

TAKING DEMOCRACY GLOBAL: ASSESSING THE BENEFITS AND CHALLENGES OF A GLOBAL PARLIAMENTARY ASSEMBLY

BY ANDREW STRAUSS

Taking Democracy Global: Assessing the Benefits and Challenges of a Global Parliamentary Assembly is the third in the One World Trust pamphlet series entitled Global Responsibility - Reaching Beyond National Sovereignty. This series examines the relevance of federalist ideas to the globalisation debate.

INTRODUCTION

Increasingly the world's diverse political communities – local, provincial and national – have at their common core a popularly elected legislative body. This Booklet is dedicated to the proposition that the increasingly powerful international system should no longer stand apart from the movement to democratize planetary social life. Justifying this proposition are the twin realizations that a Global Parliamentary Assembly (GPA) is becoming increasingly desirable and that it is now possible. In the discussion that follows I will first turn to desirability, making the case in Part I for why a GPA would lead to a more democratic, effective and peaceful global political order. This case will be tempered by realism. There is little value to fantasizing about the benefits of a chimerical organization whose creation cannot overcome the hurdle of political feasibility. Thus, in pointing out the potential benefits to be derived from a GPA, I will assume a popularly elected representative body that will begin very modestly with largely advisory powers, and that following the trajectory of the European Parliament, would only gain powers slowly over time. Then, in Part II of the Booklet I will segue into the practical discussion of how it is possible to create such a modestly empowered organization given present day political realities. Specifically, I will assess the relative feasibility of four approaches to the Parliament's creation.

The One World Trust is grateful to the James Madison Trust for funding the publication of this pamphlet.

The views expressed in this pamphlet are the views of the author only and do not necessarily reflect those of the One World Trust.

I. THE CASE FOR A GLOBAL PARLIAMENTARY ASSEMBLY

Democracy and Justice

The present global system is not democratically organized. Niceties aside, it consists of the most powerful political and economic elites from the world's most powerful states meeting behind closed doors to make planetary decisions. The UN Security Council, for example, does not allow any meaningful citizen or parliamentary participation and at any given time only includes executive representatives from a small number of the world's countries. Even organizations that are ostensibly more democratic such as the World Trade Organization (where voting is based on member consensus) are in truth largely controlled by the dictates of a few dominant members. The current model for world governance is

more akin to the loose coordination that is often associated with rival criminal "families," or perhaps war lords in failed states, than it is to accepted standards of democratic decision-making.

As the demands of globalization increasingly transfer power from many relatively democratic national systems to the undemocratic international system, the implications of this lack of global democracy are becoming more ominous. For the spirit of democracy to survive, much less flourish, in a globalized world, it is crucial that the international system be democratized.

While the powers of a GPA would grow gradually, even from its inception, such a body could play a positive advisory role in democratically overseeing the global system by holding hearings, issuing reports and passing resolutions. To have the Director General of the World Trade Organization, for example, appear before the only popularly elected global body to answer to citizen representatives would introduce some popular accountability into the system. Organizations without legal powers such as Amnesty International and Human Rights Watch have enjoyed considerable success at influencing the behavior of states and international organizations by exposing their failures of compliance with international norms. How much more visible, credible and ultimately influential could the first popularly elected global body be in exercising such oversight.

Effective Global Governance

One of the major problems with the current undemocratic international system is that its norms are not effectively enforced on states. To maximize their prerogatives national elites have created a global system where the states they control are, with limited exceptions, only bound to rules they individually agree to be bound by. And even after states agree to be bound, they routinely and often openly flaunt those rules they find to be disagreeable or merely inconvenient to their interests. Clearly, no society, local or global, that aspires to civilized existence can countenance a legal system that allows its members to decide individually which laws they wish to obey. Certainly the international system needs an effective way to protect vital community interests such as in the control and elimination of weapons, the preservation of the earth's biosphere, and the protection of fundamental human rights.

Unlike the present United Nations, in a GPA delegates would be elected by citizens rather than appointed by states. Because citizen elected representatives would not be beholden to states, they would no longer be inclined to shelter the ability of states to ignore international law. Over time they would, therefore, likely push for democratically approved international laws to be binding, not only on states, but also on the ultimate agents of compliance, citizens. If citizens, loyal to an assembly elected by them, and that allowed for their participation, began directly to follow democratically inspired international law, national elites would be ineffective when directing their countries to ignore that law.

THE PRESENT GLOBAL SYSTEM IS NOT DEMOCRATICALLY **ORGANIZED. AS THE DEMANDS** OF GLOBALIZATION INCREASINGLY TRANSFER POWER FROM MANY RELATIVELY DEMOCRATIC **NATIONAL SYSTEMS** TO THE UNDEMOCRATIC INTERNATIONAL SYSTEM. THE IMPLICATIONS OF THIS LACK OF **GLOBAL DEMOCRACY ARE BECOMING MORE OMINOUS. FOR** THE SPIRIT OF DEMOCRACY TO SURVIVE, MUCH LESS FLOURISH, IN A GLOBALIZED WORLD, IT IS CRUCIAL FOR THE INTERNATIONAL SYSTEM TO BE DEMOCRATIZED.

CLEARLY, NO SOCIETY, LOCAL OR GLOBAL, THAT ASPIRES TO CIVILIZED EXISTENCE CAN **COUNTENANCE A LEGAL SYSTEM** THAT ALLOWS ITS MEMBERS TO **DECIDE INDIVIDUALLY WHICH LAWS** THEY WISH TO OBEY, CERTAINLY THE INTERNATIONAL SYSTEM **NEEDS AN EFFECTIVE WAY TO** PROTECT VITAL COMMUNITY INTERESTS SUCH AS IN THE **CONTROL AND ELIMINATION OF** WEAPONS, THE PRESERVATION OF THE EARTH'S BIOSPHERE, AND THE PROTECTION OF **FUNDAMENTAL HUMAN RIGHTS.**

Global Security

The most serious single deficiency of the global system is its propensity for political violence. The twentieth century was the most bloody in human history. For us not to repeat this dismal record in the new century, we need to search out alternatives to the war system of conflict resolution. A GPA would provide a democratic substitute to achieving national security through domination and violence. In a GPA there would be no unified states to counter, contain, or even attack other states. Rather, as occurs in other multinational parliaments – such as in India, Belgium or in the European Parliament – delegates would break national ranks to vote along lines of interest and ideology. Thus, fluid transnational parliamentary coalitions could begin to supplant conflict, including armed conflict, among states. If parliamentary decision-making proved itself successful, it is possible to imagine over time a genuine lessening of global tensions, and perhaps, if citizens gradually gained confidence in global democratic processes, meaningful disarmament.

Likewise, the GPA would offer disaffected citizens a constructive alternative to terrorism and other forms of political violence. Those angry about perceived injustices or by global silence about their grievances would be less likely to feel forced to choose between surrender and the adoption of desperate tactics. Citizens would be able to stand for office, champion candidates and form coalitions to lobby the parliament. Those with diverse or opposing views would be brought into a give-and-take setting that would improve the chances for compromise and reconciliation. And when compromise was not possible, even those whose views did not prevail would more likely accept defeat out of a belief in the fairness of the process, and a knowledge that they could continue to press their cause on future occasions.

In particular, a Global Parliamentary Assembly would directly counter the vitality of anti-democratic extremists such as Al Qaeda. One important feature of the liberal parliamentary process has been a capacity to assimilate even those who do not share a pre-existing commitment to democracy. Because a parliamentary process allows for participation and has the ability to confer popular legitimacy on a policy position, experience suggests that even those with extreme agendas will often be drawn into the process. Of course, the Osama bin Ladens of the planet will never accept the legitimacy of a global parliamentary process. But their ability to attract a significant following would be diminished by the presence of such an institution.

II. THE WAY FORWARD: ASSESSING FOUR PLANS FOR CREATING A GLOBAL PARLIAMENTARY ASSEMBLY

It is one matter to anticipate the benefits of a Global Parliamentary Assembly and quite another to conceptualize how to make such an assembly politically viable. Often in the past proposals for fundamental The most serious single deficiency of the global system is its propensity for political violence.

We need to search out alternatives to the war system of conflict resolution. A Global Parliamentary Assembly would provide a democratic substitute to achieving national security through domination and violence.

To be politically viable a GPA must start with modest powers and grow gradually. Political leaders are, after all, likely to be more comfortable ceding their successors' power down the road than their own today. And, those citizens concerned about the various dangers associated with globally powerful institutions are likely as well to be more accepting of a gradual evolutionary approach that allows mistakes to be corrected while they are still small.

world order reform have failed because they have not been politically implementable in the real world of real interests. In this part of the Booklet I will assess the relative feasibility of four approaches to creating a GPA. As I discuss above, the assumption behind all of these approaches is that to be politically viable a GPA must start with modest powers and grow gradually. Political leaders are, after all, likely to be more comfortable ceding their successors' power down the road than their own today. And, those citizens concerned about the various dangers associated with globally powerful institutions are likely as well to be more accepting of a gradual evolutionary approach that allows mistakes to be corrected while they are still small.

Conceding initial powers to political reality is especially sensible as it does not likely compromise the long term potential of the parliament. Based on the unique legitimacy among global institutions that popular elections would confer, a parliament would most likely gain in authority over time. To start, the very ritual of elections, involving the citizens themselves, and covered by the press, would make the parliament politically visible, perhaps eventually far more so than other international organizations.

Visible, and as the only international institution with a popular mandate, citizen groups would likely seek to have the parliament's moral authority associated with their cause. It is not hard to imagine, for example, anti-World Trade Organization groups lobbying the Parliament to pass resolutions condemning that organization's trade rules. Likewise, those with contrary positions, whether they be businesses, states or other citizen groups, are not likely to concede the legitimacy of the only popularly elected global body. Instead, as happens in national parliaments all over the world, the GPA would provide a civil forum where the various interests would come together and through the intermediation of their elected representatives hammer out legislative compromise. The likely result is that these global interest groups would become as invested in the parliament's processes and as loyal to its outcomes as are domestic interests in national parliamentary decision-making today.

As the planet's organized citizenry begins to reconfigure itself beyond the limitations of separate and discreet orbits around national parliaments into a new common orbit around a GPA, it would likely be only a matter of time until the parliament's formal powers came to reflect this new political reality. Not only would the organized citizenry be inclined toward supporting the legal force of legislative results that were fashioned in response to their input, but an existing parliament could be its own greatest advocate for expanded powers. That a GPA might develop along these lines is not merely conjecture but is backed by historical experience. It broadly tracks the evolutionary growth in the powers of the European Parliament which also began life as a largely advisory body. And, perhaps most notably the venerable English Parliament was established as an advisory organ by the Crown and incrementally gained powers based on its claim to popular sovereignty.

Even establishing a largely advisory parliament would not, of course, be easy, and it is to discerning how we might best proceed to do this that I will now turn. Of the four alternative approaches I will consider, the first and perhaps most obvious one is to amend the United Nations Charter to create a parliament as part of the United Nations. The second approach is for the General Assembly of the United Nations to create the parliament pursuant to its powers under the United Nations Charter to establish "subsidiary organs." The third approach is for civil society on its own initiative to create the parliament outside of official United Nations or interstate treaty processes. Finally, the fourth approach is for willing states to enter into a stand alone treaty creating the parliament.

Amendment of the United Nations Charter

Pursuant to Article 108 of the United Nations Charter, amendments to the Charter require approval by a two-thirds vote of the United Nations General Assembly and subsequent ratification by two-thirds of the members of the United Nations including all of the permanent members of the United Nations Security Council. Article 109 of the Charter somewhat less onerously allows for a Charter review conference to be established by a two-thirds vote of the General Assembly and an affirmative vote of any nine members of the fifteen member Security Council. Any alteration of the Charter coming out of the review conference, however, must similarly be approved by two-thirds of the conference and ratified by two-thirds of the United Nations membership including all of the permanent members of the Security Council.

Amendment of the United Nations Charter pursuant to Articles 108 and 109 provides what might be called the classical route to creating a GPA. This was the approach adopted by early world federalists such as Louis Sohn and Grenville Clark in their 1958 book World Peace Through World Law which includes an elected parliament as part of their scheme to turn the United Nations into a limited world government. While the currents of historical change are not always predictable, the political barriers that are likely to stand in the way of such an approach would appear formidable. Getting such a project on the United Nations reform agenda would be a difficult task. For example, neither of the two recent reports on United Nations reform (the Report of the Panel of Eminent Persons on United Nations Civil Society Relations and the Report of the Secretary General's High Level Panel on Threats, Challenges and Change) mentioned an elected chamber of the United Nations. Also convincing two-third of the organization's membership to approve amending the Charter to create a parliament would not be easy, and ratification by that number of states would be even more difficult.

Finally, securing the affirmative votes of all of the veto wielding members of the Security Council, given the reluctance of some of these countries to support progressive international initiatives, would likely be quite difficult. Perhaps, however, as Joseph Preston Baratta has suggested in *The Politics of World Federation*, the permanent member veto would

not have to be the final word. He finds inspiration in the observation that the delegates to the United States Constitutional Convention of 1787 provided for ratification by 9 of the 13 states, instead of unanimously, as required by the Articles of Confederation. Perhaps, if the politics was auspicious, the international community would accept a U.N. Charter review conference providing that a new Charter go into effect over the objections of a permanent member.

While creating the political will to amend the UN Charter would be very difficult, even assuming the problem of the veto could be dealt with, a GPA initiated by way of Charter reform would likely be accepted as the most legitimate.

Creation by the United Nations General Assembly as a Subsidiary Organ

Article 22 of the United Nations Charter empowers the General Assembly to "establish such subsidiary organs as it deems necessary for the performance of its functions." The proposal that the General Assembly acting under Article 22 create a parliamentary assembly as a "subsidiary organ" has been suggested on several occasions over the years. For example, Erskine Childers and Brian Urquhart endorsed this approach in their 1994 book, *Renewing the United Nations System*. Perhaps most recently it has been proposed by the Germany-based Committee for a Democratic U.N. in its paper, *Developing International Democracy: For a Parliamentary Assembly at the United Nations*. The idea is attractive in that it provides a way around the cumbersome United Nations Charter amendment process, but it is not without political difficulties of its own.

Whether a parliament can be properly characterized as a subsidiary organ of the General Assembly and whether it can be properly deemed necessary for the performance of its functions is legally questionable in that the parliament would not be answerable to that body. Indeed, the entire rationale for a parliament is to introduce into global decisionmaking an independent popularly representative body. While the General Assembly has in the past established autonomous entities such as the United Nations University, none of its creations have been intended to be an independent source of political authority. The International Court of Justice has opined in the 1987 *United Nations Administrative Tribunal* advisory opinion that the General Assembly cannot delegate powers to a subsidiary organ that it does not itself possess or are not implied as consistent with the overall structure of the Charter. Since the General Assembly does not have the power to represent directly the citizens of the world, and the United Nations is structured under the Charter as an interstate organization opponents of the project could challenge the General Assembly's powers to create a parliament.

Regardless, however, of the General Assembly's actual legal authority to create a parliament, the United Nations has no institutional mechanism to prevent a resolute Assembly from acting. Rather, in a political conflict

where more than a few governments will oppose the General Assembly's creation of a parliament as a perceived threat to their power, legal arguments would become fodder in the political debate. Of significance in determining whether the parliament's opponents would prevail is whether the decision by the General Assembly to create a parliament would be regarded as an "important question" under Article 18 of the Charter requiring a two-thirds as opposed to majority vote. Article 18 identifies certain specific voting matters as "important questions," but there is a surprising lack of precedent on which other matters qualify as important questions. Specifically for our purposes, as most subsidiary organs have been approved by consensus, the requisite vote required for their establishment is unclear.

Whichever majority is required, however, the overall decision-making structure of the United Nations does not favor the forces of institutional change. Guardians of the status quo have historically enjoyed great success in keeping reform proposals from gaining enough initial traction to appear on the General Assembly's agenda. Most initiatives have quietly died in committees or have otherwise been buried in bureaucracy.

A related problem is that the need to gain the requisite support for the establishment of a parliament within the General Assembly suggests the need for problematic political concessions. For example, presumably responding at least in part to such concerns, the Committee for a Democratic U.N. proposes in its paper that its parliamentary assembly be composed initially of representatives of national parliaments with direct popular elections to occur at an indefinite time in the future and that all UN member states could send representatives to the parliament, regardless of whether they come from a legitimately democratically elected parliament.

There is nothing inherently wrong with beginning as a parliament of parliamentarians. In fact, in favor of this approach is the weight of historical example. The European Parliament, the most successful example of the creation of a transnational parliament, began that way in the earliest days of European integration and fulfilled its promise to convert to direct popular election in 1979. Yet, there are dangers in this approach. As has happened in other interparliamentary bodies, national parliamentarians may come to feel a sense of ownership in the parliament and be reluctant to promote the evolution toward independent elections. And, every day that elections are extended will delay the growth in the parliament's political influence. Without the public ritual of popular elections to draw publicity and legitimize the parliament the organization would be unlikely to be much noticed. Also, with the national parliamentary representatives' job security dependent upon reelection to their own national parliaments. their day jobs will remain their primary focus. Unlike parliamentarians who are elected specifically to serve in the GPA, national parliamentarians would not see their careers and reputations as tied to building the growth and influence of that organization. Instead, for them it will be primarily a networking forum where issues of common concerns can be discussed with colleagues from other national parliaments.

More troubling, is the suggestion that all UN member states, regardless of whether they possess democratically elected parliaments, send representatives to the United Nations Parliament. This would undermine the credibility of the organization and compromise its ability to act as an alternative to authoritarianism.

Civil Society Organized Elections

The third approach to creating a GPA is for major actors from international civil society to themselves establish a provisional structure for the parliament and to organize and carry out elections. If this approach were followed the parliament would start as an unofficial body and its empowerment would be reliant exclusively upon its unique claim to a popular mandate described above.

This is the strategy for creating the parliament that my colleague Professor Richard Falk and I first proposed when we began advocating for a GPA. It is also the approach suggested by George Monbiot in his book *The Age of Consent: A Manifesto for a New World Order*. As we explained in the year 2000 in the *Stanford Journal of International Law*:

[A] GPA need not be established by a traditional interstate treaty arrangement. Globalization has generated an emergent global civil society composed of transnational business, labor, media, religious and issue oriented citizen advocacy networks with an expanding independent capacity to initiate and validate a GPA. . . Uniquely a GPA would have a claim to authority independent of whether or not it received the formal blessings of the state system. . . .

To begin such a civil society initiating process one might envision a call emanating from a panel of political and moral authority figures such as former heads of state, Nobel Peace Prize winners and major religious figures. If a critical mass of respectable civil society organizations responded positively to this call, the panel could oversee a series of civil society meetings culminating in a final conference whose purpose would be to adopt a political framework for the parliament's creation. Civil society would then have the task of organizing and holding elections. Presumably elections would occur in all countries where they were not banned and political conditions allowed for free campaigning.

Needless to say, all of this would be extremely difficult both politically and logistically. Civil society is inchoate and has no preexisting structure for making collective decisions. Putting in place the decision-making process for less ambitious projects such as the World Social Forum has been difficult and contentious, and that project in particular has worked largely because its decentralized nature has kept the need for common decision-making to a minimum. Creating out of whole cloth a widely agreed upon decision-making structure capable of resolving

such politically fraught topics as provisional voting formulas and electoral districts would be daunting, even for a skilled panel of authority figures.

The project may become more politically manageable by substituting initiation of the GPA by existing political parties for civil society as a whole. While also lacking a process for making collective political decisions, such parties, numbering far fewer than civil society organizations in general, are likely to be less unwieldy. In addition, they already provide the infrastructure for electoral politics and might look favorably on an opportunity to expand their arena. Regardless, however, of which nongovernmental organizing entities were to take the initiative to begin the parliament, the barriers to reaching agreement and acting on that agreement are significant.

Finally, funding would have to be secured to underwrite the cost of the elections and the initiation of the parliament. If the costs of domestic elections and operating expenses of existing parliaments are a guide, the sums would greatly exceed amounts that have thus far been devoted by the non-governmental sector to international political initiatives.

An Interstate Treaty Process

Finally, a GPA could be established by way of a stand alone treaty agreed to by whichever internationally progressive countries were willing to be pioneers. Even twenty to thirty economically and geographically diverse countries would be enough to found the parliament. The treaty agreed to by these countries would establish the legal structure for elections to be held within their territories including a voting system and electoral districts. In addition, an operational framework for the parliament including its mandate and limitations on its powers would be included in the treaty as would a provision for future accession by other countries. Any country could later join the parliament so long as it was willing to meet its obligations under the treaty, the most important of which would be to allow its citizens to vote representatives to the Parliament in free and fair elections.

A stand alone treaty organization whose membership may not be the same as the United Nations is not a novel concept. Most major international bodies such as the Bretton Woods organizations, the International Labor Organization and the World Health Organization, to name but a few, have been created in this way. Most significant, this approach was used to establish the International Criminal Court whose membership famously does not include the United States nor for that matter Russia or China (though Russia is a signatory). In the case of the International Criminal Court specific treaty provisions align that organization's processes with those of the United Nations. Most significant are terms providing for the Security Council to refer criminal cases to the Court.

Likewise, the GPA treaty could also include provisions defining its initial role vis a vis the United Nations and once established the parliament could enter into a relationship agreement with that body. It would be

A GPA COULD BE ESTABLISHED BY WAY OF A STAND ALONE TREATY AGREED TO BY WHICHEVER **INTERNATIONALLY PROGRESSIVE COUNTRIES WERE WILLING TO BE PIONEERS. A STAND ALONE** TREATY ORGANIZATION WHOSE MEMBERSHIP MAY NOT BE THE SAME AS THE UNITED NATIONS IS NOT A NOVEL CONCEPT. MOST MAJOR INTERNATIONAL **BODIES SUCH AS THE BRETTON** WOODS ORGANIZATIONS, THE INTERNATIONAL LABOR ORGANIZATION AND THE WORLD **HEALTH ORGANIZATION. TO NAME BUT A FEW, HAVE BEEN CREATED** IN THIS WAY.

IT WOULD BE IMPORTANT
TO BE CLEAR THAT A GPA,
THOUGH BEGUN INDEPENDENTLY
OF THE UNITED NATIONS, WAS
MEANT TO STRENGTHEN, AND NOT
REPLACE, THAT ORGANIZATION.
BACKED BY THE WEIGHT OF
POPULAR AUTHORITY OVER TIME
PERHAPS THE GENERAL ASSEMBLY
AND THE GPA COULD EVOLVE
TOGETHER INTO A TRULY
BICAMERAL LEGISLATIVE SYSTEM
CAPABLE OF PRODUCING
BINDING LEGISLATION.

important to be clear that the parliament, though begun independently of the United Nations, was meant to strengthen, and not replace, that organization. Part of the Parliament's treaty based responsibilities, for example, could be to weigh in with its own vote on certain specified categories of United Nations General Assembly resolutions. General Assembly resolutions are themselves largely recommendatory, and by insinuating a democratic voice into the process, the resolutions that passed both bodies would be more noticed and deemed more legitimate. Backed by the weight of popular authority over time perhaps the General Assembly and the GPA could evolve together into a truly bicameral legislative system capable of producing binding legislation.

This approach to creating a GPA by interstate treaty process is the one that Richard Falk and I have come to promote as the most promising. It offers strategic advantages as compared to either of the two proposals for creating the Parliament through the machinery of the United Nations. Even under the second relatively less cumbersome process of the General Assembly voting to create the parliament as a subsidiary organ, a core group of sponsoring countries would have to overcome a formidable combination of bureaucracy, indifference and opposition to gain traction within the United Nations. Under the stand alone treaty approach, however, power would shift to those countries that are willing to proceed on their own. No one could stop them. And once it became clear that the GPA treaty initiative had left the station, it would likely gain momentum as other less proactive countries would have an incentive to take part rather than be sidelined in the creation of an important new international organization.

Beyond this strategic leveraging of support, countries that are truly supportive of the GPA's democratic mission are likely to create the best, most democratic, organization. They would not be forced to make the kinds of anti-democratic concessions that passage in the United Nations might require. Later, if a critical mass of countries were to join the parliament, a time might come when it would become politically untenable for holdout governments to deny their people the right to vote in the only globally elected body. At that point those governments would not be in a position to compromise the integrity of the organization, but would have to join the GPA on its own democratic terms.

Finally, relative to civil society organizing elections, an interstate treaty process does not suffer from the absence of a decision-making structure that would undermine the ability of non-governmental organizations to act collectively. States have a long accepted and highly defined collaborative process for entering into treaty arrangements including those establishing new international organizations. Also, state sanction for the GPA by way of treaty would confer an additional layer of legitimacy upon the organization, and states have access to the resources to finance the project that civil society lacks.

CONCLUSION

Conceived of modestly as a largely advisory body composed of whichever economically and geographically diverse countries are ready to proceed, there is no law of human or political behavior that would preclude the initiation of a GPA. Particularly in light of the great end of the millennium accomplishments-the fall of the Berlin Wall, the creation of the World Trade Organization, the dramatic broadening and strengthening of the European Union, and the creation of the International Criminal Courtsuch a project now seems not only possible but in many ways the logical next step in the internationalist project to civilize the global order and to counter reactionary post 9/11 tendencies. A grassroots movement around the idea of a GPA has begun to emerge, but thus far no significant resources have been devoted to the project and political action has been guite limited. What is needed is an adequately financed campaign that reaches out to both the public and to governments. One focus of the public campaign should be to help create a favorable political climate for the negotiation of a treaty by using the mass media to bring the case for a GPA to the politically attentive public. The other focus of the public campaign should be a targeted effort to engage the activist and academic communities. Involving these communities in a series of meetings, study groups and conferences would contribute to insinuating the project into the political debate and would help lay the conceptual groundwork for resolving many of the practical and theoretical problems that will need to be addressed in forming a GPA.

If a treaty is to be successfully concluded the support of governments, as the ultimate decision makers, must be secured. Contemporaneous with public outreach, therefore, should be an effort to solicit the active support of governments. Discussions and conferences that could provide the impetus for treaty negotiations should be arranged with sympathetic political leaders and foreign ministry officials.

In this Booklet I have attempted to make the case for a GPA and to identify and assess different options for how such a project might be brought to fruition. My goal has not been to provide final answers but to further a concrete discussion about how the democratization of the global system might be best accomplished. It is paradoxical that while the global democratic deficit has been widely acknowledged as one of the major concerns of our times, there has been almost no discussion about how to remedy it. What has been offered has been either hopelessly vague and platitudinous or suggestive of reforms so minor as to have almost no real impact. While this has been occurring those forces of fear, militarism and statist domination have been decidedly clear and directed in working out and trying to implement their approaches. If those of us favoring democratic, internationalist solutions to global problems wish to prevail, we must find the resolve to begin a serious discussion about bold, concrete and practical solutions. It is in this spirit that I have written this Booklet.

Global Responsibility – Reaching Beyond National Sovereignty

The concept of federalism has fallen out of favour within the British political debate. It is misrepresented as a political philosophy in favour of a large centralised superstate taking power from national governments and democracies. In recent years, the debate over globalisation has begun to cover issues of how global decisions should be taken. But this debate is taking place without a key philosophy underpinning or informing it. As a consequence, the institutional solutions put forwards to solve global problems all too often lack the key elements which will help to ensure greater democratic involvement. The Global Responsibility pamphlet series examines the relevance of federalist ideas to the globalisation debate.

Copyright 2005. One World Trust. The contents of this publication are subject to copyright protection; and reproduction in whole or in part, whether mechanical or electronic, is expressly forbidden without the prior consent of the One World Trust.

Graphic design by Market Street Graphics www.marketstreetgraphics.com



PROFESSOR ANDREW STRAUSS

Andrew Strauss is a professor of international law at Widener University School of Law. He earned his Bachelor of Arts from Princeton University's Woodrow Wilson School of Public and International Affairs and his Juris Doctorate from New York University School of Law. Prior to joining the Widener Law faculty he practiced international banking and finance law in New York City for the law firms of Shearman & Sterling and Graham & James. He is known for work in both theoretical and applied international legal scholarship. He is co-author (with Burns Weston, Richard Falk and Hilary Charlesworth) of the forthcoming fourth edition of International Law and World Order, a leading international law textbook. His articles on international law and global governance have appeared in international journals such as Foreign Affairs, The Harvard Journal of International Law, and The Stanford Journal of International Law. Professor Strauss is also a frequent public commentator on matters of international law and policy with articles appearing in such publications as The International Herald Tribune, The Nation, and the Financial Times. Among his professional activities, Professor Strass has served as a Fulbright Scholar in Ecuador where he studied tribal politics in the Amazon. He has taught Singaporean constitutional law on the law faculty of the National University of Singapore, and has served as the Director of the Geneva International Law Institute and the Nairobi International Law Institute. He has conducted human rights missions to Asian countries and been a consultant to both Human Rights Watch and Human Rights First.

The One World Trust promotes education and research into the changes required within global organisations in order to achieve the eradication of poverty, injustice and war. It conducts research on practical ways to make global organisations more responsive to the people they affect, and on how the rule of law can be applied equally to all. It educates political leaders and opinion-formers about the findings of its research.

Its guiding vision is a world where all peoples live in peace and security and have equal access to opportunity and participation.



The One World Trust
Houses of Parliament
2 Abbey Gardens
London SW1A 0AA
Tel +44 (0) 20 7219 3825
Fax +44 (0) 20 7219 4879
Email: owt@parliament.uk
www.oneworldtrust.org
Registered charity number 210180