Want Democracy to Win President Biden? Start at the United Nations

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Posted to The World Orders Forum: 5 August 2021

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This article originally appeared in *Democracy Without Borders*: <u>https://www.democracywithoutborders.org/20236/</u>

In his foreign policy pronouncements since Inauguration Day, President Joe Biden has put forth what, if no one has done so already, we might as well call "The Biden Doctrine." The 21st century, he insists, will render a verdict on a grand historical showdown between democracy and autocracy. If that is the case, then the president can emphatically advance toward victory in that battle, in a stroke, by supporting the provocative proposal to establish a new body on the world stage – a United Nations Parliamentary Assembly.

Can democracy prevail within nations?

"China and other countries are closing in fast," <u>said the president</u> during his first speech before a joint session of Congress on April 28th. President Xi Jinping is "deadly earnest about (China) becoming the most significant, consequential nation in the world. He and others, autocrats, think that democracy can't compete in the 21st century with autocracies." These sentences were apparently *ad libbed* at the podium – revealing how much the subject is on his mind. President Biden has riffed on this theme again and again since his inauguration. He has emphasized that for him, it's about much more than whether one nation will prevail over another in the eternal struggle for advantage in the international arena. On his first foreign trip in June, at the G-7 summit in Wales, <u>he said in his closing remarks</u>: "I think we're in a contest not with

China per se, but a contest with autocrats ... as to whether or not democracies can compete with them in in a rapidly changing 21st century. And I think how we act, whether we pull together as democracies, is going to determine whether democracies (remain) as relevant and powerful as they have been." And <u>at his first presidential press conference in March</u>, the president peered through the long lens of future history. "I predict to you your children or grandchildren are going to be doing their doctoral thesis on the issue of who succeeded, autocracy or democracy," he said. "This is a battle between the utility of democracies in the 21st century and autocracies. ... We've got to prove democracy works."

Democracy's absence among nations

One forum where President Biden might transform his passion for democratic institutions into immediate action might be at our most undemocratic of international bodies, the United Nations. The UN Charter, signed in San Francisco on June 26, 1945, opens with the words: "We the peoples of the United Nations ..." But that is the last reference in the Charter to ordinary people! It provides no vehicle for the citizens of any nation to engage with the work of the United National intergovernmental diplomacy. That's why E.B. White, in his 1946 book *The Wild Flag: Editorials from THE NEW YORKER on Federal World Government and Other Matters*, complained that the document would have been much more accurate (albeit less elegant) if it had opened with the words "We the high contracting powers ..."

Few things could be more profoundly undemocratic than the structure of the United Nations Security Council (UNSC). Its five "permanent members," known as the P5, are the winners of a great global war ... that ended more than 3/4 of a century ago. And those five nations don't act at the UNSC to serve the planetary interest. They act to serve their individual national interests. Moreover, each one can "veto" any UNSC action. Yes, in this age of existential planetary challenges, one UN member state can block all 192 other member states from engaging in cooperative international action.

And this enormous power isn't only exercised when a veto is actually cast. Since anything can be blocked by any one of the P5 at any time, every single global policy initiative before the Security Council must pass muster with every single one of them. (James Paul and Celine Nahory call this "the hidden veto.") Many such initiatives, consequently, are never even proposed at all.

Are American politics largely gridlocked today? Absolutely. But imagine if the federal government could not move forward with any kind of national policy at all without the affirmative approval of each of the five largest or most important states. Actually, let's make that, the five largest or most important states back when Franklin Roosevelt was president. While

that's perhaps not a perfect parallel, it should convey some sense of the constraints on global public policymaking at the United Nations today.

The UN General Assembly (UNGA), by contrast, is the closest thing we have, at this point in history, to a body which represents all of humanity. One former president of the UNGA, the Ecuadorian scholar and diplomat Maria Fernanda Espinosa, says we ought to call it the "G-193." Such a label demonstrates at once that the "G-7" and the "G-20," the self-appointed "most important" countries in the world, are the opposite of inclusive.

Alas, however, for all its virtue as a universal forum, the UNGA is every bit as undemocratic as the UNSC – but for entirely different reasons. There we see the preposterous situation where Tuvalu and San Marino and Grenada, with a combined population of 160,000, wield the same voting power as China and India and the United States, with a combined population of 3.1 billion. This is quite similar to the United States Senate, where Wyoming (population 580,000) wields the same voting power as California (population 39 million). The UNGA is often described as "one nation, one vote, no power." Unlike the UNSC, the decisions of the UNGA do not hold the force of international law.

And the problem isn't just that it's only national governments represented at the UN, but that it's only the executive branches of those governments. A rough analogy for the US might be if every single member of the US Congress was not elected by voters, but appointed by state governors. The ability of individual citizens to connect to deliberations at the UN could hardly be feebler. That link often proves even more tenuous for the economically impoverished, ethnic minorities, women in highly-patriarchal cultures and countries, and other marginalized groups. Perhaps most importantly, a UN ambassador appointed by an executive branch doesn't represent in any way the political parties not currently occupying that nation's executive mansion – or any of the citizens who voted for them.

Neither the UNSC nor the UNGA, however, are likely to change their basic structures anytime soon. Under Article 108, amendments to the UN Charter require an affirmative vote from 2/3 of the members of the General Assembly – including each one of the five permanent Security Council members. Many years ago *The Economist* magazine captured the Sisyphean nature of efforts to diminish the dominance of the P5, observing simply, "the vetoers can veto a veto of the veto." The drafters of the UN Charter, not unlike the framers of the U.S. Constitution, made it close to impossible to alter its fundamental structures. So the undemocratic UN General Assembly, the five permanent Security Council members, and the power of the veto are likely to remain with us for a very long time to com

Advancing transnational democracy

But a pragmatic and powerful proposal, which President Biden might endorse right now, could provide a potent antidote to this dearth of democratic accountability at the United Nations. It's the idea of establishing a brand new body called a United Nations Parliamentary Assembly (UNPA). It would provide an official forum where national legislators around the world, already sitting in the U.S. Congress or Japanese Diet or Nigerian National Assembly, could convene together at the United Nations to deliberate upon the great transnational issues which all living *Homo sapiens* now are facing together.

Many variations have been suggested on the details of the UNPA proposal as discussed in a recent paper on the subject. Individual national legislatures would likely devise their own procedures for choosing which of their members would represent them at this UNPA – but crucially would be required to provide a voice for more than just the ruling parties *du jour*. Gender equality might also be openly established as a positive obligation. And some sort of system of weighted voting would almost certainly be necessary, to prevent the most populous states from dominating all proceedings.

A UNPA, at least at the outset, would almost certainly hold no kind of formal international lawmaking authority – any more than the UNGA does today. But let us imagine all that nonetheless it still might do.

A UNPA could form committees and hold hearings, performing the same kind of oversight and accountability functions as national legislatures. UNPA legislators could forge all manner of cross-border political alliances with member legislators from other countries. This might even lead to the nascent formation of worldwide political parties. Civil society and international NGOs could push their agendas directly with individual UNPA parliamentarians, in a way that it's almost impossible to do with appointed "UN ambassadors" today. UNPA parliamentarians from state X could openly criticize the foreign policies of state X in a way that those UN ambassadors from state X never would. The UNPA could cultivate an ethic of global citizenship, planetary patriotism, and allegiance to humanity. It would provide a unique forum for discerning and expressing global public opinion. And it would likely become the leading forum for exploring other improvements in the UN system to meet the intricate global challenges not of 1945 but of the unfolding 21st century, envisioning what Maurice Bertrand called the "Third Generation World Organization."

That's why just this April, a joint international statement from more than 100 civil society organizations, including ActionAid, Avaaz, Greenpeace, the Nature Conservancy and the Open Society Foundations, called directly for the establishment of a UNPA. Imagine, to choose just one example regarding just one issue, if those kinds of organizations, along with the millions of young people so energized about climate by young leaders like Xiye Bastida of the United

States, Luisa Neubauer of Germany, Eyal Weintraub of Argentina, Leah Namugerwa of Uganda, and Greta Thunberg of Sweden, could work with lawmakers on formal resolutions at the UNPA about our collective climate emergency. Today, they have nowhere to go other than back to their own national governments, to plead with them to "do more" to stave off climate catastrophe.

An enduring idea

The UNPA proposal is neither novel nor unprecedented. Something like it was first suggested at the founding of the League of Nations in 1919, and then again as diplomats drafted the United Nations Charter in 1945. Now today the World Bank, NATO, the International Monetary Fund, the World Trade Organization, and the African Union all have some kind of parliamentary networks in active operation. Why not the United Nations?

The European Union (EU) has gone further. The original European Coal and Steel Community (ECSC) launched a "Common Assembly" in 1952, consisting of representatives appointed by the national parliaments from its six original member states. The ECSC, of course, evolved into today's EU, and the Common Assembly was transformed in 1979 into today's directly-elected European Parliament. And in 2018, that very European Parliament passed a resolution calling for the creation of a UNPA. It first began to study the proposal back in 1994, on the eve of the UN's 50th anniversary.

Many UNPA proponents hope that this new body would develop in much the same way. After all, in democracies all over the world, we elect particular individuals to represent us at the city level, the state or provincial or regional level, and the national level. (And in the case of the EU at the continental level as well.) Why can't we, as individual citizens, choose someone to serve as our voice in a forum which gathers together the whole of our One World?

The UNPA proposal isn't nearly as obscure worldwide as it might seem in the United States. It's been pushed indefatigably for more than a decade now by the international civil society organization Democracy Without Borders which also helped launch the civil society statement mentioned before. The centerpiece of their effort is to secure support from those who would initially sit in a UNPA – national legislators. Today the campaign has gotten 1729 such parliamentarians, present and past, from 135 countries, to endorse their "Appeal" to establish a UNPA. More than 500 of those hold seats in national legislatures right now. It is a significant international movement that has been almost wholly ignored in the United States. Number of members of the U.S. House or Senate who have endorsed the appeal? Six. Number of those currently holding seats in the U.S. Congress? Zero.

To appreciate how irrelevant the UN has become to U.S. foreign policy, compare today's deafening silence – on the relatively modest UNPA proposal – to 1949, when a joint resolution

put forth by 133 U.S. senators and members of the House declared that "it should be a fundamental objective of the foreign policy of the United States to support and strengthen the United Nations and to seek its development into a world federation, capable of enacting, interpreting, and enforcing world law." Cosponsors of this measure included giants of the future U.S. political landscape like Mike Mansfield, Peter Rodino, Henry Jackson, Jacob Javits, Paul Douglas, future secretary of state Christian Herter, future vice-president Hubert H. Humphrey, and future presidents Gerald R. Ford and John F. Kennedy.

Perhaps the most promising element of the UNPA proposal is that it doesn't require a change in the UN Charter, and it doesn't require the permission of the P5. Why not? Because Article 22 of the UN Charter states : "The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions." So the UNGA could vote upon the UNPA proposal, with each nation having one vote, with no nation having a veto ... and with the UNGA holding an opportunity to dramatically democratize the global political arena.

In 2015 the Commission on Global Security, Justice, and Governance, led by former U.S. Secretary of State Madeleine Albright and former UN Under-Secretary-General Ibrahim Gambari, proposed a "United Nations Parliamentary Network" as an interim step toward a UNPA. Why? Because this wouldn't even require an Article 22 vote even if the commission thought that would be useful. A few dozen national parliamentarians in just a handful of countries could establish a UNPN on their own initiative – and thereby get the ball rolling toward an official new body.

Democratizing our One World

It is often the case that if you just put a bunch of smart people together in a room, all dedicated to largely the same mission, it won't be long before imagination, purpose, and focused direct actions burst forth. Let me offer as one example my own member of the U.S. House of Representatives, Congresswoman Karen Bass of Los Angeles. She serves as Chair of the House Foreign Affairs Committee's Subcommittee on Africa. She holds both a deep expertise on the region and a deep commitment to making a difference there. However, her role as chair of this subcommittee can only affect the policies of the United States government toward Africa. Moreover, while U.S. policies toward Africa might improve the lives of many Africans, their primary purpose is to serve the interests of the United States. Not Africa.

But imagine if Congresswoman Bass also held a seat in a United Nations Parliamentary Assembly. There she could work on tangible initiatives with both her counterparts in major developed countries who lead something like their own "Africa subcommittees," and with the representatives from the parliaments of the African nations themselves. Who knows what kinds of policy imperatives, transnational collaborations, and global statements of moral clarity might emerge in such a forum?

The thorniest issue, of course, is what to do about the many states that don't actually maintain freely-elected legislatures today. Freedom House counts only 118 of the 193 states in the world today as legitimate electoral democracies. No matter how much Beijing might claim otherwise, it's hard to imagine any scenario where the seats for China wouldn't be held by Chinese Communist Party loyalists. Perhaps the UNPA might demand not that these states transform themselves into genuine constitutional republics overnight, but that they hold something resembling a free election just for the seats in the UNPA. If that cannot be accomplished, perhaps the UNPA might appoint some kind of trustees to sit in the UNPA on behalf of those states. There are no easy answers to this conundrum. But the right course is clearly not to say that we can't even try to establish anything like an UNPA until every state in the world holds free and fair elections. That would be to concede defeat already in the great competition which the current U.S. president is so eager to openly pursue.

Perhaps President Biden, as part of his next major foreign policy address, could announce that he supports this quintessential proposal to expand the democratic character of the United Nations. He could place it squarely in the context of his emerging "Biden Doctrine" regarding the historical faceoff between democracy and autocracy. He could dare Russia and China to follow his lead – or declare their intent to prevent any kind of people's participation in politics, both within their own countries and among the 7.9 billion denizens of our indivisible 21st Century global civilization. And he could declare that a UNPA could be a major historical step not just for the expansion of pluralism and freedom within individual countries, but toward the democratization of our One World.

"Humanity first," he might even say, "trumps America First."