individuals from many parts of the world would directly participate in elections would likely lead the assembly to have an impressive grassroots profile that would lend a certain populist authenticity to its pronouncements and recommendations. In all probability, at first, most governments would refuse to defer to such an assembly that operated beyond their control, but such rejectionist attitudes would be unlikely to persist very long. After all, we are living at a time when democracy has increasingly become the *sine qua non* of legitimacy around the world and the assembly would be the only institution that could validly claim to represent the peoples of global society *directly*. The comparison of its views with those of governments and market-dominated forums would likely attract media attention before long; becoming a part of public discourse would in turn influence the course of civil-political decision-making.

Besides exercising a democratic influence on the formulation of social policy, such an assembly could also be instrumental in helping to encourage compliance with international norms and standards, especially in the realm of widely supported human rights. Currently, the international system generally lacks reliable mechanisms to implement many of its laws. Civil society organizations such as Amnesty International, and even international organizations such as the International Labor Organization and the UN Human Rights Commission, attempt to address this

deficiency and exert significant pressure on states by exposing failures of compliance by states, relying on a process that is often referred to as the 'mobilization of shame'. This pressure is premised on the importance to governments of sustaining their reputation for acting in conformity with normative standards and the reliability of established NGOs in identifying patterns of abusive behaviour. In contributing to such an oversight function, a popularly elected GPA would likely soon become more visible and credible than are existing informal watchdogs that seek to expose corporate and governmental wrongdoing, and in any event, would complement such activism. A GPA would also tend to be less deferential to leading sovereign states than the more official watchdogs that function within the essentially statist framework of the United Nations System.

Perhaps most fundamentally, the mere existence and availability of the assembly would likely be helpful in promoting the peaceful resolution of international conflicts. We have already discussed how a GPA might be useful in undermining wider circles of societal support for international terrorism as a form of non-state violence. It could also in time help to reduce the likelihood of interstate violence as well. Instead of representing states, as in the United Nations and other established international organizations, delegates would directly represent various constituencies with societal roots. This means that, unlike the present system, the assembly would not be designed to reinforce artificially constructed 'national interests' or to promote the special projects of rich and influential élites. Rather, as in multinational societies such as India or Switzerland, or in the European Parliament, most elected delegates do not consistently or mechanically vote along national lines, except possibly in instances where their national origins are directly engaged with the issue in dispute. Coalitions form in these settings on other bases, such as worldview, political orientation, class and racial solidarities, and ethical affinities. The experience of engaging in a democratic process to reach legislative compromises on the part of antagonists that are organized as opposing, but non-militarized and often shifting, coalitions may over time help establish a culture of peace. It is perhaps too optimistic to think that such a learning curve might eventually undermine reliance on the present war system to sustain national and global security. It is difficult to

transform the militarist mentalities associated with the pursuit of security in a world that continues to be organized around the prerogatives of sovereign national units that are heavily armed and disposed to destroy one another if the need arises. The hope is that over time the organization of international relations would come more closely to resemble decision-making within the most democratic societies of the world. Not only would an assembly tend to oppose military establishments as the foundation of global security, but it is also likely to build confidence in the perspectives of human security and in the efficacy of peaceful approaches to world order. Only when enough people begin someday to feel that non-violent structures of governance, including law enforcement, can ensure their individual and collective survival will meaningful disarmament become a genuine political option.

Any proposed institution that can credibly claim a potential for advancing causes as central to the agenda of various global civil society organizations as global democratization, labour and environmental regulation, effective global governance, peace, and human rights obviously should possess the capacity to generate broad-based support within civil society. So far, however, the nascent civil society movement that favours the establishment of such an assembly remains separate and distinct. It has not managed to gain significant levels of support, or even interest, from the issue-oriented actors that have so far been the main architects of global civil society. The present movement for an assembly consists mainly of individuals and groups who believe in holistic solutions to global problems, and seek to promote humane global governance for the world. Such proponents of a GPA are culturally influenced by a range of contemporary traditions of thought and modalities of action as varied as ecology, religion, spirituality, humanism and, most recently of all, the Internet. Each of these orientations proceeds from a premise of human solidarity and a belief in the essential unity of planet earth. Significant organizing efforts associated either with building support for the GPA or experimenting with its local enactment are under way in many different places around the world. This is an exciting development. It portends the possibility that from within civil society a truly innovative and visionary politics is beginning to take shape after centuries of dormancy. Such movement is an expression of

the increasing robustness of democratic values as the foundation for all forms of political legitimacy regardless of the scale of the unit of social action being appraised. Also relevant are many types of transnational connectivity that manifest the globalizing ethos of our twenty-first-century world.

The receptivity of the business élite to a GPA

The global outlook of the corporate and financial élites represented at Davos, and elsewhere is also relevant to the prospects for furthering the cause of a GPA. The Davos network has been singularly successful in marshalling support for new international regimes that promote its interests in an open global economy. The World Trade Organization and NAFTA are two obvious examples. Certainly some within its ranks will oppose a new global parliamentary institution because a more open political system would mean a broader decision-making base, a questioning of the distribution of the benefits and burdens of economic growth, and more pressure for transnational regulation of market forces. Such developments would almost certainly be viewed with suspicion, if not hostility, by those who meet regularly at Davos to construct a world economy that is committed to the 'efficient' use of capital, and dubious about any incorporation of social and normative goals into the formation of world economic policy. It would almost certainly be the case that such an assembly, if reflective of grassroots opinion around the world, would be highly critical of current modes of globalization, and hence at odds with the outcomes sought by the Davos leadership. But with transnational corporations having been, and in all likelihood continuing to be, beneficiaries of this globalization-from-above, those in the business world with a more enlightened sense of their long-term interest are already coming to believe that the democratic deficit must be addressed by way of stakeholder accommodations. It is perhaps relevant to recall that although hostile at first, many members of the American managerial class came under the pressure of the Great Depression and its societal unrest to realize that the New Deal was a necessary dynamic of adjustment to the claims of workers and the poor during a crisis time for capitalism. The same kind of dynamic made social democracy acceptable to the business/financial leadership of

leading European countries, and helped give capitalism a more human face that enhanced its legitimacy at the level of society. In a similar vein, many of the leading figures in world business seem to find congenial the idea that some sort of democratizing improvisation along the lines we are suggesting is necessary to make globalization politically acceptable to more of the peoples of the world.

As the large street protests of the last few years in various places around the world suggested to many observers, globalization has not yet managed to achieve grassroots acceptance and societal legitimacy. Lori Wallach (the prime organizer of the Seattle anti-WTO demonstrations) said in an interview that her coalition of so many diverse groups, in addition to battling a series of distinct social issues, was held together by the 'notion that the democracy deficit in the global economy is neither necessary nor acceptable'.⁶

In fact, the main basis of popular support for globalization at present is not political, but economic. Globalization has either been able to deliver or to hold out the promise of delivering the economic goods to enough people to keep the anti-globalization forces from gaining sufficient ground to mount an effective challenge against it. Economic legitimacy alone is rarely able to stabilize a political system for long. Market-based economic systems have historically undergone ups and downs, particularly when they are in formation. The emerging-markets financial crisis that almost triggered a world financial meltdown in 1997 will surely not be the last crisis to emerge from the current modalities of globalization. Future economic failures are certain to generate strong and contradictory political responses. We know that standing in the wings, not only in the United States but in several other countries, are politicians, ultra-nationalists, and an array of opportunists on both the left and the right who, if given an opening, would seek to dismantle the system so as to restore territorial sovereignty, and with it, nationalism and protectionism. If the globalizing élite is seeking to find a political base that will allow it to survive economic downturns, particularly in the event that economic and social forces in powerful countries are in the future adversely affected, then it would do well to turn its attention urgently to reducing the global democratic deficit. Global terror plays a diversionary role at present, especially in the United States,

but this distraction from the imperatives of global reform are not likely to persist, especially in the face of widespread economic hardship and distress.

There is a lesson to be learned from Suharto's Indonesia that offers some striking parallels to the vulnerabilities of the current global system. Indonesian citizens had come to believe in democratic practices, but the political system remained largely authoritarian, and unresponsive to the concerns of the people. As long as Indonesia was both a Cold War ally of the West and enjoyed the dramatic economic growth rates that had been sustained for nearly 30 years, American support was solid and there were enough benefits for most of the population to control political restiveness in a country with many acute ethnic and regional tensions. The great majority of the Indonesian people seemed either intimidated or willing to tolerate the country's failure to live up to the democratic ideal. But when the economy found itself in serious trouble during the last months of 1997, President Suharto had little to fall back upon internally or externally to maintain the political allegiance of the citizenry and his political edifice, which had seemed so formidable just months earlier. The Jakarta regime rapidly crumbled around him. The latent political illegitimacy of the Java-centric Indonesian government became a destabilizing factor that accompanied and intensified the economic and ethnic tribulations of the country.

The receptivity of the political élite to a GPA

Portions of the corporate élite might be persuaded that it is in their interest to support a GPA. Would not those who control state power, however, be less likely to go along with such an innovation? Surely any public institution that could reduce the global democratic deficit by claiming to speak directly for global society could eventually become an important counterweight to state and market power. The important word here is eventually. A relatively weak assembly constituted initially mainly with advisory powers would begin to address concerns about the democratic deficit while posing only a long-term threat to the citadels of state power. This being the case national leaders, whose concerns tend to be associated with short-term prerogatives, have little reason to feel significantly challenged by the establishment

of such an assembly. Systemic transformation of world order that could affect successors would not to be threatening to, and might in fact appeal to those political leaders who are themselves most inclined to extend democratic ideals to all arenas of authority and decision.

Putting in place a minimally empowered, but politically saleable institutional structure that nonetheless has far-reaching transformative potential is, in fact, an approach often adopted by the most effective advocates of new global institutions. What has become the European Union, for example, began after the Second World War as the European Coal and Steel Community, a modest, skeletal framework for what would decades later evolve into an integrated European political structure that more recently poses some serious challenges to the primacy of the European state. The French Declaration of 9 May 1950 initially proposing the European Coal and Steel Community makes clear that this humble beginning was by design:

Europe will not be made all at once, or according to a single plan. [The French Government] proposes that Franco-German production of coal and steel as a whole be placed under a common High Authority, within the framework of an organization open to the participation of the other countries of Europe. The pooling of coal and steel production should immediately provide for the setting up of common foundations for economic development as a first step in the federation of Europe, and will change the destinies of those regions which have long been devoted to the manufacture of munitions of war, of which they have been the most constant of victims.⁷

Within the European Union, by far the best model for a globally representative assembly, the European Parliament started life as an institutional vessel largely devoid of formal powers. Through time, as the sole direct representative of the European citizenry, the Parliament began to acquire an important institutional role that has given vitality to the undertaking, as well as increasingly reinforcing the European will to carry on with their bold experiment in regional governance.

One source of optimism that many national leaders can be persuaded to support this assembly project arises from the recent experience of building a coalition to push for the establishment of a permanent International Criminal Court. A large number of

civil society organizations, working in collaboration with governments, have been very effective, at least so far,⁸ in building widespread cooperation among political élites around the world on behalf of a project that only a decade earlier had been dismissed as utopian. The willingness of political leaders to support the creation of such a tribunal is quite surprising. It also lends indirect encouragement to efforts to establish a GPA because the criminal court compromises traditional sovereign prerogatives far more than would be the case initially if a global parliament comes into existence. The court has the substantive power to prosecute individuals for their failure to comply with international criminal law, which means that states have lost exclusive control over the application of penal law, which had been regarded as one of the traditional and fundamental attributes of sovereignty. Government leaders have lost their immunity to some extent in relation to international standards. By comparison a parliament with largely advisory powers would appear to be a relatively modest concession to the growing demand for a more democratic and legitimate global order, and would initially not significantly impinge upon the exercise of sovereign powers of a state. Of course, the idea of a parallel international law-making body, even if advisory, does raise the possibility in the moral and political imagination, that more centralization of authority is necessary and desirable, and this possibility, however remote, is likely to be threatening to governments administering nation-states.

Realizing the vision

While the rationale for establishing such an assembly definitely exists, this is, of course, not enough. There needs to be some viable way for this potential to be realized. We believe the formula with the best ability to take advantage of the political promise we have identified can be found in what is being called the 'New Diplomacy'. Unlike traditional diplomacy, which is solely conducted among states, the New Diplomacy is based on the collaboration of civil society with whatever states are receptive, allowing the formation of flexible and innovative coalitions that shift from issue to issue and over time. The major success stories of global civil society in the 1990s were produced in this manner including

the Global Warming Treaty, the Landmines Convention and the International Criminal Court.

This New Diplomacy (if it is to continue into this new century) is well adapted to meeting the challenge of creating a globally elected assembly. Nevertheless, the seemingly most natural way to bring a new international regime into being, a large-scale multi-lateral conference, does not appear well suited to this project. Despite the receptivity of some political élites, there is unlikely to be a critical mass of states in the UN General Assembly or outside its confines that would be willing to call for the convocation of such a conference. We believe that the momentum that would lead to significant state support for the assembly would undoubtedly have to be developed indirectly and gradually. Two other possible approaches seem worth considering in relation to bringing the GPA into being.

One approach that we discuss in more detail in the Summer 2000 edition of the *Stanford Journal of International Law*⁹ would be for civil society with the help of receptive states to proceed to create the assembly without resorting to a formal treaty process. Under this approach the assembly would not be formally sanctioned by the collectivity of states and hence its legitimacy would probably be contested by governments at the outset unless they chose to ignore its existence altogether. This opposition could be neutralized to some extent by widespread grassroots and media endorsement, and by the citizenry as expressed through popular elections that were taken seriously by large numbers of people and were fairly administered.

The other approach is to rely on a treaty, but to utilize what is often called the Single Negotiating Text Method as the process for coming to an agreement on the specifics of an assembly among supportive states. Pursuant to this approach after extensive consultations with sympathetic parties from civil society, business and nation-states, an organizing committee would generate the text of a treaty establishing an assembly that could serve as the basis for negotiations. Momentum could be generated as civil society organized a public relations campaign and some states were persuaded (sometimes as a result of agreed upon modifications in the draft) to accede to the treaty one at a time. As in the Ottawa Process that ultimately led to the Landmines Convention, a small core group of supportive states could lead the way. Unlike

the Landmines treaty, however, which it was thought could not meaningfully come into effect before forty countries ratified it, a relatively small number of countries, say twenty, could provide the founding basis to bring such an assembly into being. Though this number is but a fraction of what would eventually be needed if the assembly wished to have some claim to global democratic legitimacy, it is worth remembering that the European Coal and Steel Community, which evolved to become the European Union, started with only six countries. After all, once the assembly was established and functioning in an impressive way the task of gaining additional state members should become easier. There would then exist a concrete organization to which states could actually be urged to join by their own citizens. As more states joined, pressure on the remaining states to allow their citizens to vote and participate would likely grow, especially if the assembly built a positive reputation in its early years. Holdout states would increasingly find themselves in the embarrassing position of being in a dwindling minority of states denying their citizens the ability to participate along with persons from foreign countries in the world's only globally elected body. It would seem increasingly perverse to proclaim democratic values at home but resist democratic practices and possibilities abroad. The exact nature of the representative parliamentary structure that should or will be created remains to be determined, and should be resolved through vigorous discussion by many different actors drawn from all corners of the world. What is clear to us, however, is that the ongoing phenomena of global democratization are part of an evolutionary social process that will persist, and intensify. While it is still too early to determine the long-term implications of the events of September 11, the future will surely find many ways to remind the peoples of the world that a commitment to global democratic governance is a matter of urgency, and that a way to move forward is through the establishment of a GPA.

Until the onset of the global terror challenge, the two dominant themes of the post-Cold War years were globalization and democracy. Proclamations are now commonplace that the world is rapidly creating an integrated global political economy and that national governments that are not freely elected lack political legitimacy. In view of this, it is paradoxical that there has not yet been a serious global debate on concrete proposals to resolve the

obvious contradiction between a professed commitment to democracy at the level of the sovereign state and a manifestly undemocratic global political-economic order. Perhaps this apparent tension can be explained as a form of political inertia, and possibly by the residual sense that such democratizing proposals are still *per se* utopian. Whatever the explanation, this contradiction will not be tolerated for long. Citizen groups and business and financial élites are not waiting around for governments to come up with solutions. They have taken direct and concrete action to realize their aspirations. These initiatives have created an autonomous dynamic resulting in spontaneous forms of global democratization. As this process continues in an attempt to keep pace with globalization, as it surely will, the movement for a coherent and legitimate system of global democracy will and should intensify. To political élites it will continue to become increasingly obvious that without legitimating institutions, governing the global order will be more difficult and contentious. They are likely to be plagued by the growing disinclination of citizens to accept the policy results of an ever-more encompassing system that is not based on a recognizable form of legitimate governance. To the organized networks of global civil society and business the inclination, reinforced by the practice of democratic societies, is to find direct accommodations and to work out differences. Such a process will naturally lead policy-makers to look toward familiar democratic structures to bridge present, widening cleavages. Finally, to all those who are seriously concerned about social justice, and the creation of a more peaceful global order, the democratic alternative to an inherently authoritarian global system will surely be ever more compelling.

Notes

1. The authors would like to thank Erin Daly and Daniele Archibugi for their very helpful comments on early drafts of this chapter.

2. See Richard Falk and Andrew Strauss, 'Toward Global Parliament', *Foreign Affairs*, January-February 2001, p. 212; Richard Falk and Andrew Strauss, 'On the Creation of a Global Peoples' Assembly: Legitimacy and the Power of Popular Sovereignty', *Stanford Journal of International Law*, vol. 36, 2000; Andrew Strauss, 'Overcoming the Dysfunction of the Bifurcated Global System: The Promise of a Peoples' Assembly', *Transnational Journal of Law and Contemporary Problems*, vol. 9, 1999.

3. Jessica T. Mathews, 'Powershifts', *Foreign Affairs*, January-February 1997, p. 50.

4. These were: on sustainable development, the Rio Declaration and Agenda 21; to help safeguard the planet's biodiversity, the Biodiversity Convention; and perhaps most importantly, to combat the warming of the planet, the Climate Change Convention.

5. While still in their early stages, we believe various initiatives merit notice. An organization called the Assembly of the United Nations of Peoples has attempted to bring civil society organizations together into a quasi-representative assembly. In the fall of 2001 it included civil society organizations from the majority of the world's countries in its fourth assembly in Perugia, Italy. Also notable is the Global Peoples' Assembly Movement. This organization had its first major assembly in Samoa in April 2000. Like the Perugia initiative, its purpose is to model a globally democratic institutional structure that would enable the peoples of the world to have a meaningful voice in global governance. Also worthy of attention are efforts by an organization called Citizen Century to link the national parliamentarians of the world together through the Internet into what it calls a 'Global E-Parliament' and efforts by The World Citizen Foundation to promote the establishment of a globally elected parliament.

6. See Lori's War, *Foreign Policy*, March 2000, p. 28.

7. See http://europa.eu.int/comm/dg10/publications/brochures/docu/50ans/decl_en.html#declaratio

8. The Statute for the International Criminal Court was overwhelmingly adopted by a conference of states in Rome on 17 July 1998. The Statute received the necessary ratifications and came into force in 2002 despite obstruction from the United States.

9. See Richard Falk and Andrew Strauss, 'On the Creation of a Global Peoples' Assembly: Legitimacy and the Power of Popular Sovereignty', *Stanford Journal of International Law*.