Fairness, Globalization, and Public Institutions

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Civil Society and Governance Reform

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Evolution of Forms of Governance

For the overwhelming majority of human history, humans lived in very small bands or tribes of from twenty to three hundred people, or in villages of the same size (and only rarely more than one thousand people or so). Even as late as the eighteenth century, "large cities" often had only five thousand to twenty thousand people in them. At the beginning of the nineteenth century the largest city in the world was Tokyo, with slightly over one million people. London, with fewer than one million, was the largest in the West at that time. One of the largest cities in the early twenty-first century is Mexico City, with more than twenty-five million people. A dozen or more other Third World cities are also in this range, and for the first time more of humanity lives in urban areas than rural ones. True, some past civilizations produced impressively large cities and often sustained them for some time, but they were exceptions. "Civilization" itself is only several thousand years old, a blink of the eye for the lifetime of *homosapiens sapiens.*

For most of prehistory, most tribes and bands seem to have been organized "democratically." There were no official leaders, or even permanent "chiefs." Thus it may not be too much to say that humans are "evolved" from small, face-to-face groups where decisions were "democratically" made via discussion and consensus.[1]

Experience from many years of teaching political design courses reveals that most students end up trying to reinvent tribal societies when asked to redesign governance. We all want to be able to participate in matters affecting us. We want to have a fair hand in carrying out group tasks. We want to participate in settling conflicts among our companions.

Well, not everyone does. There are many "libertarians" who believe that life

in the "state of nature" was one of free, rugged individuals doing their own thing without the slightest concern about the things that other rugged individuals were doing, and that only recently have governments arisen to steal their natural individual freedom.

Such libertarianism is entirely mistaken, the anthropological evidence shows.[2] Early humans were normally in groups and could scarcely have imagined their independence from their groups. "Individualism" is a recent concept that arose when more and more people did in fact find themselves on their own, without lifetime community attachments, first as a consequence of agricultural, and then especially industrial, processes and institutions. This enabled (required) them to develop ideologies to justify their solitary experiences and to make that experience not only tolerable, but preferable.

Still, the libertarians are right if they mean that humans were not "normally" subject to faceless and remote power figures over which they had no real influence or control. Such dominance clearly is a recently evolved human condition, arising (only several thousand years ago) initially when the first hereditary chiefdoms were established typically by conquest over Others, and then elaborated into the early civilizations, then into extensive feudal arrangements in some parts of the world, then maturing finally into "kingdoms," which, in the European experience, were what so-called "democratic" (really, "representative") forms of government were intended to replace.

As an anonymous pamphlet, *The Genuine Principles of the Ancient Saxon, or English Constitution,* published in Philadelphia in the late spring of 1776, put it, in ancient Saxon times "[m]en became concerned about government because they participated daily in the affairs of their tithings and towns, not only by paying taxes but by performing public duties and by personally making laws. When these tasks were taken out of the people's hands and given to superior bodies to perform, men fell into a political stupor, and have never, to this day, thoroughly awakened, to a sense of the necessity there is, to watch over both legislative and executive departments in the state."[3]

Active participation by people in their own governance was true of humanity everywhere for tens of thousands of years, well before the "ancient Saxons." But "men fell into a political stupor" as local and global populations grew, new technologies (especially first the invention of writing and the printing press) made political control over vast territories, and time, possible, and so empires and eventually nation-states arose that could not be organized on direct, face-to-face bases, but required other means.[4] At first, these means simply required obedience and conformity to the will of the center by those on the periphery through various combinations of religious/ideological and military controls. But as people "awakened to a sense of the necessity . . . to watch over both legisla-

tive and executive departments in the state," people began to wonder how self-governance was possible over vast areas of land and among peoples with diverse interests and backgrounds.

An answer was found in the shared philosophy of Locke, Hobbes, Montesque, and Rousseau, and the unprecedented opportunity the American founding fathers had between 1776 and 1789 to turn those philosophies into viable political institutions, resulting in the US Constitution.

So all governments now are still based uncritically on that wonderful eighteenth-century invention, called "constitutionalism," which itself is dependent on Western rationalistic assumptions often called "Newtonianism."[5] Though "constitutionalism" was certainly a stunning, cutting-edge philosophical and technological solution to governance challenges of the time, it is the sad and curious fact that the fundamental epistemological and technological assumptions of constitutionalism have never been challenged, to our knowledge, and certainly never set aside, when new opportunities for designing governance systems arose, as they did first with the creation of socialist systems in the early twentieth century, then during the demilitarization and decolonialization periods at the end of World War II, and more recently with the collapse of socialist systems. Even the American-led "regime change" in Iraq did not result in a fundamentally rethought or contemporary governance structure.

While some accommodations to specific historical and cultural features have of course been made with each new constitution adopted, the basic framework and assumptions of the original US Constitution of 1789 are the bedrock upon which each of the many constitutions created during the twentieth and now twenty-first centuries have rested.

In the first volume of his fabulous science-fiction trilogy set initially in the mid-twenty-first century titled, successively, *Red Mars, Green Mars,* and *Blue Mars,* Kim Stanley Robinson (himself a political scientist by academic training) describes a debate the early settlers of Mars have concerning the creation of a governance system for Mars. Toward the end of the debate one of the settlers, Arkady, cries out in frustration,

> "I can say only this! We have come to Mars for good. We are going to make not only our homes and our food, but also our water and the very air we breathe—all on a planet that has none of these things. We can do this because we have technology to manipulate matter right down to the molecular level. This is an extraordinary ability, think of it! And yet some of us here can accept transforming the entire physical reality of this planet, without doing a single thing to change our selves, or the way we live. To be twenty-first-century scientists on Mars, in fact, but at the same time living within nineteenth-century social systems, based on seventeenth-century ideologies. It's absurd, it's crazy, it's— it's—" he

seized his head in his hands, tugged at his hair, roared "It's unscientific! And so I say that among all the many things we transform on Mars, ourselves and our social reality should be among them. We must terraform not only Mars, but ourselves."[6]

Yes, it is crazy (and "unscientific") indeed. But it is certainly true. Probably the most out-of-date aspects of the everyday world we all live in now are our systems of governance. They are, as the fictional person Arkady says, "nineteenth-century social systems based on seventeenth-century ideologies." And they do have a firm control over our minds and actions.

Structure Matters

Does it matter that all "new" governments of the world are built on cosmologies and technologies almost three hundred years old? It does. First of all, structure itself matters. For example, one of the few clear "laws" of political "science" is that single-member districts (as in the United States) create two-party systems, while multimember districts (found in most of the world) enable multiparty systems.

It is simply not possible for a multiparty system to come into existence in the United States. The single-member district system prevents it. No matter how many minds or wills change, neither a third nor a fourth party can ever compete effectively in the United States as long as the single-member district system remains. Whenever a third party begins to arise, it is either rejected, and so it eventually dissolves and its position (and members) is absorbed by one of the other two major parties, or it replaces one of the two major parties (this has happened in American history, in the nineteenth century). Whatever the outcome, the two-party framework itself is preserved. It is entirely a question of structure.

Indeed, the entire US Constitution is the world's first, and best, example of conscious political design to solve certain "design limitations" that the founding fathers faced in 1787.

1. The "Separation of Power" with "Checks and Balances." How could "evil" men govern? By "separating" "power" and giving specific pieces of it to each of three "independent" yet overlapping branches of government so that "selfish power will balance power," creating social good.
2. The "Division of Power" and "Federalism." How can the thirteen colonies, now newly sovereign nations, be persuaded to join into a closer political union? By "dividing" "power" equally between them and the central government.
3. Bicameralism. But how could populous newly sovereign states be con-

vinced to share power equally with smaller states? By creating a Congress of two "Houses," one in which the states have equal representation regardless of their population and another where the states are represented roughly according to their population size.

4. Presidential Electors. How can a single "president" be chosen for the entire nation? Since the colonies forming the union had no history of political unity and there were no means for creating a national political dialogue at that time (and no great faith in "the people" anyway), how could the people in the widely separated new states possibly know who was nationally the "best man" for president? The founders reckoned they could not, but that they would know their local "best men." So they would choose them, and these local "best men" would go to Washington to choose, after discussion, the national "best man" for president.

5. Presidentialism. But the creation of the presidentialist system itself has behavioral consequences that the founding fathers did not anticipate. Indeed most Americans (even most American political scientists) do not recognize it even now.

There are in the world today basically two governance systems. One is parliamentary and the other is presidential, or, more correctly (according to Fred Riggs), presidentialist.[7] Most countries use a parliamentary form by which the political head of state (e.g., the prime minister) is chosen by, and responsible to, the majority of a representative national assembly (e.g., the Parliament). It is comparatively easy for the national assembly to remove the prime minister from office and install a new one, when there are sufficient policy differences to require it.

However, when the governance system of the United States was created in the late eighteenth century, several design limitations and political considerations led the founding fathers to invent a political system whereby the single chief executive (here, the president) would be elected by a process and constituency completely separate from that of the national assembly (here, the bicameral Congress). Thus the chief executive in the United States is not responsible to and cannot be removed by the national assembly except for extraordinary reasons and by extraordinary measures. This feature often leads to a policy deadlock between the president and Congress that can effectively grind the machinery of governance to a halt. It also allows one man (the president) to gain power during an "emergency" and return it, if at all, long after the emergency has gone.

In the years since 1789, most polities have adopted a parliamentary rather than a presidentialist system when they have had the option. But many have chosen the presidentialist form because of American influence or persuasion. When they have done so, the results have been uniformly catastrophic: all of the thirty

nations that adopted the American presidentialist form of government since World War II had, by 1985, collapsed into military dictatorship. For years, the United States itself was the only counter-example of a sustainable presidentialist system. Some might argue that the United States has now finally succumbed to the logic of its structure after September 11, 2001. This remains to be seen.

Of course, this is not to say that some parliamentary systems have not also resulted in military dictatorships. Some have. But the numbers are telling. Only thirteen of over forty regimes (3l percent) established on parliamentary principles had experienced breakdowns by coup d'etat or revolution as of 1985, while all of the presidentialist systems had.

But certainly there must be more alternatives for constituting fair governance than only parliamentary or presidentialist systems! There are very few. At least there is nothing that is not basically a modification of these two. Some suggest that the chief executives of governments should mimic the pluralistic leadership forms of large corporations, with many CEOs for various functions rather than only one for everything (in fact, Benjamin Franklin did suggest a plural executive for the United States). There are also many different forms of relationships between single chief executives and assemblies found in the governance of cities and counties in the United States (strong mayor, weak mayor, mayor/council, city managers, commission form, etc). And France stands as an example of a form that is truly mixed between presidentialist and parliamentarian.

It is high time that new governance design be attempted on the bases of newer scientific and philosophical perspectives (including those of Darwin, Freud, and Einstein, as well as systems theory and chaos theory, for example). It is also time that governance builders affirmatively use their own cultural traditions, modified as necessary for current realities and future possibilities, instead of continuing to rely uncritically on the traditions and beliefs of the West of two hundred plus years ago.

There is no doubt that England, France, and America in the eighteenth century were hotbeds of new political ideas, not only about policies, but especially about structures. All of the structures that are commonplace in governments now—the idea of "constituting" a system of governance by writing down basic rules in a document that was more fundamental than any other; the tripartite separation of governing power into separate but overlapping executive, legislative, and judicial branches; representative legislatures since it was not possible for large numbers of citizens to govern themselves directly; majority rule, federalism, and basic citizen rights that no government (even the majority of citizens) could infringe upon—these and many more ideas and structures were inventions of the seventeenth and especially eighteenth centuries that were practical and effective solutions to "design problems" that faced political designers of the time.

In the two hundred plus years since that time, some of the specific solutions (such as the way the president and vice president were elected, in the American case) did not work and were changed. In addition, many problems and opportunities completely unknown and unknowable two hundred years ago emerged over the nineteenth and twentieth centuries, causing all governments everywhere to develop institutions and processes different from, and often at odds with, those originally invented. Nonetheless, the old fundamental ideas remain essentially unchallenged and certainly unchanged everywhere in the world.

Toward the end of the 1970s and early 1980s I made an extensive survey of the literature on the future of governance—especially governance beyond the nation-state system—that existed at that time.[8] I concluded that there were basically three "piles" of views about the future of governance. One (by far the largest and reflective of most political-science experts and practitioners) assumed without question that the current nation-state system would continue into the foreseeable future with only minor, incremental changes. The second set argued that various forces of globalization (or "planetization" as it was sometimes called then) were rapidly eroding the ability of individual nations, or even international systems, to manage them (whether one likes it or not, and there were some observers who favored the change and others who did not). Of course at that time, hardly anyone imagined that "neoliberalism" would sweep the planet (Ronald Reagan had only begun his first term in office, and the United States was still the number-one creditor nation in the world, a status it lost in three years, becoming the number-one debtor nation as Reaganomics very quickly did its thing). Indeed, globalization then was seen largely (but not entirely) in non-economic terms, being driven by technology, functional necessity, environmental issues, and a growing, positive desire of many people to create a peaceful and diverse world culture in addition to the continuation of local and national cultures.

The third "pile" was composed of normative futures. In contrast to the first two, which simply forecast continuation on the one hand or transformation on the other, the perspectives in the third group contained preferred images of future governance from different ideological perspectives that would require affirmative action to achieve. Among those specifically identified were "socialists, anarchists, libertarians, feminists, liberals, pacifists, [and] mystics. . . . And surprisingly, while they might differ profoundly in their diagnosis of the past and the present, they are astoundingly similar in their preferences for the future as far as the political structure of that future is concerned: decentralized, locally-self reliant, nonbureaucratic, nonhierarchical, anti-statist, and positively anarchistic, yet globally linked and interactive."[9]

The late 1960s and 1970s were a period of considerable interest in new forms of governance, perhaps unsurpassed in America by any period other than that of the founding of the United States itself.[10] However, an important difference

between the two periods was that the late eighteenth century was a time when substantially new forms of governance were not only imagined, but also actually created. The 1960s and 1970s were mainly talk (exceptions being experiments with workers' control in Yugoslavia and some communes in Europe and the Americas). But there has been very little talk and little novel action in spite of the creation of many new nations since then. At least in the 1960s and 1970s, some people articulated visions of better worlds to come, a dialogue that has been almost silenced. See Walt Anderson's Further Thoughts, "Global Governance," on page 210.

The major exception to that observation is the creation of the European Union. The governance structure of the European Union certainly is innovative in many ways. It is a grand attempt to create a polity that is in some ways federal, in some ways confederal, and in some ways something unique. Nonetheless, it is a union of sovereign states ("Member States," as the individual European nations are called in the Constitution) and not of the people of the states. According to the Constitution, the basic institutions are

> the European Parliament
> the European Council
> the Council of Ministers
> the European Commission
> the Court of Justice of the European Union
> the European Central Bank
> the Court of Auditors

Citizens participate only in electing representatives to the European Parliament from national districts roughly proportionate in population. The European Council consists of the heads of state of the member states, some of whom are elected directly or indirectly by the citizens of the states. Officials of all the other institutions are chosen by representatives of either the Union or the Member States, with citizen input thus only very indirect at best. There is no provision for referendum or any other process of direct citizen initiation, legislation, or recall.

And the Constitution of the European Union is nothing if not wordy. In keeping with most modern constitutions (but in sharp contrast with the original US Constitution), it is extremely long, detailed, and complex, clearly the result of many years of discussions among lawyers, scholars, government officials, and politicians. It is not innovative in any way structurally. In terms of cosmology and technology it could as easily have been written in 1776 as in 2003. The significance of that statement will be made clear later in this chapter.

Also, in terms of our passion about fairness and responsibility toward fu-

ture generations, it is very disappointing that the document nowhere mentions that concept or concern. There are references to "sustainable development" and laudable emphasis on children's rights, but there is nothing on the obligation of balancing the needs of current generations with those of future generations, and certainly no institutionalized attempts to balance them. From our perspective, however magnificent an achievement it might be in terms of getting the once-fighting nations of Europe to form a single, yet diverse, peaceful, and cooperative political economy, as governance design it is a big disappointment.[11]

Governmental Foresight

Many elected politicians and civil servants have expressed concerns about the future and have been sincerely desirous of acting responsibly toward future generations. Unfortunately, these well-meaning people cannot sustain their good intentions because the pressures and needs of the present always overwhelm their concerns about the future. It is not because these people are insincere or ineffective. Rather, it is because the formal institutions of all governments (especially democratic governments) give weight and legitimacy only to the demands of present generations. They completely discount the needs and desires of future generations. There is no *formal* way that the needs of future generations can or must be taken into account automatically when making decisions in the present. No governmental officer, or even political party, can successfully override those structural impediments to acting on behalf of future generations, no matter how much they might want to do so. The flaw is not in the desires and intentions of the people; it is in the basic structural design of all nations everywhere.

So, beginning with the 1960s and 1970s, advocates for governmental foresight began to try to envision and create new processes and institutions of foresight within existing systems of democratic governance in different parts of the world. These included long-range planning departments, futures commissions, requirements that legislatures conduct future-impact statements on proposed legislation, environmental protection agencies, offices of technology assessment, and the like. Below are examples of actual futures-oriented policies from around the globe.

1. The honor of "the most futures-oriented governance system in the world" may well be accorded to Singapore. The Scenarios Planning Office is a division of the Public Service Division, Prime Minister's Office. The office promotes the use of scenario planning by facilitating the development and dissemination of scenarios to highlight challenges and opportunities facing Singapore. It has published three sets of National Scenarios for Singapore. The 1997 National Scenarios were told from the perspective of the year

2020; the 1999 National Scenarios covered the period 1999 to 2004; and in November 2002, the office developed National Scenarios for 2025.

 The Subordinate Courts of Singapore also periodically conduct trend analysis to develop scenarios tailored to the administration of justice, having regard to the larger national and social scenarios. In 1997, it established the Justice Policy Group. This is a strategic think tank that conducts regular environmental scanning. In 2000, the Subordinate Courts completed its first set of justice scenarios and mapped its preferred scenario up to 2020. Efforts such as these have helped the Singapore judiciary to achieve international recognition for the quality of its justice system. Since 1998, Singapore has been rated number one in Asia by the Political and Economics Risks Consultancy. The Switzerland-based International Institute for Management Development, in its World Competitiveness Report, also ranked Singapore number one for legal framework from 1997 to 2000 and again in 2002. The Singapore Subordinate Courts are also recognized by the World Bank as a role model for both developed and developing countries in the field of judicial administration.

2. Currently, Finland may have the most futures-oriented governmental processes in the world. In October 1993, the Finnish Parliament appointed a Committee for the Future on a temporary basis. The purpose of the committee was to assist the Parliament in evaluating and replying to the government's proposals on long-term issues. Because of the usefulness of the committee's work, the Parliament decided that the government should present a Futures Report to the Parliament at least once during each electoral period. This resolution generated a unique political dialogue between the government and Parliament regarding the nation's central future-related issues. In conjunction with a constitutional revision, on December 17, 1999, the Parliament granted the Committee for the Future permanent status.[12]

 Slightly earlier, in 1992, with support from the Academy of Finland, the Finnish Ministry of Education created the Finnish Futures Research Center at the Turku School of Economics and Business Administration, with Pentti Malaska the director.[13] The Futures Research Center received its first full professorship, under the Finnish system, beginning in January 2004. Higher education in futures studies in Finland is coordinated by the Finland Futures Academy,[14] part of the Futures Research Center at Turku. Seventeen Finnish universities are affiliated with it, undertaking a variety of futures research and education activities. The academy also participates in several futures research programs within the European Union.

3. During the 1970s, a Secretariat for the Future existed within the Office of the Prime Minister of the Swedish national government, providing an

    impressive amount of information about the future for the formal political process. The secretariat became a private think tank during the 1980s.[15]

4. A National Commission for the Future was created in New Zealand in 1980, and a National Commission for the Future was created by the government of Australia in 1986.[16]

5. In 1983, then Senator (and later Vice President) Albert Gore, Jr., and Representative Newt Gingrich, who later became Speaker of the US House of Representatives, introduced legislation to establish an office that would provide the American government with a "national foresight capability." This bill did not become law.[17]

6. Changes were made in the rules of the American House of Representatives in 1974 that required all standing committees of the House (except Appropriations and Budget) to "on a continuing basis undertake futures research and forecasting on matters within the jurisdiction of that committee."[18] The committee report explaining this provision stated, "[T]hese legislative units would have the additional responsibility of identifying and assessing conditions and trends that might require future legislative action. More specifically, this would provide a locus for the systematic, long-range, and integrated study of our principal future national problems. . . . In this way, it is hoped, the House may become more responsive to national needs, anticipating problems before they become crises." Unfortunately, this rule has seldom, if ever, been evoked, and standing committees do not achieve the level of foresight the rule intended.[19] Clem Bezold also discusses the creation and demise of the US Office of Technology Assessment, and the work of Congressman/Senator John Culver of Iowa, who introduced the changes in Senate rules but ultimately was defeated because he "cared more for the future than for corn." Culver also helped establish the US Congressional Clearinghouse on the Future that facilitated futures-oriented discussions among the members of Congress for many years. Bezold also calls attention to various state experiments in "Anticipatory Democracy" in his book, *Anticipatory Democracy: People in the Politics of the Future.*[20]

7. The Office of Planning of the Judiciary of the Commonwealth of Virginia (United States) has probably the most impressive and extensive ongoing system of judicial foresight in the world. Following an impressive state-wide futures-visioning process in 1987, the Virginia judiciary established a process within its Office of Planning that assures that actionable parts of the vision are carried out, while new environmental scans are undertaken every year or two so that the original vision is updated and acted on accordingly.[21]

8. Barry O. Jones chaired the Australian House of Representatives committee

for Long Term Strategies, a parliamentary body with specific responsibility for considering the needs of future generations.[22]

9. *Oposa vs. Factoran, Jr.* (1993), decided by the Supreme Court of the Philippines, is the only instance we know of a judiciary organ acting affirmatively on behalf of future generations. In the Oposa case, the Philippine Supreme Court ruled that representatives of future generations have standing and thus can bring legal action to prevent environmental destruction that diminishes the quality of life of future generations. The majority of the Court said, in part,

> Petitioner minors assert that they represent their generation as well as generations yet unborn. We find no difficulty in ruling that they can, for themselves, for others of their generation and for the succeeding generations, file a class suit. Their personality to sue on behalf of the succeeding generations can only be based on the concept of intergenerational responsibility insofar as the right to a balanced and healthy ecology is concerned. Such a right, as hereinafter expounded, considers the "rhythm and harmony of nature." . . . Needless to say, every generation has a responsibility to the next to preserve that rhythm and harmony for the full enjoyment of a balanced and healthful ecology.
>
> Put a little differently, the minors' assertion of their right to a sound environment constitutes, at the same time, the performance of their obligation to ensure the protection of that right for the generations to come.
>
> The *locus standi* of the petitioners having thus been addressed, We shall now proceed to the merits of the petition. . . . After a careful perusal of the complaint in question and a meticulous consideration and evaluation of the issues raised and arguments adduced by the parties, We do not hesitate to find for the petitioners.[23]

It must of course be added that the decision of the Philippines Supreme Court was made much easier by the fact that, unlike the US and most other constitutions, Section 16, Article II of the 1987 Philippine Constitution explicitly provides the following.

> SEC. 16. The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.
>
> This right unites with the right to health that is provided for in the preceding section of the same article:

> SEC 15. The State shall protect and promote the right to health of the people and instill health consciousness among them.[24]

10. In November 1997, the United Nations Educational, Scientific and Cultural Organization (UNESCO) adopted a "Declaration on the responsibilities of present generations towards future generations." The preamble to the Declaration refers to "the necessity for establishing new, equitable and global links of partnership and intra-generational solidarity . . . the avowal that the fate of future generations depends to a great extent on decisions and actions taken today and that present-day problems, including poverty, technological and material underdevelopment, unemployment and exclusion, discrimination and threats to the environment, must be solved in the interests of both present and future generations."

The twelve articles of the Declaration elaborate proposals on what can be done to safeguard the needs and interests of future generations in the fields of education, science, culture, and communication. Concerning the environment, for example, Article 4 states that "the present generations have the responsibility to bequeath to future generations an Earth which will not one day be irreversibly damaged by human activity. Each generation inheriting the Earth temporarily shall take care to use natural resources reasonably and ensure that life is not prejudiced by harmful modifications of the ecosystems and that scientific and technological progress in all fields does not harm life on Earth." The idea is reinforced in Article 5, which stipulates that the present generations "should ensure that future generations are not exposed to pollution which may endanger their health or their existence itself."

This "Declaration" is the fruit of the labor of many futures-oriented people and institutions. Following the earlier lead of delegates from Malta, in 1979 Jacques-Yves Cousteau initiated the idea of a declaration on future generations. The world campaign he launched gathered 5.5 million signatures. UNESCO's stand on this subject goes back to its first Medium-Term Plan (1977–1982), which mentioned that the recognition of the unity of mankind presupposed "a deliberate choice of fashioning a common destiny with joint responsibility for the future of mankind." The third Medium-Term Plan (1990–1995) stressed the need for ensuring "the sustainability of resources for future generations." UNESCO also cooperated closely with the Foundation of International Studies (Malta), which has created a world network devoted to our responsibilities toward future generations and their environment.

Toward Comprehensive Governance Re-envisioning and Design

So far we have shown that all existing governments find it difficult, if not impossible, routinely to balance the needs of future generations with those of present generations in order to act fairly toward both. Some, of course, do not even strive

to "be fair" to all members of present generations. Current governments overwhelmingly ignore future generations, often while privileging certain groups and individuals in the present. Even if individual lawmakers and citizens wish to act fairly toward the future, current structures of governance discount the future so massively that present-oriented structures overwhelm almost any future-oriented intentions.

We then showed that there have been many attempts in recent years to correct this by imagining and attempting to implement various structural changes to existing forms of governance. While some of these have been more or less successful, many of the proposals either were not fully adopted or sustained. When all is said and done, with the collapse of socialist systems in the late 1980s and early 1990s and the creation of new "democratic" governments in their place, most governments have become less futures oriented as they have become more "democratic" over the last decade.

Much more concerted discussion and effort about this is required as present generations appear to "eat up" the future with irresponsible disregard for the needs of future generations, often specifically arguing that future generations can take care of themselves and that we need not worry about them.

There are many "complaints" registered against existing governments. In recent years, I have oriented my graduate course in political design around six of the many complaints levied against existing governments. They are as follows:

1. Bureaucratic: placing the convenience of the governors over the needs of the governed.
2. Nationalistic: privileging the nation-state over both smaller and larger units.
3. Undemocratic: thwarting participation of some groups and individuals while favoring others.
4. Repressive: privileging, using, and causing both direct and structural violence on their own citizens as well as externally.
5. Patriarchal: being created by men, focusing on men's problems and resorting to methods men prefer to use, especially violence, to solve them, while ignoring or marginalizing the participation and perspectives of women.
6. Unfuturistic: discounting the future and concerning themselves with immediate and past problems and conflicts.

Trying to come up with designs of governance systems that rectify even one of these complaints is challenging, but addressing all six is daunting indeed. It is, for example, possible to become "more democratic," but it is difficult to be both "democratic" and "futures oriented," and it certainly is difficult to ensure both without being overly "bureaucratic." However, as far as we know, while there

are scholars and practitioners focusing on one or another of these "complaints" (especially that of reducing bureaucracy), no one is trying to address all of the complaints together (and perhaps along with others as well), and yet this is necessary for a design to be credible and effective.

Current Ideas about Governance Reform

At the present time, there are several very different reform discussions going on worldwide. Some of them are focused on issues raised by globalization. Some are entirely inwardly focused, though some of these have recently developed responses to globalization as well. Some are locally focused and thus highly ethnocentric. Others are consistently considered within a cross-cultural perspective. However, none contest the old cosmologies and few contest the old technologies, a point we shall return to later.

One of these discussions is that of the "New Public Management," which Dick Pratt considered in some detail in chapter 9 of this volume. One of the other discussions concerns the idea of a "civil" society located somewhere in between the formal central governing structures and the individual citizen.

Civil Society

One of the most vital discussions about preferred governance currently centers around the notion of civil society. The discussion is in some ways about structure and processes and in some ways about policies and outcomes. One of the seminal books in the field, John Ehrenberg's *Civil Society: The Critical History of an Idea,*[25]

> examines the historical, political, and theoretical evolution of the way civil society has been theorized over two and a half millennia of Western political theory. Broadly speaking, three rather distinct bodies of thought have marked its development. . . . [C]lassical and medieval thought generally equated civil society with politically organized commonwealths. Whether its final source of authority was secular or religious, civil society made civilization possible because people lived in law-governed associations protected by the coercive power of the state. Such conceptions shaped the way civil society was understood for many centuries. As the forces of modernity began to undermine the embedded economies and universal knowledge of the Middle Ages, the gradual formation of national markets and nation states gave rise to a second tradition that began to conceptualize civil society as a civilization made possible by production, individual interest, competition, and need. . . . [I]t was clear that the world could no longer be understood as a system of fused commonwealths. Civil society developed in tandem with the centralizing and leveling tendencies of the modern

state, and an influential third body of thought conceptualized it as the now-familiar sphere of intermediate association that serves liberty and limits the power of central institutions.[26]

However, the concept of civil society entered current political discourse from a very specific set of concerns and actions.

> In the early 1980s, a remarkably broad series of civic forums, independent trade unions, and social movements began to carve out areas of free political activity in the Eastern European countries of "actual existing socialism." Their leaders talked of "the rebellion of civil society against the state," and when they started coming to power in 1989 the stage was set for an explosion of interest that has been gathering force ever since. Liberal political theory was revived in demands for "law-governed states" that would protect private life and public activity from the intrusive hand of meddling bureaucracies.[27]

Or as David Crocker put it,

> Michael Ignatieff, writing about the aspirations of East European intellectuals in the 1970s and 1980s, tries to capture their ideal of civil society: "the kind of place where you do not change the street signs every time you change the regime." This one-liner nicely captures the antigovernmental approach to civil society. . . . This model usefully provides a basis to undermine state authoritarianism and corporatism, for it envisions a zone of life free of government control.[28]

However, with the rise to dominance of neoliberal ideologies and policies in the United States over the 1980s and beyond, some realized that "civil society" should next come to mean that sphere of life where individuals are free from market totalitarianism and the commodification of everything as well. It seemed that the United States was suffering from a disease opposite to that which plagued "really existing socialist states." Just as socialists came to envision civil society as a place free from governmental definition and control of everything, so "really existing capitalist states" needed places that did not define, reward, and punish everything according to price, profits, and purchasing power.

September 11, 2001, at first seemed to end that concern in the United States. As we have discussed previously, literally overnight, "government" changed from being an evil thing that should be destroyed if possible, and ignored if not, to becoming our best protector in a world teeming with millions, if not billions, of unknown and ever-active terrorists.[29] Money that could not be found for public education, medical care, housing, or transportation was found in abundance for "security," and people who had insisted on privatizing all government services insisted that only government employees could do security jobs reliably. How-

ever, the underlying antipathy for government appears not to have abated. Except for the military and government agents of internal surveillance, faith in the market seems undiminished, and so a "civil society" free from both governmental surveillance and control on the one hand and the unfettered marketplace on the other is still contested, in the United States at least.

Indeed, civil society has come to mean one of two different perspectives in the United States, according to Crocker.

> A narrower approach to civil society, which in the US debate has been termed the *associational* model, excludes for-profit groups and commercial organizations and emphasizes private voluntary associations such as churches, self-help groups, amateur sports leagues, and groups pursuing common hobbies. On this view, civil society is a "third sector" different from both state and market. The state coercively protects or promotes the public good. In the market, private producers and consumers freely exchange goods and services. In civil society, private individuals freely join together to pursue some noneconomic common passion or project.[30]

The third model "focuses on the communicative activity generated by civil society's groups and on its potential to strengthen democracy. The continual public conversation generated by civic improvement associations, religious groups, political and social movements, advocacy groups, and the like, filtered through media organs such as newspapers and television, constitute a 'public sphere' that supports the formation of public opinion, a necessary ingredient in democratic politics. This third model has been worked out most fully by Jurgen Habermas, Jean Cohen, and James Bohman.[31] . . . [T]he third model is especially interested in civil society associations whose internal structure mirrors the structure of the public sphere itself: they are egalitarian, democratic, and inclusive. The public sphere model highlights those inwardly democratic, outwardly oriented, nonstate, nonmarket forces that deliberate about and try to protect and extend democratic forms."[32]

This last model is worth considering in some detail. Benjamin Barber, whose earlier work on "Strong Democracy"[33] put forward a progressive view of a more robust, involved, and interactive form of democracy in comparison with the "weak democracy" that characterized the United States and many other "mature" democracies, says that there are three kinds of understandings of civil society in American political conversations: the libertarian view in which civil society is simply a synonym for the private, economic sector;[34] the Communitarian view in which civil society is a synonym for community generally;[35] and his own Strong Democratic view, which sees civil society as the domain between government and the market.[36]

Thus Barber insists that the kind of civil society he promotes should further the goals of Strong Democracy. He lists six arenas for action in support of civil society from the perspective of Strong Democracy.

1. Enlarging and reinforcing public spaces: specifically, retrofitting commercial malls as multiuse and thus genuinely public spaces.
2. Fostering civic use of new telecommunications and information technologies, preventing commercialization from destroying their civic potentials—specifically a civic Internet, public-access cable television; a check on mass-media advertising for (and commercial exploitation of) children.
3. Domesticating and democratizing production for the global economy: protecting the labor market, challenging disemployment practices, making corporations responsible members of civil society without surrendering the government's regulatory authority.
4. Domesticating and democratizing consumption in the global economy: protecting just wage policies, workplace safety, and the environment; the labeling and/or boycotting of goods produced without regard for safety, environment, or child-labor laws.
5. National and community service, service-learning programs, and citizen-nurturing voluntarism.
6. Cultivating the arts and humanities as an indispensable foundation for a free, pluralistic society: treating artists as citizens and citizens as artists in government-supported arts education and service programs.[37]

Barber's perspective is clearly in line with the "third model" that Crocker suggests. In contrast, in June 2003, the American Enterprise Institute (AEI), an influential think tank, sponsored a conference at their headquarters in Washington, DC, titled "We're Not from the Government, but We're Here to Help You. Nongovernmental Organizations: The Growing Power of an Unelected Few." The announcement to the conference stated,

In recent years, nongovernmental organizations (NGOs) have proliferated, their rise facilitated by governments and corporations desperate to subcontract development projects. While many NGOs have made significant contributions to human rights, the environment, and economic and social development, a lack of international standards for NGO accountability also allows far less credible organizations to have a significant influence on policymaking. The growing power of supranational organizations and a loose set of rules governing the accreditation of NGOs has meant that an unelected few have access to growing and unregulated power. NGOs have created their own rules and regula-

tions and demanded that governments and corporations abide by those rules. Many nations' legal systems encourage NGOs to use the courts (or the specter of the courts) to compel compliance. Politicians and corporate leaders are often forced to respond to the NGO media machine, and the resources of taxpayers and shareholders are used in support of ends they did not intend to sanction. The extraordinary growth of advocacy NGOs in liberal democracies has the potential to undermine the sovereignty of constitutional democracies, as well as the effectiveness of credible NGOs.[38]

Papers presented at the conference and posted on the Web site allege that many NGOs are not dispassionately and fairly interested in the public good, but are merely covers for various discredited "liberal" and "progressive" organizations, attacking the free market and individual enterprise. They lack openness and transparency and are irresponsibly unaccountable to anyone for their actions, often favoring global governance over the sovereignty of nation-states. The AEI and the Federalist Society also announced the creation of a Web site for their new joint project, called NGOWatch,[39] that intends to devote more time and effort to unmasking undesirable NGOs.

Civil Society and Globalization

So far, we have considered civil society only from the point of view of individual countries. But there is also evidence that a kind of global civil society is emerging. Martin Kohler comments,

> There is an abundance of evidence to support the thesis of an emerging global civil society and the formation of a global polity. In many issues of public concern, economic development, peace, social policy, environmental issues, consumer concerns and civil liberties, to name but a few—interest groups are engaged in undertakings which extend beyond borders, building transnational networks to disseminate knowledge, raise consciousness, develop common viewpoints and influence the arena of intergovernmental decision-making in global affairs.[40]

He adds "that it is necessary to relate the phenomenon of the evolving transnational public to the functions and requirements of national public spheres, which are changing as a result of globalization.[41] . . . The very meaning of loyalty might change . . . to include compliance with, on the one hand, a set of globally shared values which affect coalition building, such as human rights, democratic participation, and the rule of law, and, on the other, standards to limit the scope

of transnational coalitions and the conflict they may produce, such as respect for social and cultural self-determination."[42]

It is of course precisely this kind of civil society that the AEI and others oppose, as indicated above. Though normally striving to weaken state power while supporting economic enterprise and individual initiative instead, in this instance they favor strengthening the power of certain sovereign states against associations that seek to counter, or find a place free from, the power of the economic sector, globally as well as locally.

Cosmopolitan Democracy

Indeed, considerable discussion of governance (and especially democratic governance and civil society) beyond or across the boundaries of individual nation-states has emerged recently. One of the most interesting proposals is for something termed "cosmopolitan democracy."

Daniele Archibugi defines "cosmopolitan democracy" as "a political project which aims to engender great public accountability in the leading processes and structural alternations of the contemporary world. Not that it is the only project of this kind; many others with similar aspirations (from perpetual peace projects to the World Order Models Project) have been developed over the course of time. We have drawn and learnt a lot from these. The distinctive feature of the model discussed here, however, is that it has made democracy the primary focus and studied the conditions for its applications to states, interstate relations, and global issues."[43]

In the same volume, David Held identifies four features of cosmopolitan democracy.

> First, the locus of effective political power can no longer be assumed to be national governments; effective power is shared and bartered by diverse forces and agencies at national, regional, and international levels. Second, the idea of a political community of fate (of a self-determining collectivity which forms its own agenda and life conditions) can no longer meaningfully be located within the boundaries of a single nation-state alone. Some of the most fundamental forces and processes which determine the nature of life chances within and across political communities are now beyond the reach of individual nation-states.
>
> Third, it is not part of my argument that national sovereignty today . . . has been wholly subverted, not at all. But it is part of my argument that the operations of states in increasingly complex global and regional systems both affect their autonomy (by changing the balance between the costs and benefits of policies) and their sovereignty (by altering the balance between national, regional

and national legal frameworks and administrative practices). . . . Fourth, over-lapping spheres of influence, interference and interest create dilemmas at the centre of democratic thought. In liberal democracies, consent to government and legitimacy for governmental action are dependent on electoral politics and the ballot box. Yet the [sufficiency of elections] becomes problematic as soon as the nature of a "relevant community" is contested. . . .[44]

Against this background, the nature and prospects of the democratic polity need re-examination. The idea of a democratic order can no longer be simply defended as an idea suitable to a particular closed political community or nation-state. . . .[45]

Cosmopolitan democracy involves the development of administrative capacity and independent political resources at regional and global levels as a necessary complement to those in local and national polities. At issue would be strengthening the administrative capacity and accountability of regional institutions like the EU [European Union] along with developing the administrative capacity and forms of accountability of the UN system itself. [It] would not call for a diminution *per se* of state power and capacity across the globe. Rather, it would seek to entrench and develop democratic institutions at regional and global levels as a necessary complement to those at the level of the nation-state. . . . The case for cosmopolitan democracy is the case for the creation of new political institutions which would coexist with the system of states but which would override states in clearly defined spheres of activity where those activities have demonstrable transnational and international consequences.[46]

Civil Society and Political Design

Most of the literature implies (correctly, we believe) that civil society is a stage of political development, part of the general unraveling of the totalitarian tightness of traditional tribal and small agricultural communities that has been loosening over the last several thousand years as societies have grown more populous, geographically larger, and socially more complex. It is a process driven by developments especially in communications and transportation technologies and the resulting institutions and values that continuously force each of us to be more free than we have ever been before, or might even prefer.

This process was greatly accelerated by the technologies and institutions of industrialism, beginning a few hundred years ago, and is now part of the planetary experience of globalization.

There is of course nothing inevitable about any of this. Entire societies (like China and then Japan for several hundred years each) can and have withdrawn from the process.[47] There are movements toward profound localism and self-

sufficiency that very well could carry the day.[48] Catastrophe (whether environmental, economic, military, or political) could halt globalization in all its aspects except the globalization of the catastrophes themselves.[49] These are real alternative futures, and, to many, preferable futures as well.

However, if we can assume the continuation of the unraveling and loosening global processes, then we believe that the kind of Strong Democracy version of civil society that Barber and others envision should be a factor of future political designs. Whenever new forms of governance are being imagined and created, attention should be given not only to the structures of formal governmental (and, we also believe, economic) institutions, but also to the creation of democratically organized spaces between the two. The resulting strong civil society must be hardy enough to negotiate successfully with both in defense of fairness, diversity, and freedom and yet cooperative and communal enough to facilitate both good governance and good commerce.

To do this, several other factors need to be brought into the equation. A feature of Strong Democracy is strong democratic talk (both face-to-face and mediated), mediated both online and interactively as well as through the still-dominant, fundamentally one-way media of television and the press. This idea has received elaboration recently in the guise of "Deliberative Democracy." As John Gastil puts it, "[T]here are two fundamental problems in American politics. The first is that most Americans do not believe that elected officials represent their interests. The second is that they are correct.[50] . . . [A] widespread view holds that the United States needs to implement one of several possible electoral reforms. These include new voting systems (e.g., proportional representation), term limits, public financing or strict regulation of campaign fundraising, voluntary rules of campaign conduct, and the widespread distribution of voting guides."[51]

Gastil supports those efforts but feels they are inadequate in and of themselves. What is needed is something more.

> Some reformers . . . have begun to connect face-to-face deliberation with elections. . . . Programs such as citizen juries and "deliberative polls" bring together representative samples of the public for face-to-face discussions with one another and with expert panels. After a few days of deliberation, these citizen bodies answer survey questions or draft recommendations to tell public officials what policies the larger public might endorse it if had the chance to deliberate. . . .[52]
>
> [F]or random sample forums to create a powerful public voice with significant elector impact, it is necessary to use the existing capacities of the public to connect face-to-face deliberation in small groups with the voting choices of the mass public on election day. . . . My basic recommendation is that voters

should have access to the results of representative citizen deliberation on the candidates and issues that appear on their ballots. . . .[53]

For these citizen panels to achieve their intended purpose, they would have to produce high-quality judgments, and citizens would need to be willing and able to consider panel results when voting.[54]

This proposal is reminiscent of a series of experiments conducted some years ago by Ted Becker, Christa Slaton, and others called "Televote." This has also become an integral part of Becker and Slaton's work with "Electronic Town Meetings" and "Teledemocracy," about which more will be said below.

From Political Reform to Quantum Politics

While we favor the incorporation of many of these ideas and processes into existing governance systems, we still feel that they do not go far enough. They are attempts to make a very old system operate in an environment quite different from that in which it was intended to operate. Merely reforming existing systems of governance to cope with current challenges and opportunities (especially to act fairly toward present and future generations in the face of globalization) is literally like trying to adapt a horse and buggy so it will take off on a jet runway: it might be possible, but it will not be nearly as effective as it would be if we were to abandon the horse and buggy as a once-novel and splendid but now obsolete vehicle and envision, design, and build something intended to operate in the current and future aviation system (and, I might add, the present aviation/transportation system itself desperately needs to be re-imagined and designed as well, but that is another matter!).

Though there are many elements in the civil society, deliberative democracy, and cosmopolitan democracy discussion we greatly admire, as we have suggested throughout, we feel that all current governance reforms are still inadequate on cosmological and technological grounds.

1. They are cosmologically inadequate because they are all based on old "Newtonian" notions of causality and intentionality. It is essential that new forms of governance be based on what the best science and humanities of all cultures can tell us about human and other systems, artificial as well as natural.
2. They are technologically inadequate because they were invented at a time when communications technologies were quite different from what they are now, initially limited to human speech and handwriting, later augmented by the very labor-intensive and slow printing presses of the day. At

that time, literacy was low, books were few and rare, and newspapers little more than a few pages of local announcements and opinion.

Indeed, the specific structures of government adopted a *written* constitution (instead of a mathematically expressed[55] or audiovisual one), voting for "representatives" who would act for you or in your interests (instead of voting directly for yourself via the Internet), the "separation" of "powers" into three—and only three—"branches" (instead of four or more, for future generations, or the media, or education, or CEOs, or the military, or no "branches" at all, recognizing that real governance operates by "Iron Triangles" that cut across the three formal branches), and federalism (the "division" of "power" between a central government and regional polities rather than "non-spatial governance"[56] that facilitates governing functions wherever and however they are performed, rather than privileging the happenstance of geographical place alone). All of these structural features and more can and should be viewed as *"communications technologies"* that were adequate, often brilliant, for their time but are now challenged by newer and arguably better technologies for governance, although their use also needs to be as carefully crafted in accordance with modern scientific and humanistic knowledge and values, and thus "checked and balanced" as appropriate for the present, as were the original design solutions for their time and circumstance two hundred plus years ago.

Why Quantum Politics?

It is typical for technologies, social institutions, human values, and even expressions of art to reflect/be based on the dominant cosmology of the time.[57] Thus ideas of governance and the good life, as well as architectural and sculptural works of the classical Greek period, derived from the philosophical worldviews of that era. The same was true during the Roman and then medieval periods in Europe. In many ways, the best example of this unity was during the early modern period when Newton's ideas of the physical world came to permeate all of the major institutions and cultural expressions of the time.

Since the US Constitution was written during this time by people profoundly influenced by Newtonian ideas, it is not surprising that the Constitution was based upon them as well. However, the dominant intellectual paradigm of our time is quantum physics. There would be no "electronic age" without the discovery and manipulation of the electron. What might be the principles and resulting structures and processes of "quantum politics" based upon quantum physics?

Inspired by some ideas of Glendon Schubert,[58] a group of professors and graduate students at the University of Hawai'i formed a quantum politics study

group in the mid- to late 1980s. Members included Glen Schubert, Rudy Rummel, Dick Chadwick, Ted Becker, Christa Slaton, Chris Jones, Sharon Rodgers, Kenn Kassman, Tim Dolan, Jim Dator, and others. Several research projects and publications resulted from this. I wrote two papers[59] and introduced "quantum politics" to my graduate political design courses so that generations of students have subsequently been exposed to the concept and been tempted to develop it. Becker and Slaton did most of the subsequent work, however. Becker edited a volume titled *Quantum Politics*.[60] It contained essays by several of the members of the University of Hawai'i study group and others. Slaton used the theoretical perspective of quantum politics for a book, *Televote: Expanding Citizen Participation in the Quantum Age*.[61]

After a general introduction by Becker, *Quantum Politics* opens with a presidential address to the American Political Science Association delivered by William Bennett Munro in 1927 titled "Physics and Politics: an Old Analogy Revised." Munro himself opened his statement by referring to a book written by the famous nineteenth-century political philosopher Walter Bagehot fifty-five years earlier called "Physics and Politics." Thus we are immediately reminded that this is not a new idea, only a neglected one. Other political scientists who have written about the relation of theories in physics to constitutional and political design include James Robinson, who published an article, "Newtonianism and the Constitution," in 1957,[62] Martin Landau in 1961,[63] and Harvey Wheeler.[64]

Note the title of Robinson's article. It makes clear one of the central points in the quantum politics perspective: that the constitutions of all nations today, beginning with the US Constitution of 1789, derive from a Newtonian worldview dominant in the eighteenth century. This worldview was rationalistic, mechanistic, posited immediate cause and effect, was predictive, and assumed an objective real world that could be objectively observed and measured with no interference or bias on the part of a trained, neutral observer.

This view was further incorporated into the law and legal systems of all nations that assume that humans are rational actors deterred, or encouraged, to obey or defy the law on the basis of a careful, self-interested calculus by which they compare the advantages in breaking or upholding the law with the penalties and punishments for breaking or upholding it each time one acts. Moreover, everyone is supposed to be fully informed of the law and its consequences. "Ignorance of the law is no excuse," assuming that everyone clearly knows what the law is before breaking or abiding by it. Similar assumptions underlie all modern political systems, as well as most theories concerning voting and other political activities (not to mention most modern economic theories).

Most social and behavioral science theories developed since Newton make it clear that these assumptions are not an adequate basis for understanding, controlling, or encouraging actual human behavior. Darwin and Freud, to name

two intellectual giants of the nineteenth century, had quite different paradigms that suggest how marginal rationality, predictability, and objectivity are in human decision making and actions. But from the early twentieth century onward, quantum physics and, more recently, related disciplines seemed to go even farther.[65]

Some physicists suggest that there is no real world "out there," or at least no single real world (there may be many worlds, perhaps an infinite number).[66] Moreover, even if a single, objective real world exists that we all inhabit, it is impossible for a human to say anything certain about it (at least at the micro level), because every act of observation and every attempt at measurement disturbs the thing or process being observed. Thus humans participate with the universe and do not just act in it or observe its independent operation.

There may be no immutable natural laws to be discovered. Everything that seems lawful may at best be probabilistic and perhaps fundamentally random. Anything that seems to be immutable may merely be a consequence of the "law" of large numbers and/or the limited time horizon of humans. Little can be predicted with certainty at the micro or meso level (i.e., on a human scale), therefore no "science of the future" that presumes to predict the future of humanity is possible. As we showed earlier, this is importantly the situation on Earth, where if there once ever were "natural" processes that could be observed objectively without human bias or interference, humans by now have so impacted, interrupted, and/or changed them that it is necessary to view all aspects of our environment as "artificial," requiring continual human attention, management, re-imagination, and re-creation.

Another important perspective from quantum physics is *simultaneity,* the validity, or at least utility, of certain contradictory statements about the apparent behavior of a phenomenon. The classic example is that light has observed characteristics of both a wave and a particle. "Common sense" says it cannot be both. Yet which one it appears to be depends on how it is observed.

Moreover, "everything is connected to everything else," so that "action at a distance" (rather than only localized cause-effect) exists in some ways. Yet this is not to say that we simply live in a larger system than we imagined. "System theory" of a mechanistic sort is limited as well. In its place we have "field theory," where the *interaction* of quanta, rather than the operation of *discrete units* in a system, appears to be primary.

Ted Becker, Christa Slaton, and Gus diZerega, each in separate chapters, developed these and other (sometimes competing) notions of quantum physics and quantum politics in contrast to various mainstream political theories based on Newtonian physics. DiZerega also relates them to the ideas of postmodernity, ecology, and Eastern mysticism and attempts to derive a theoretical basis for Green politics. It is worthwhile adding at this point that though there may be no

direct genealogical inheritance, these views seem to be in fundamental accord with certain features of the postmodern, deconstructionist school that dominates much of the scholarship of the humanities and social sciences presently.[67] The Green/quantum connection appears a bit more dubious.

A chapter by Laurence Tribe, a distinguished professor of law at Harvard Law School, originally appeared in the *Harvard Law Review* in 1989. Subtitled "What Lawyers Can Learn from Modern Physics," it is the first and only attempt we are aware of to apply quantum physics to law (primarily constitutional law) in the United States. Tribe says that modern physics differs from Netwonian physics in at least two ways that are useful for a better understanding of law and governance. One, at the most macro level, is "that objects like stars and planets change the space around them (they literally 'warp' it) so that their effect is both complex and interactive." The other, at the micro level, shows that "the very process of observation and analysis can fundamentally alter the things being observed and can change how they will behave thereafter.[68] . . . Thus, it is the picture of the court as a largely passive observer, and of the state as a subject exerting force from a safe distance upon the natural world regarded as external and pre-political object . . . that I think can be usefully dissolved, and then helpfully refocused, from the perspective of twentieth-century physics."[69]

Technology and Political Design

As we have said repeatedly, the American Constitution was a brilliant solution that enabled the founding fathers to overcome many of the design problems facing them. For example, even though many citizens of the time preferred to participate in formal political decision making directly themselves—and did so when this was possible—they recognized that this was not possible for the citizens of the vast new nation as a whole *given the communications and transportation technologies of the time.* As Gordon Wood puts it, quoting from political pamphlets of the time,

> Whenever the inhabitants of a state grew numerous, it became "not only inconvenient, but impracticable for all to meet in One Assembly." Out of the impossibility of convening the whole people, it was commonly believed, arose the great English discovery of representation. Through this device of representation, "substituting the few in the room of the many," the people "in an extensive Country" could still express their voice in the making of law and the management of government. . . . The elected members would be . . . "an exact epitome of the whole people," "an exact miniature of their constituents," men whom the people could trust to represent their interest.[70]

Thus representative democracy (citizens participating indirectly in decision making by designating "men they could trust to represent their interest") was seen as a satisfactory solution to the physical impossibility of participating directly. If there had been a technological option (if, for example, modern electric and electronic communications networks had existed), would they have settled for indirect participation through their elected representatives instead? It seems highly unlikely that they would have made election of representatives their primary, much less sole, mode of participation in national politics as it was then, and still is now, in the United States.

However, since the affairs of state are so numerous and complex, it is highly likely that even if these technologies had existed then that the founders would have invented a hybrid system, perhaps similar to that suggested in the Aanivalta proposal in Finland.[71] This system assumes that on many and perhaps most issues citizens are more than happy to choose someone to act on their behalf. But they want to be able to instruct that person directly if they choose to do so and to bestow their mandate on some other delegate at any time if they are dissatisfied with a person they previously designated to act on their behalf. However, knowing that there are some issues on which each citizen might have the knowledge and desire to participate directly, the Aanivalta proposal allows citizens such direct participation in legislation via electronic means whenever they wish, otherwise leaving the details of day-to-day governance to their appointed delegates.

At the very least, direct citizen discussion, debate, involvement, and impact on policy decision making in the way Gastil, Becker, and Slaton propose is possible now in ways that simply were not possible in 1789. So we believe that whenever there is an opportunity or necessity to create new governance systems, or even just to improve old ones, these and future communications technologies should be brought to the front and center of discussions about inventing new processes of governance.

And it is not only in legislative decision making. If direct democracy means allowing citizens to participate directly in policy making, then it also means citizens should be allowed, and expected, to participate directly in all aspects of governance, including "administration" and "adjudication," to restrict ourselves only to the conventional three branches for now.

There has been much more discussion over the years related to direct democracy and much less to "direct administration" and "direct adjudication," but there has been some. Indeed, in some ways, there has been much more actual movement, as well as theoretical discussion, in citizen direct involvement in adjudication. It has been so from the start, with the use of the jury system in the United States and elsewhere. But the entire alternative dispute resolution (ADR) movement is premised on the belief that it is better to enable citizens to settle their own disputes in ways that make sense to them, with the help of skilled

mediators, than it is to "go to court" and have an authoritarian (even if compassionate and wise) judge decide the matter for them on the basis of the state's arbitrary and one-size-fits-all "law." Moreover, advances in computer hardware and software, expert systems, online services, and artificial intelligence also are rapidly facilitating this transition.[72]

Do People Want to Participate?

At the outset of this chapter we said, "We all want to be able to participate in matters affecting us. We want to have a fair hand in carrying out group tasks. We want to participate in settling conflicts among our companions." At that point we also said that libertarians who insist on absolute individualism would object to that statement. But there are others who would object to it as well.

We have long argued that there are two kinds of "alienation." One kind, most frequently remarked upon, results when you cannot participate in decisions when you want to. The other, less frequently mentioned, results in being required, or strongly urged, to participate in decisions when you *do not* want to. The extraordinary depth and extent of the second form of alienation, in the United States at least, has recently been well documented in an important book by John Hibbing and Elizabeth Theiss-Morse titled *Stealth Democracy: Americans' Beliefs About How Government Should Work.*[73] It is the product of some excellent empirical work and not simply of speculation and must give pause to anyone who believes citizen participation in politics is good and feasible. The authors state their conclusions very clearly in the introduction to their book.

> The last thing people want is to be more involved in political decision making: They do not want to make political decisions themselves; they do not want to provide much input to those who are assigned to make these decisions; and they would rather not know all the details of the decision-making process. Most people have strong feelings on few if any of the issues the government needs to address and would much prefer to spend their time in nonpolitical pursuits. Rather than wanting a more active, participatory democracy, a remarkable number of people want what we call stealth democracy. . . . The people want democratic procedures to exist but not to be visible on a routine basis.[74]

However, "the people want to be able to make democracy visible and accountable on those rare occasions when they are motivated to be involved. They want to know that the opportunity will be there for them even though they probably have no current intention of getting involved in government or even of paying attention to it."[75]

"Participation in politics is low not because of the difficulty of registra-

tion requirements or the dearth of places for citizens to discuss politics, not because of the sometimes unseemly nature of debate in Congress or displeasure with a particular public policy. Participation in politics is low because people do not like politics even in the best of circumstances; in other words, they simply do not like the process of openly arriving at a decision in the face of diverse opinions."[76] The rest of their book documents these conclusions.

It is very important that we keep these facts in mind whenever we turn our attention to political design. However, we believe the evidence clearly shows that structure does matter and that more Americans would participate in political decision making if that participation were made easier, more interesting, and more effective. The Finnish proposal called "Aanivalta" mentioned above, among many others, specifically demonstrates how representative and democratic processes can be effectively and satisfactorily combined in ways that address the concerns of "stealth democracy."

Moreover, Americans do participate in activities that matter to them and if they believe they can influence outcomes by their participation. And they certainly do not shrink from engaging in argument and disputation either, as anyone who has observed parents at their children's soccer practices and games knows very well. But it truly is a strange American indeed who bothers to participate in formal politics, even at the local level, when they are entirely incapable of influencing national decisions (which also have local consequences) at all. Thus the findings of "stealth democracy" should be read as a design challenge to be addressed rather than an eternal verity that must be accepted. Just as we do not want to create alienation by thwarting desired participation, neither do we wish to cause alienation by requiring it when people prefer to be left alone.

So even though most of mainstream political science and administration ignores (when it does not actively ridicule) attempts at electronic democracy,[77] there is a huge and growing body of literature that discusses not just the various proposals and the theories behind them, but also features careful evaluations of numerous actual experiments. And it is a worldwide movement that is helping people learn from each other more rapidly.

Much of this literature was collected and discussed in a book by Ted Becker and Christa Slaton titled *The Future of Teledemocracy.* It, and several other sources, are required reading for anyone interested (even if initially opposed) in understanding how modern communications technologies might be purposely included in new governance designs. It has the additional feature of being based on principles of quantum politics, including the emerging interest in random politics.[78] The Institute for Alternative Futures in Alexandria, Virginia, recently conducted an extensive survey of the use of information and communications technologies (ICT) to support governance. The report determined that currently ICT is used to support governance in five areas.

1. Cyber Administration: Or E-government. The use of the Internet and other information and communications technology to enhance government services. The Internet is helping to expedite a wide range of such services.
2. Cyber Voting: Internet voting for candidates as well as for policies via initiatives and referenda.
3. Cyber Participation: ICT-enhanced citizen interaction and input on policy issues or policy development apart from voting. This would include petitioning legislatures, electronic town meetings, polling and electronically mediated policy dialogues.
4. Cyber Infrastructure: In addition to connectivity, more specific cyber tools used to enhance participation, deliberation, and community building. These tools include groupware and online community development tools, games and simulations, as well as polling and surveys.
5. Cyber Agenda-setting: the use of the Internet and other ICTs to enhance or redirect the political or policy agenda by established groups such as political parties and nongovernmental organizations.[79]

The report also stated that "more than half the US population and three-quarters of European citizens surveyed believe information technology will spark a renewal of democracy and civil society," but at the same time, "with the enhanced connectivity made possible by ICTs come potential privacy violations by 'big brother' governments, corporations, or terrorists; employment discrimination; loss of civic rituals and community; and isolation into one's own political community."[80]

It seems clear to us that electronic communications technologies already are transforming governance in many ways, largely unforeseen and perhaps undesirable, while others appear to be exhilarating and liberating. It is our contention that the conscious, purposeful, and controlled introduction of these and other technologies into the design of future governance systems is an urgent necessity.[81]

In the last chapter of their book, *The Future of Teledemocracy,* Becker and Slaton present what is to us an inspiring and yet responsible and achievable vision of a "Quantum-corrected New Democratic Paradigm." On the basis of years of research and networking in this field, they believe that a "quantum-corrected new democracy" will be characterized by the following features.

1. There will be more community, local, state, provincial, regional, national, transnational, and global direct-democratic movements and governance.
2. There will be more understanding of the common direct-democratic theory that unites them and thus more networking between them.
3. These new direct-democratic systems will use more scientific, deliberative

polling, voting from the home, electronic deliberation, and comprehensive electronic town meeting processes. TV set-computers will become home based, interactive (lateral and two-way) political information and communications systems, eventually assisted by artificial intelligence.

4. Simple majority, win-lose systems will give way to broad-based consensus building as the best way for polities to plan, decide, and administer the public sphere.

5. The use of random sampling will become more common in empowering citizens in self-governance and in influencing representative governments.

6. New forms of electronically based democratic political organizations will emerge that are here today and gone tomorrow—for example, "cyberparties," "citizens initiative networks," "cyberpressure groups," and "virtual communities of political transformation." These will transform representative government into a system much less responsive to traditionally organized pressure groups and more responsive to a broad base of its citizenry.[82]

Concluding Challenge

Responding to globalization with fairness toward present and future generations presents humanity with a new and pressing opportunity: to envision, design, and implement new forms of governance that capture the aspirations for community, identity, and freedom that people have everywhere, but grounded on more appropriate cosmological and technological bases than are current governance systems.

We challenge the readers of this volume, especially those who are in positions of decision influencing and making in East Asia, to accept this challenge and engage in fundamental, culturally appropriate, quantum-informed new democratic governance design. However, as Ian Shapiro and Stephen Macedo point out,

> [A]bstract debates about democratic ideals are of limited value when conducted apart from serious efforts at institutional design, and from serious attention to the varying contexts in which democracy must be realized if it is to be realized at all. Few things are easier than celebrating rule by the deliberate sense of the people, and few things are harder than designing institutions to bring this about in practice.[83]

But (as though illustrating how difficult governance design actually is) in fact there is very little useful information on designing new governance in the rest of their book except for this one sentence by Brooke A. Ackerly in her article, "Designing Democratic Institutions: Political or Economic?" "The history and

the present of . . . economics and politics . . . suggest that political reform will not be successful (no matter how coherently designed, no matter how accommodating the political strategies of certain elected officials) if political power continues to be the most sure source of economic gain."[84] We challenge you, in the name of future and present generations everywhere.

Further Thoughts
Global Governance

Walt Anderson

For many people the dream of world government has always seemed the key to the future, the only pathway to a world of peace, stability, equity, and fairness. This was the dream expressed by Alfred Lord Tennyson in his poem "Locksley Hall," invoking a future time when "the war-drums throbbed no longer and the battle flags were furled/In the Parliament of man, the Federation of the world."

Today World Federalists carry forth the idea of a global government complete with constitution, capital, and powers to levy taxes and enforce world law. Outside their ranks, many people who are not prepared to go all the way with a complete global state nevertheless advocate a greatly strengthened United Nations or perhaps an elected global parliament.

In striking contrast to this is the worldview of the political theorists and government officials who call themselves "realists" and who see nation-states as the once and future keepers of legitimate power to govern and the realities of world events driven by national interest. From the realist point of view, such a global government is neither practical nor desirable.

A third point of view holds that we already have a system of global governance (not a government, but rather an ever-changing arrangement of governments, intergovernmental organizations, nongovernmental organizations, multinational corporations, regimes, and practices) and that the hope of the future lies in its evolution, variously described as an "ambiguous world order," a "nobody-in-general-charge system," or an "ecology of governance."

Notes

1. Ted C. Lewellen, *Political Anthropology: An Introduction* (Westport, Conn.: Bergin & Garvey, 1992), chaps. 1, 2.

2. D. S. Wilson, "Human Groups as Units of Selection" *Science* 276 (June 20, 1997): 276–277.

3. Gordon S. Wood, *The Creation of the American Republic, 1776–1787* (New York: W. W. Norton, 1969), 228.